United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, THURSDAY, APRIL 3, 2003 No. 54

House of Representatives

The House met at 10 a.m.

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

Lord God, our salvation and our hope, when Jeremiah heard You calling him, he tried to evade a response. Jeremiah did not make excuses as we often do. He simply did not remain focused on You. He looked to himself instead and saw himself inadequate for the task You placed before him. As Your word once shook Jeremiah from his self-centeredness, so now call the Members of Congress to look beyond self-interest and be prophetic leaders of this Nation who will do what needs to be done and say what needs to be said.

Strengthen them by Your commission: ''Go to whatever people I send You and say whatever I tell You to say. Fear none of them for I am with You and will keep You safe. This is the very word of the Lord.''

May all of us be responsive 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 Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS 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 a bill of the following title in which the concurrence of the House is requested:

S. 380. An act to amend chapter 83 of title 5, United States Code, to reform the funding of benefits under the Civil Service Retirement System for employees of the United States Postal Service, and for other purposes.

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the Democratic Leader, announces the appointment of the Senator from Illinois (Mr. DURBIN) as a member of the United States Capitol Preservation Commission, vice the Senator from Utah (Mr. BENNETT).

The message also announced that pursuant to Public Law 100–696, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, appoints the following Senators as members of the United States Capitol Preservation Commission:

The Senator from Utah (Mr. BENNETT), vice the Senator from Illinois (Mr. DURBIN).

The Senator from Colorado (Mr. CAMPBELL), vice the Senator from Nevada (Mr. REID).

The message also announced that pursuant to Public Law 101–509, the Chair, on behalf of the Majority Leader, announces the appointment of Alan C. Lowe, of Tennessee, to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 101–509, the Chair, on behalf of the Democratic Leader, announces the appointment of Stephen Van Buren, of South Dakota, to the Advisory Committee on the Records of Congress, vice Elizabeth Scott, of South Dakota.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain five 1-minutes on each side.

HONORING VETERANS

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

Mr. PITTS. Mr. Speaker, in Iraq today heroes are being made and freedoms won. Our soldiers in Iraq are joining a proud group of veterans who have fought to defend freedom and our country in the past.

This morning I would like to share a few words of Father Denis Edward O'Brien, chaplain of the United States Marine Corps, that honor our Nation's veterans. He said, ''It is the soldier, not the reporter, who has given us freedom of the press. It is the soldier, not the poet, who has given us freedom of speech. It is the soldier, not the campus organizer, who has given us freedom to demonstrate. It is the soldier who salutes the flag, who serves beneath the flag, and whose coffin is draped by the flag, who allows the protester to burn the flag.''

There is a time to fight for freedom. Today our Nation's veterans are defending freedom and this Nation in Iraq. Two little words that would mean a lot to them are ''thank you.''

THE FEDERAL DEBT AND TAX CUTS

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

Mr. DEFAZIO. Mr. Speaker, today the House of Representatives will vote to borrow $75 billion adding to our $6 trillion mountain of Federal debt. Maybe we would not have to borrow that money if we asked the wealthy people if we could cancel, ask them to contribute a little bit to this crisis, but we will not do that here. What are we going to spend the $75 billion on? $10 billion of foreign aid including $1 billion for Turkey, and remember how

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helpful they have been, $1 billion for Turkey which their ambassador says is a unilateral act on the part of the United States of America. They have not asked for it and they do not want it, but we are going to give them that billion. We are going to borrow it, and give it to them.

Billions to rebuild Iraq including 6,000 schools. Universal health care is going to be implemented in Iraq. We already have a request for a proposal online from the United States Government to provide that.

What about here at home? What about our schools? What about the 44 million Americans that do not have health care? Not a penny of emergency spending in this bill for them. And then finally we have of course port security, first responders. Where are the funds we need to defend our country and where is the money the airline workers have been waiting for? For 18 months we promised them they would get money next week, 18 months ago.

''PORKER OF THE WEEK'' AWARD

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

Mr. HEFLEY. Mr. Speaker, Boston's Big Dig and Virginia's Mixing Bowl are characterized by cost overruns and boggled timelines. The Big Dig in Boston has turned into one of our biggest boondoggles. The project which already costs more than twice as much as it did to build the Panama Canal was estimated in 1985 to cost $2.6 billion. Eighteen years later the project still is not completed and the costs are more than $14 billion and are expected to go to $18 billion. So also the cost projections for the Mixing Bowl have tripled with the latest estimate approaching $1 billion. Lax oversight and consistently low estimates of cost and money have also hampered the completion date which was slated for 2007. That slipped.

These projects represent huge investments by State, local, and the Federal governments, and Americans have the right to expect Federal projects to be well managed and completed on time and on budget. Because the Federal Highway Administration has done little to stem the runaway spending on these two projects, it gets my ''porker of the week'' award.

TRIBUTE TO KAREN L. ROBINSON

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor a very good friend of mine and Costa Mesa's mayor, Karen L. Robinson. Mayor Robinson was recently appointed as a judge of the Orange County Superior Court, making her the first black woman appointed to our county bench.

Robinson currently supervises five attorneys as the litigation counsel coordinator for the California State University System, and she also serves as a judge pro tempore, presiding over small-claims cases for the county's municipal and superior courts.

Robinson's appointment as a judge is not the first time that she has made history. In 2000 she was named to the Costa Mesa City Council and in 2002 was named mayor. Both are firsts for an African American in that city in Orange County.

I would like to congratulate Robinson on her outstanding achievements and all of her contributions to our community, and I know that she will have even more successes in her career, and I wish her the best.

CONTRIBUTIONS OF THE NAVAL RESERVE

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

Mr. KIRK. Mr. Speaker, seven carriers and air wings are deployed in Operation Iraqi Freedom. I want to focus on a Carrier Reserve Squadron being assigned to Carrier Air Wing Eight aboard the USS *Roosevelt*. The Squadron is Strike Fighter 201, VFA–201, flying the F–18 Hornet. They are part of the 11th Carrier Air Wing, Carrier Air Wing Reserve 20, headquartered in Atlanta.

This is the first naval reserve F–18 squadron ever mobilized aboard a carrier with an active duty wing, and 201's combat record demonstrates the capability of our reserve air crews. Since October VFA–201 mobilized over 100 Reservists transitioning to the F/A–18 Alpha Plus and deployed aboard USS *Theodore Roosevelt* in January.

Every aviator has crews and combat experience of over 1,000 flight hours, many logging more than 2,000 hours in type. Reservists of 201 provide leadership to the wing in strike planning, flight execution, and carrier operations. Their experience in operations around the world and in adversary tactics aid Air Wing readiness. This reserve squadron's boarding rate and landing grades exceeded all other active duty Air Wing Eight squadrons.

Early in the morning of March 23, the ''hunters'' of VFA–201 made history carrying out our initial strikes and destroyed a communications complex south of Baghdad. The pilots, sailors, and jets are performing magnificently. Morale is high and they are continuing to operate Air Wing Eight in support of Operation Iraqi Freedom. Naval Reserve TACAIR is alive, underbudget, and on target. This success story is what our Naval Air Reserve squadrons bring to the table in time of war: experience, peacetime active duty support, and surge capability. The Reservists are our best and brightest. They form the backbone of a low-cost military insurance policy America needs.

ADDRESSING HOMELAND SECURITY

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

Mr. PALLONE. Mr. Speaker, the Republican leadership today is bringing up a spending bill primarily to pay for the war, and I certainly understand it and will support it; but they have precluded the Democrats from adding and actually addressing in a better way the issue of homeland security. We know that after 9–11 we have to do a lot more to protect problems at home, whether it be water utilities or railroad opportunities or our ports and cargo coming into ports. And what the Democrats have been saying over and over again is that this bill that comes up today, and basically the Republican leadership in general are not doing enough to look at the problem of homeland security.

We were told that we could not bring up an amendment that would have added money to pay for these various functions here at home. They should have allowed us here to do this. It is not fair to not let the Democrats who are a minority, but not a minority by much, to have the opportunity to debate and bring up a bill that would put more money to address these problems whether it is tunnels, whether it is your local water supply, whether it is helping with grants for local firefighters or police so that they can better respond and understand what to do in case of a biological or chemical attack. This is what my constituents are telling me that they are very concerned about. Of course they are concerned about the war, and we have to finance the war operations against Iraq. But we also have to be concerned about what happens here. I saw what happened in the aftermath of the attack on the World Trade Center. We are not prepared. Let the Democrats bring up that amendment and address the problem of homeland security more effectively.

FISCAL YEAR 2003 SUPPLEMENTAL SPENDING BILL

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

Mr. GINGREY. Mr. Speaker, I have come before the American people today to express my deep concern over the situation affecting our domestic airlines. Today we will be voting to appropriate a supplemental budget. Within this budget there will be much needed, in fact, critical funding for our troops who are currently engaged in combat with Iraq. This funding bill will also include payments to our domestic airliners to help fund security measures in response to the September 11 attacks.

Mr. Speaker, I support both components of this supplemental spending

bill. However, Mr. Speaker, it has become hard to understand that in these times of economic hardship why airline industry executives would take millions of dollars in bonuses while each of the companies is laying off large portions of its workforce while mired in billions of dollars of red ink. The airline industry must exercise fiscal restraint. I would hope that all of these companies would tighten their belts especially if we are going to ask the taxpayers of this country to help carry the burden of their business.

SECURITY FOR OUR PORTS

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

Mr. GEORGE MILLER of California. Mr. Speaker, today, unfortunately, the Democrats will not be allowed to offer an amendment that would dramatically increase the security of this Nation from terrorist activities, and that is an amendment to provide for the nuclear detection of nuclear devices that might be put into containers in ports overseas. We have 6 million containers a year that come to the United States. The CIA has told us, the intelligence agencies have told us that this is one of the prime ways to deliver nuclear material by a terrorist. The Hart-Rudman Commission that warned us of 9–11 prior to 9–11 has warned us that this is the main way in which a terrorist would have an opportunity to deliver a nuclear device. But what do we do? We wait until the containers get to the port of San Francisco, to the port of Oakland, to the port of New Jersey, to the port of Miami to then check them.

□ 1015

It is too late if they get inside of our ports.

If a nuclear device went off in one of our ports, it would not only devastate hundreds of thousands of lives, it would not only devastate the city, it would devastate the world economy.

The Democratic amendment should have been allowed so we can check these containers before they leave Asia, before they leave Europe, before they leave Africa. That is security for the Nation.

RECOGNIZING TEXAS WOMEN'S UNIVERSITY AND THE TEXAS WOMEN'S HALL OF FAME EXHIBIT IN HUBBARD HALL

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

Mr. BURGESS. Mr. Speaker, I rise today to recognize Texas Women's University and Chancellor Ann Stuart on the grand opening of the Texas Women's Hall of Fame exhibit in Hubbard Hall in Denton, Texas.

The Texas Governor's Commission for Women created the Texas Women's Hall of Fame in 1984 to honor the State's most outstanding women. The Hall of Fame recognizes Texas women who have obtained significant personal or professional achievements, including former first ladies, teachers, athletes and astronauts.

There have been 114 women inducted into the Hall of Fame and this exhibit will honor these outstanding ladies and their extraordinary accomplishments. Photographs and biographies of the inductees line the walls of Texas Women's Hall of Fame to inspire future generations in this prestigious group.

One of the original inductees is Dr. Mary Evelyn Blagg Huey, my former neighbor and former Texas Women's University president and the second woman to become president of a State university in Texas. This year's inductees were: Ann Williams, Texas Women's University regent and founder of the Dallas Black Dance Theater; Johnnie Marie Benson, a health care advocate; Karen Hughes, advisor to George W. Bush; and Sister Angela Murdaugh.

Please join me in congratulating Dr. Ann Stuart and this year's inductees for their service to the community and to the fine State of Texas.

PROVIDING FOR CONSIDERATION OF H.R. 1559, EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003.

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 172 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 172

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. FOSSELLA). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Last night, the Committee on Rules met and granted an open rule to H.R. 1559, the Emergency Wartime Supplemental Appropriations Act for Fiscal Year 2003.

Mr. Speaker, this is a fair and open rule for a very important bill. It cannot get any better than that.

The rule allows any Member to offer any amendment to the bill as long as their amendment complies with the normal Rules of the House.

I am very pleased the House is trying to move H.R. 1559 quickly, because I know the importance of this bill to the men and women in our military. I also want to congratulate the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, and the gentleman from Wisconsin (Mr. OBEY), the ranking member, for resisting most efforts to add extraneous provisions.

This bill is too important for our troops for it to get bogged down with nonappropriations issues.

I agree with the President that the United States has been at war since September 11, 2001. After our Nation was attacked, America made a decision: We will not wait for our enemies to strike before we act against them. We are not going to permit terrorists and terrorist states to plot and plan and grow in strength while we do nothing.

This emergency wartime supplemental appropriations provides the tools and the resources for our military to wage an aggressive war against Saddam Hussein while at the same time preparing our homeland.

Over the past 15 days we have seen the brutal and cruel nature of a dying regime. In areas still under its control, the regime continues its rule by terror. Prisoners of war have been brutalized and executed. Iraqis who refuse to fight for the regime are being murdered. Some in the Iraqi military have pretended to surrender and then opened fire on coalition forces that were willing to show them mercy.

We owe a great deal of gratitude and respect to our servicemen and women who are currently in harm's way. My thoughts and prayers are with them and their families during this time of war, and I want to thank them for their courage and bravery on the battlefield.

This war budget will meet America's needs directly arising from Operation Iraqi Freedom and our ongoing war

against terror, including $63 billion for military operations. This funding will provide fuel for our ships, for our aircraft and tanks, supplies for our troops in the theater of operations, new high-tech munitions to replace the ones that we have used so far in this war. The supplemental will also provide funds to assist in the reconstruction of Iraq, Mr. Speaker; $5 billion to help our brave coalition partners.

In order to protect the American homeland in this time of high alert, it also includes $4 billion for the Departments of Justice and Homeland Security to address the immediate and emerging threats on American soil.

This legislation accomplishes this goal by providing $2.2 billion for grants to first responders. Within that amount, $1.5 billion is provided for the Office of Domestic Preparedness, their basic grant program to the States, and $700 million is provided to address the security requirements in high-threat, high-density urban areas with critical infrastructure like my city of Charlotte.

H.R. 1559 also allocates these funds for several other high priority activities: $498 million for border and port security, and $85 million for reimbursements to State and local law enforcement officers and National Guardsmen for increasing security measures at airports and other critical transportation sites.

Our Nation must give our military and our law enforcement officers the weapons that they need to meet future threats. If the war against terror means that we must find terror wherever it exists and pull it out by its roots and bring people to justice, then our military and our law enforcement officers must have the means to achieve it.

To that end, I urge my colleagues to support this rule and support the underlying bill. We need to rapidly approve the core funding for the Pentagon so supplies continue to flow to our troops.

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

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

Mr. Speaker, I just listened to my friend, the gentlewoman from North Carolina (Mrs. MYRICK), and she said oh, well, this is a great open rule.

Let us be very clear about what is happening here. This is not an open rule in the true sense. The Republicans waived all the Rules of the House that they could possibly waive: the Budget Act, every rule that they could waive for their own bill, for the committee bill, and then they refused to waive those same rules for the ranking member, the gentleman from Wisconsin (Mr. OBEY), to bring up an amendment to the committee bill. So this is not an open process, and let us be serious about what is going on here today.

Right now, Mr. Speaker, the brave men and women of the U.S. military are, once again, proving themselves to be the finest fighting force in history. On the ground, in the seas, and in the skies over Iraq, our soldiers, sailors, airmen, and marines are risking their lives to protect America and the world from the threat posed by Saddam Hussein's murderous regime.

Mr. Speaker, our troops have the strong bipartisan support of this Congress and of the American people. We are all deeply proud of the courage, skill, and professionalism they are displaying under very difficult conditions, and we are committed, Republicans as well as Democrats, to ensuring that our troops have all the resources they need to complete their mission as quickly and as safely as possible.

So I am pleased that this emergency spending bill is on the House floor today. The Committee on Appropriations chairman, the gentleman from Florida (Mr. YOUNG) and the ranking member, the gentleman from Wisconsin (Mr. OBEY) each deserve credit for a bill that is generally quite strong.

This bill supports our troops in the field, it protects the foreign policy prerogatives of the President, and it respects the Congress's constitutional duty to maintain responsibility for the tax dollars of the American people. Additionally, this emergency supplemental includes desperately needed assistance for the struggling airline industry.

Mr. Speaker, U.S. airlines are critical to the American economy, but they were hurt severely by the September 11 attacks and by subsequent security expenses. I know this firsthand because American Airlines, which employs thousands of hardworking people in my north Texas district, has been struggling mightily, and I want to congratulate the employee unions at American for voluntarily agreeing to benefit reductions to help keep the company out of bankruptcy. But they, like the rest of the airline industry, need additional relief from the government. So I am glad that this bill provides it, and I urge the President to support it.

Mr. Speaker, for all of these reasons, I expect to support this bill.

But make no mistake: This bill as it is currently written still leaves America unnecessarily vulnerable to another terrorist attack. That is because Republicans continue to block critical homeland security resources for key targets like ports and nuclear facilities. Mr. Speaker, I simply cannot understand why Republicans refuse to address so many vital homeland defense needs. After all, there is no disputing the importance of these unmet homeland security requirements.

The Coast Guard reports that it needs $1 billion this year alone to secure America's ports. The U.S. Fire Service found that between one-third and one-half of firefighters lack critical pieces of basic emergency equipment. And each of the armed services has submitted detailed lists of military construction projects required to ensure the security of American troops at bases here in the United States.

But while Republicans ignore these vital homeland security needs, they have proven time and again that they are willing to spend money on their priorities. Unfortunately, those priorities too often turn out to be tax breaks for those who need them the least.

Just last month, House Republicans voted to spend nearly $800 billion on tax breaks, but they refused to spend less than one-half of 1 percent of that amount, $250 million, for a critical program to protect our ports against terrorists.

Mr. Speaker, Democrats have repeatedly tried to force Republicans to address America's homeland defense. In the Committee on Rules last night, the gentleman from Wisconsin (Mr. OBEY) offered an amendment to provide $2.5 billion for homeland security requirements that Republicans have refused to address.

□ 1030

But Republicans on the Committee on Rules blocked the amendment of the gentleman from Wisconsin (Mr. OBEY).

The Republican leadership is tempted, as we have already heard, to tell us that they did not block the amendment of the gentleman from Wisconsin (Mr. OBEY). They may be tempted to say again that this is an open rule, and the problem is that the amendment of the gentleman from Wisconsin violates the House rules.

Mr. Speaker, I hope the Republican leadership does not make that argument again, because that argument is dangerously disingenuous. After all, Republican leaders routinely waive the House rules for their priorities. Just last month, they were willing to waive the Budget Act to provide hundreds of millions of dollars in tax breaks to special interests. In this very rule, the same one that refuses to provide the amendment of the gentleman from Wisconsin (Mr. OBEY) with waivers, Republicans have waived the rules for the underlying bill.

All in all, Mr. Speaker, the Republican leaders have waived the House rules on 14 of 15 rules this year. In other words, Republicans are happy to waive the House rules for special interest tax breaks and other Republican priorities, but Republican priorities do not seem to include additional money for homeland defense.

Mr. Speaker, this is not just unfair and undemocratic, it is an arrogant abuse of power. Most importantly, it is an abuse of power that leaves Americans more vulnerable to terrorist attacks here at home.

For that reason, Members of the House have only one way to pass the amendment of the gentleman from Wisconsin (Mr. OBEY) today: by defeating the previous question on this rule. Let me be clear: by voting ''no'' on the previous question, Members will simply be voting to allow the House to

provide critical homeland security resources. They will not delay or defeat the underlying bill.

We will support the troops, and I am sure that this wartime spending bill will pass with an overwhelming bipartisan majority. But by voting ''yes'' on the previous question, Members will be voting to block critical homeland security resources. There is no way around that fact, so I urge Members not to do it.

Mr. Speaker, protecting America's homeland should not be a bipartisan issue. I hope my Republican friends will join Democrats in opposing the previous question so we can strengthen our defenses here at home while we provide for our troops in the field.

Mr. Speaker, I yield 7 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

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

Mr. Speaker, this is a sad day for me personally. Thirty-four years ago today, I was sworn in as a new Member of this body. I was inspired by the idea that this institution was supposed to represent. This institution is supposed to be the people's House. This institution, more than any other, is supposed to reflect the public will. This institution has been known through the years as the greatest parliamentary body in the world.

Mr. Speaker, I think the rule that is bringing this crucial piece of legislation to the floor today represents a fundamental corruption of the democratic processes of this House and this country. I want to explain why.

Mr. Speaker, this bill is a $70 billion bill to try to pay for the cost of a war which, it is hoped, will bring ''democracy'' to Iraq. Yet, democracy is being fundamentally denied on this House floor this morning.

Now, we hear all of this meaningless blather about how this is an open rule and we can offer any amendment that is within the rules, but that obscures the truth. The truth is that this bill has been brought to the floor under a rule which allows this bill to avoid the rules of the House, and it does so in three fundamental ways. That enables the majority to bring a bill to the House floor which, among other things, will supplement the process by which our government intends to provide basic health care to 25 million Iraqis; our government plans to provide for the modernization of 6,000 schools in Iraq; and it plans to rebuild 100 hospitals in Iraq.

I begrudge the President none of that in his efforts to win the hearts and minds of that country. However, this rule blocks our effort to provide $2.5 billion in additional homeland security protection by protecting our ports, giving our first responders more assistance, and doing a variety of other things to keep this country safe from terrorist attack.

The way it does that is that it allows the bill itself, brought by the Republican majority, to obliterate the normal rules of the House under which bills are considered; but then it requires us to abide by the very rules that the majority party ignores in constructing its bill.

Members may call that democracy; I call it a sham. I call it a shameful sham. I do not for a moment understand why we are even having this disagreement. On a subject like homeland security there should be no ''Ds'' behind our name, there should be no ''Rs'' behind our name; there should only be an ''A'' after our name. In discussing a bill like this, we should not be Democrats or Republicans, we should be Americans.

I would ask every Member of this House whether or not anything that we are trying to propose in this amendment is not worthy of support. We are being blocked today from funding a new program that would enable us to protect America from nuclear material loaded onto ships and brought into American ports. We are being denied the opportunity to install equipment in nine ports around the world so that for at least 50 percent of the cargo which comes into this country we will know it does not have nuclear material which could cause the explosion of dirty bombs in our ports and harbors. We are being denied the right to try to fix that problem.

We are being denied the right to offer additional funds to protect the security of our own nuclear material here at home. We are being denied funds to upgrade the quality of State labs so they can detect what we are hit with if we are hit by a chemical attack. We are being denied $108 million to protect Federal dams and waterways from terrorist attacks. We are being denied $75 million so that we can conduct vulnerability assessments for chemical plants in this country. We are being denied several hundred million dollars in additional help that we want to provide to our local first responders, our police, and our firemen.

Additionally, we are being denied an effort to provide additional funds so that our Guard and Reserve forces can see to it that in every State in the Union we have backup units to help first responders respond to chemical and biological attacks. We are being denied the ability to put additional port security requirements into effect in Charleston, Philadelphia, Jacksonville, Baltimore, Honolulu, San Francisco, Los Angeles, Corpus Christi, San Juan, and Wilmington in order to protect this country, again, from deadly material that is brought into our harbors. We are being denied many other things.

So in my view, Mr. Speaker, this rule is a disgrace. We intend to vote against the previous question on the rule, and I would urge Members of the leadership of this House to recognize that on this, above all issues, we ought to be dealing with this in a bipartisan give-and-take manner so we can provide far more protection to each and every citizen of this country than we are providing to date.

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

Mr. GIBBONS. Mr. Speaker, I thank my friend, the gentlewoman from North Carolina, for yielding time to me.

Mr. Speaker, I rise in support of the rule but in opposition to a legislative process which has allowed a critical wartime supplemental appropriation package to become a vehicle for billions of dollars in nonrelated war spending.

As a veteran of both Vietnam and the Persian Gulf wars, I know all too well how imperative adequate funding is to the success of any modern military campaign. When I hear our President and the Secretary of Defense rally behind a package of funding for military, I do not flinch in offering my sincere and strong support, no matter how great that price may be. Our brave men and women in uniform are making great sacrifices in the deserts of the Middle East every day and they deserve our support and the funding to help them achieve their mission and a victory.

However, when I learn of last-minute deals between Members of Congress and certain special interests which bog down this crucial defense spending package with non-war related gifts at the expense of my constituents' hard-earned tax dollars, I cannot help but question the entire process.

Today the airline industry will get billions more dollars in Federal aid without a full debate on the financial problems still plaguing that critical industry, even after this Congress gave them over $15 billion in aid in 2001.

Now, tourism in Nevada is the number one industry for us, and I work hard every day to see that certain economic reforms are enacted to benefit the hardworking Nevadans who rely on a healthy travel and tourism industry. However, I strongly disagree that an emergency supplemental spending package intended to fund our Nation's Armed Forces and provide necessary humanitarian aid to the Iraqi people suffering under Saddam Hussein's regime of tyranny is the proper vehicle for another Federal funding crutch for the airline industry without a full debate on this issue.

Mr. Speaker, while I will vote ''yes'' to support the overall bill, I want to register my strong opposition to the process which creates any delay in the expedient delivery of necessary funding to our Nation's brave servicemen and servicewomen fighting for freedom around the world.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentleman from Texas for yielding time to me, and I rise in opposition to this rule.

Mr. Speaker, there is a pattern in this rule. That pattern is to gag approximately 140 million Americans, to not allow their Representatives to offer amendments which the majority has made in order for themselves, but not for the 140 million Americans represented by the minority.

There appears to be no shame in that. It appears to be the arrogant exercise of pure political power. They can laugh if they will; but the American public will, over time, recognize that half of America is being shut out.

The gentleman from Wisconsin (Mr. OBEY) seeks to offer an amendment. That amendment is to invest in homeland security, the safety of our cities, the safety of our ports, the safety of our railroads, the continuing safety of our airlines, and the safety of our neighborhoods.

What this rule says is, we will have points of order. That is esoteric. What does that mean? The American public does not know. Essentially, what it means is we will allow ourselves, we Republicans who are in charge, the ability to offer an amendment like the gentleman from Wisconsin's (Mr. OBEY).

Now, somebody on the Committee on Rules is shaking their heads. It is their bill that I refer to. It is their bill that is not consistent with the rules. In the rule, they say it does not matter for them, they can exercise the power to jam it; but we will not give to Democrats the ability to offer an amendment to adequately fund the security of New York City; of Baltimore, Maryland; of each and every community in our country.

I regret that. It is a bad rule, and I join the gentleman from Wisconsin (Mr. OBEY) in urging Members to vote against the previous question so that we can provide a rule which will allow for fair and full consideration, and let that proposal, if it is deemed by those in the majority not to be consistent with the security of the American public, vote against it; but at least have the courage, have the courage and good sense and consideration for the 140 million people represented by this side of the aisle to allow them to be heard. Allow them to have an amendment to be considered on this floor. That is democracy. That is what the gentleman from Wisconsin (Mr. OBEY) seeks.

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

Mr. Speaker, I would like to say that this bill was reported out of the committee 59 to zero. I also wanted to make the point that between 1999 and 2002, States and localities have been awarded over $492 million in domestic preparedness funding.

□ 1045

And only a third of those funds have been used. And the gentleman mentioned Maryland and New York, and I would just like to say that Maryland was awarded $9.2 million and they still have $9.2 million that has not been spent. New York was awarded $25.7 million and there is still $25.7 million in the pipeline that has not been spent, so there is money there currently.

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

Mrs. MYRICK. I yield to the gentleman from Maryland.

Mr. HOYER. I understand the gentlewoman's argument. It may be a good argument. Why does your rule not allow us to debate that on the floor?

Mrs. MYRICK. Mr. Speaker, this is an open rule that allows anybody to offer an amendment that is within the rules of the House.

Mr. HOYER. Mr. Speaker, the gentlewoman's bill is not within the rules. The gentlewoman waived the rules.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, we have just heard a canard. The charge has been made by the Republicans for the last 3 days that there are $19 billion in unspent homeland security funds. Let me tell you how they get to that ridiculous statement.

They count all of the money that is proposed for that program for the next fiscal year. We have not even passed that bill out of the Congress yet. That is 34 percent of that so-called $19 billion in unspent money. This supplemental contains another 10 percent. You cannot spend money in localities the Congress has not yet appropriated. That accounts for another 10 percent. Then the omnibus appropriations bill that was passed in February of this year, that accounts for the other 30 percent of that so-called $19 billion in unspent money. Only 2 weeks ago, the agency made available to States the ability to apply for that money. The application period has not even been closed. That leaves 26 percent left; and of that 26 percent left, only 4 percent has been unobligated. So let us keep the facts straight.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman for yielding me time.

The simple fact is the rule waives House rules for the majority's bill, but it does not allow for Democratic amendments, and what we are saying is that is unfair. It is just that simple.

Mr. Speaker, today's debate is as much about context as it is about content. It is as much about politics as it is about patriotism. In September 2002, I introduced a resolution calling on the President to transmit to Congress a comprehensive plan for the long-term cultural, economic, and political stabilization in a free Iraq. Now, 7 months later and only after the war has begun, has the President presented a war supplemental, albeit still missing a long-term plan and definite end to the conflict.

Repeatedly when asked how long it expects United States forces to remain in Iraq, the administration has answered with a glib, ''Not one day longer than we have to.''

Well, Mr. Speaker, until the President can provide a plan on how this $78 billion, the largest supplemental in the history of our country, will be spent, my answer is ''Not one dollar more than I have to.''

Now, I want to make it very clear, I along with 435 Members of this House of Representatives that can vote, support fully the troops. I supported them when I voted on March 21 for the resolution honoring them, and I will support them again today when I vote for this supplemental.

I have a new resolution, H. Con. Res. 121, that supports our warfighters, contemplates the casualties, looks towards trying to avoid the circumstances of POWS and MIAs. And all of us support the troops. We are patriotic Americans, Democrat and Republican, liberal and conservative. But patriotism means stand by your country. It does not mean, as Theodore Roosevelt said, that you must stand by your President.

Mr. Speaker, I stand proudly and patriotically for the American values that cause every one of us to support our troops. But let me make it very clear, I do not stand nor am I required to stand by our President and the misguided policies entrenched in this supplemental. Republican fiscal irresponsibility of the last 2 years has sent the United States' economy into a downward spiral of unemployment and homelessness as the number of uneducated and uninsured increase every day.

Today's supplemental, while funding in part the war and homeland security, does nothing to fix the majority of the emergencies facing this Nation.

What pains me, Mr. Speaker, is that I have cities in my district—Belle Glade, South Bay, and Pahokee—where the unemployment rate is 17 percent and the poverty rate is 3 to 4 times greater than anywhere else in South Florida. congress can't find the money for rural development in the Glades, yet we have $2.5 billion to rebuild Iraq and another $5.5 billion in foreign assistance because the President's diplomatic efforts to shore up support for this war failed.

Mr. FROST. Mr. Speaker, I would inquire about the time remaining on each side.

The SPEAKER pro tempore (Mr. FOSSELLA). The gentleman from Texas (Mr. FROST) has 10½ minutes remaining. The gentlewoman from North Carolina (Mrs. MYRICK) has 22½ minutes remaining.

Mr. FROST. Mr. Speaker, does the gentlewoman have any speakers at this time?

Mrs. MYRICK. Mr. Speaker, I do not have any speakers at this time. I have somebody coming.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

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

Mr. Speaker, the issues of war in Iraq and homeland security are among the most important issues that Members of this House will ever have to deal with. They are incredibly important to our constituents and, indeed, have implications worldwide. It is vitally important that every Member of this House, Republican and Democrat, freshman and committee chair, have an opportunity to be heard and have an opportunity to play a constructive and positive role in this process.

It is of great frustration to me, for example, that we have not formally debated the war on Iraq since last October when Congress gave the President the authorization to go to war; this, notwithstanding the fact that American men and women are in harm's way and American citizens are paying for the war. I oppose the war and I still have great reservations about our policy, but the decision has been made and the brave men and women of our armed services are now in the field of battle. They deserve our gratitude, our respect, and our support. And whether you are for or against the war, these issues are too important not to be front and center in almost every discussion that we have in this Chamber.

Today we are debating a supplemental appropriations bill to provide support for our troops, some money for reconstruction in Iraq, money for the airline industry, and some money for homeland security. Now, the majority trumpets that this is an open rule and everybody should be happy; but as you have heard, there is a hitch. Things that are important to the Republicans have received protections from points of order. All the Democratic amendments that were offered in the Committee on Rules last night were denied such protections.

The ranking Democrat on the Committee on Appropriations, the gentleman from Wisconsin (Mr. OBEY), presented a very thoughtful and well-considered amendment to protect ports, provide additional funds to first responders and help our veterans. The priorities he outlined are priorities for all Americans. Yet he was denied the opportunity to offer his amendment in any meaningful way.

Our colleague from Illinois (Mr. EMANUEL) had an amendment to increase funding for American families just as the supplemental bill increases funding for Iraqi families. He was not urging that we not invest in Iraq, only that we also invest in America as well. He argued that while the supplemental with regard to Iraq provides 13 million people access to basic health care services, one hospital in every major city, and maternity care for 100 percent of the population, the supplemental with regard to America provides not one new dollar for 42 million working uninsured.

Mr. Speaker, these are the types of things we should not only be discussing and debating, but voting on. And while the supplemental does include some welcome modest funding for first responders, I am sad to say that under this bill you are better off being a police officer in Bogota, Colombia than in Boylston, Massachusetts. Why? Because this bill gives more aid to Colombia than 49 States of the Union receive for first responders.

In my city of Worcester, Massachusetts, 20 firefighters and 20 police officers are about to be laid off. So we can hold all the press conferences we want about how important homeland security is, and we can pose for all the pictures with our first responders, but it is clear our hometown security is being short-changed.

I would say to the leadership on the other side of the aisle that this process should and can be much better. This bill should and can be much better. Because of your unwillingness to listen and debate and vote, it will not be.

Mr. Speaker, as I said, this rule is deceptive. It does not allow us to vote on important issues of homeland security. So I would urge my colleagues to vote against the previous question in order to allow this House to vote on important and critical homeland security protections for the American people.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding me time. I appreciate the time and a chance to speak this morning.

It is now our duty to make sure that we finance the war that presently is waging in Iraq. Many of our young soldiers, men and women, they are facing dangers every day. We have to finance the military operations of these men and these women, but our duty to the soldiers extends beyond the duration of the war in Iraq. Our duty requires us to increase funding to the Veterans Administration for there are veterans in the making right this very moment; and for the current veterans, we have let them down.

It is a terrible statistic to know that nationwide in the year 2002, almost 300,000 veterans were either placed on waiting lists or forced to wait for over 6 months in order to receive an appointment for necessary care. In New York State, 130,000 veterans could be denied the VA benefits or drop out of the system, including 30,000 veterans in western New York which I represent alone.

Now, as we have cut the budget already for the Veterans Administration, as we already have 300,000 veterans a year waiting just to get an appointment, what will happen when the veterans from Iraq come home? What will we say to them? We really appreciate your service. It was wonderful of you to go. I am sorry we have no way to give you medical treatment. Take a number and wait your turn.

We cannot as a Nation forget our obligation to these men and women and our promise always to care for them.

The rule passed by the Committee on Rules prohibits any amendments to increase funding for the Veterans Administration. In addition to that, the war has also greatly increased the threat of terrorism here at home. Our cities and towns must be prepared to act immediately should we have another terrorist threat or act. And our local police officers, firefighters, public health officials, medical professionals, and volunteers will be the first to respond. But we have not included sufficient funding for the local governments, the States, and the first responders.

The war has greatly increased the financial burden on local and State governments during a period of economic troubles when local and State governments are challenged by a budget crisis. It is our solemn duty to provide the financial support that these first responders require if we expect them to protect our constituents back home.

It is shameful that first responders and local governments have to beg for funding. The bill provides some funds for first responders but they need so much more than this bill provides, and the rule bars any amendment to increase the funding to the first responders.

Now, as I said, there is some money there, but not nearly enough to protect the ports that are critical to the United States' economy and to provide the necessary level of security in our borders. We must increase the funding of activities at our northern borders. Our friends in Canada are not the threat, Mr. Speaker.

In summary, let me say that this rule leaves a great deal to be desired and certainly does not do very much for the people fighting this war today.

Mr. FROST. Mr. Speaker, I yield myself 30 seconds.

Every once in a while you have to connect the dots around here or it gets a little confusing. Let us connect the dots right now.

The gentleman from Wisconsin (Mr. OBEY) wants an amendment to add $2.5 billion for homeland security. The other side does not want to let the gentleman from Wisconsin (Mr. OBEY) add $2.5 billion for homeland security.

□ 1100

Why is that? That is because the deficit goes up by another $2.5 billion, and it becomes harder and harder to justify their tax cut for the rich. This is not very complicated. The dots are connected.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

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

I rise in opposition to this rule. While the Republicans will claim that this war supplemental is being offered on an open rule, meaning anyone may amend or improve the bill, parliamentary

trickery proves this not to be the case at all. That is why I recommend a ''no'' vote on the rule so Democrats have an opportunity to offer an amendment to increase the homeland security portion of this war budget by $2.5 billion.

What are the Republicans afraid of? Voting against our domestic protection forces, our police and firefighters? Or maybe they stand quietly supportive of remarks of a prominent Republican Member of Congress, an appropriator, who said that the FDNY and the NYPD should work overtime for free. The rules of the House do not allow me to name the individual. Obviously he believes the loss of 23 police officers in New York City and 343 members of the FDNY was not sacrifice enough.

Congress needs to support our first line of defense abroad, our military; and we cannot forget our first line of defense at home, our police and firefighters.

Vote down this rule and allow for a vote on a real aid package to defend Americans right here in America.

Mrs. MYRICK. Mr. Speaker, I yield so much time as he may consume to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my colleague yielding time to me.

I cannot help but say to the House that later in the day I expect that I will have a lot of exchange with my very good friend, the gentleman from Wisconsin (Mr. OBEY). I express my appreciation for the magnificent work that he and the gentleman from Florida (Mr. YOUNG) have done together regarding this bill.

It is a war supplemental for the 2003 year. It is a process that will go forward today in a very, very positive way with both sides of the aisle expressing their support for our troops, both sides of the aisle responding I think positively to the need to make sure that funding goes forward effectively.

I cannot help, however, as I sit and listen to this discussion regarding open rules to share with my colleagues a conversation I had a moment ago with my colleague, the chairman, who was not really wringing his hands but he was saying to me, ''I cannot help but remember a decade I spent in the minority in the Florida Senate. I cannot help but remember all the time I spent as a Member of the House.'' Some, not all, of 40 years in this House, but a very big hunk of time, when the other side controlled, the other side of the aisle. And indeed, they are constantly talking about open rules the way they saw them, and beauty does lie in the eyes of the genuflector around this place.

I was reminded a moment ago of the gentlewoman from New York (Ms. SLAUGHTER) in a parade that she participates in regularly, I understand, and as she came down the roadway in that parade that day, one of our fine staffers over here happened to flash up a sign that said ''Louise, more open rules, please.''

It is fascinating when one majority controls a place for more than 4 decades, and indeed, now comes here to the floor and complains so rather effectively about our learning so much from them, during the years they controlled it with such an iron fist.

Mrs. MYRICK. Mr. Speaker, I yield so much time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule. My friend from California, the distinguished chairman of the Subcommittee on Defense of the Committee on Appropriations, who has overseen most of the very important work that is in this package, has really, I think, put it very well.

I listen to the speeches from the other side of the aisle. This is a bipartisan measure that we are moving forward. We know that it passed by a vote of 59 to zero from the Committee on Appropriations. There is going to be strong support from both Democrats and Republicans in this House for this measure.

I do not know how anyone can describe our stating that this is an open rule as chicanery, but we have to live with the rules of this House. Yes, the Committee on Rules does, in fact, have a job of providing waivers, and we have protected the bipartisan, and I keep hearing it described as the majority bill, the bipartisan 59 to zero package. We have, in fact, provided protection for that measure that has been reported from the Committee on Appropriations.

Democrats and Republicans alike realize that it is very important for us to provide the $74.7 billion to pay for this war and all of the issues that are surrounding that, and I believe that the Committee on Appropriations has done a terrific job on this.

I praise the gentleman from Wisconsin (Mr. OBEY); I, of course, praise the gentleman from Florida (Mr. YOUNG). I followed the markup as it proceeded in the Committee on Appropriations, and when the gentleman from Florida (Mr. YOUNG) began talking about article 1, section 7 of the U.S. Constitution and the fact that we had the responsibility to make sure that the power of the purse lies right here, and he also talked about the issue of accountability, and I heard my friend the gentleman from Wisconsin (Mr. OBEY) in that markup talk about the fact that Democrats and Republicans alike, when they are down at 1600 Pennsylvania Avenue want to do what they can to place more power in article 2, the executive branch, than in article 1, the first branch of government, the legislative branch, and I totally agree with the gentleman from Wisconsin (Mr. OBEY).

We have seen that, and that is why I praise his work and the work of the full committee in ensuring that there will be a greater degree of accountability and that the administration does not get the blank check that some of them may have wanted. That is why I say that this bill, which we are going to proceed with when we pass this rule, is a bipartisan measure. Again, a 59 to zero vote.

Say what you want, I really do not care what it is that they say, this is an open rule. I am going to say it again: this is an open rule. What it means is that members of the majority and members of the minority will have an equal opportunity to offer amendments that comply with the rules of the House.

The only waiver protection that we provided, Mr. Speaker, was protection for the bipartisan 59 to zero, $74.7 billion supplemental appropriation bill that came forward; and after having provided protection for that unanimously passed package, we proceed with an open rule. That is why this is a very fair measure. It addresses so many important issues.

One thing I am particularly pleased to have been able to play a role in, which I worked on right after September 11 as we looked at that supplemental, was to try and ensure that resources get to our first responders.

Mr. Speaker, we know full well that throughout our Nation's history, when we have talked about men and women in uniform and international conflicts, they are men and women who are like those who are over, moving into Baghdad right now, men and women in the military, but the tragic thing that we found following September 11 is that men and women in uniform, who are firefighters and policemen and -women, those people are now on the front line in an international conflict because of the war on terrorism. We need to make sure that we provide resources directly to them, and we know that some States have made an attempt to keep some of those resources, and that is why the language in here, which requires within 45 days that 80 percent of those resources that are to get to the first responders will, in fact, go there; and I am pleased to have played a role in encouraging that, from my State of California, the State of New York, realizing that there are areas that are really of greater threat than others, and there needs to be a particular emphasis on homeland security in those areas that face the greatest risk and the greatest threat, and we need to get those resources to those first responders.

Having said that, Mr. Speaker, one of the things that I believe is important to offer as a caution is the fact that because States and localities are dealing with fiscal crises, just as we are dealing with our fiscal challenges here in Washington, D.C., I find that many States will want to, under the rubric of homeland security, try to address basically every fiscal challenge that they have, and so that is why we again have

the responsibility to, as the gentleman from Wisconsin (Mr. OBEY) puts it so well, deal with the question of accountability as those resources do get out to ensure that we do not, under the name of homeland security, have Governors all over this country claiming that they should have a blank check from Washington, D.C.

We have got, I believe, a very good bipartisan package here, Mr. Speaker. We have a challenge that does need to be addressed, and I hope very much we can move ahead. We can pass this open rule, this open rule, Mr. Speaker, and then move ahead with the important debate to which we will see many, many amendments offered that lots of our colleagues will have, and we will have a good exchange.

I do want to mention one issue since I am here before I sit down and that is the question of Turkey, which I know will come up in the debate itself. Like every American, I was very disappointed when we found the challenge of dealing with Turkey when it came to the issue of stationing our 68,000 troops for a movement through the northern part of Iraq. I was saddened when I saw that vote of 261 to 254 in the Turkish parliament that refused to allow us to station our troops there.

I do know this, Mr. Speaker. I had the chance a few months ago, along with the gentleman from Illinois (Mr. HASTERT), to go and travel throughout Turkey. We met with then-Prime Minister Gul and talked with him about the challenge of our prospect of our going to war with Iraq. We met with men and women who are based at Incirlik, our air base in the southern part of Turkey; and, Mr. Speaker, I believe that we have an alliance with Turkey which is very, very important to recognize.

Prime Minister Gul was prime minister at that time. He had not been elected, but he was selected because due to some problems with something that the man who was elected, who is now prime minister, Prime Minister Erdogan, he was unable to be seated at that point. We also know that there was a huge turnover in the parliament; and for that reason, even though we have strong support from Prime Minister Gul, Prime Minister-now Erdogan, we unfortunately did not have the votes in the parliament.

Why did we not have the votes in the parliament? Mr. Speaker, Turkey has suffered greatly going all the way back 12 years to the liberation of the war of Kuwait. They have suffered because of the economic sanctions and the inability to see the movement of goods and services across borders, a downturn there.

We also found that, of course, because of the Kurdish population in the northern part of Iraq and also in Turkey, it has created a huge upheaval. Those domestic challenges led the parliament by that 261 to 254 vote cast to make a decision to not allow us to station our troops there.

Having said that, we know that Secretary of State Powell has been in Turkey over the last couple of days, and he has been in meetings; and we have just gotten word that has not yet been confirmed this morning that some equipment is moving from Turkey into our operation in northern Iraq.

While I was disappointed at the decision that was made by the parliament, I do know that the leadership there, and I have met on several occasions with the Turkish ambassador here in the United States about this issue, and there has been a desire to try and establish a mechanism that would allow us to deal with our needs in Turkey.

I know some are looking at the prospect of offering an amendment that would cut the assistance that is very important to Turkey. I believe that would be wrong, Mr. Speaker. We need to do what we can to help Turkey stabilize itself economically; and we need to realize again that they have been a very, very important ally, strongly supporting the interests of the United States of America around the world.

I would implore my colleagues as we do move ahead to oppose any attempts that would bring about a reduction there.

I will just say again, Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for her stellar leadership on the Committee on Rules, her leadership as chairman of the very important Republican Study Committee, and I will encourage Members to support her in her quest to pass this open rule.

Mr. FROST. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. FOSSELLA). The gentlewoman from North Carolina (Mrs. MYRICK) has 10 minutes remaining, and the gentleman from Texas (Mr. FROST) has 3 minutes remaining.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Speaker, one of the sad side effects of this unfair rule is that we will not be able to consider the Obey amendment to provide additional money for homeland security, and specifically, we will not be allowed to consider additional money for the protection of our sea ports of this Nation.

□ 1115

According to the CIA, it is more likely for a terrorist to sneak nuclear material into our ports than for a missile to reach our shores.

According to the prestigious task force headed by Senators Rudman and Hart, port security is a critical mandate which needs adequate funding.

And according to Steve Flynn, a highly respected security expert at the Council on Foreign Relations, an explosion from nuclear material smuggled into any American port would not only inflict devastating casualties, it would bring America to a grinding halt. Our economy would simply shut down.

We cannot check every container that comes to our ports every day, but there is much more that we can do. The Obey amendment would have allowed us to start to put in place security provisions overseas before the containers come to the United States, before they present a risk to our citizens, before they present a risk to our economy, before they present a risk to our national security. But we will not be allowed to consider that amendment because this closed rule would not allow a Democratic debate.

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

Mr. Speaker, I urge the Members to oppose the previous question. If the previous question is defeated, I will offer an amendment to the rule. The amendment will allow Members an opportunity to vote on the Obey homeland security amendment. Yesterday, Republicans on the Committee on Rules blocked this amendment.

Mr. Speaker, this amendment provides desperately needed funding for the many overlooked and severely underfunded areas that threaten our national security. The amendment would add $2.5 billion, an increase of about 3 percent to the bill. The money would be used for port security, for Coast Guard activities, for infrastructure security, for water and chemical plant security, and for rail tunnel security. It provides funding for State and local response activities, including civil defense, first responders, firefighters and military Guard and Reserves. It also addresses one of our gravest security risks, nuclear security.

My colleagues may remember that the President not only requested no funds for nuclear security but rejected legislation in August of 2002 that would have provided $260 million for that purpose. It is very disturbing that the Republican leadership of this House would deny Members an opportunity to vote on an amendment to protect this Nation from the risk of terrorism. This should not be a partisan issue, but they have made it that way.

Vote ''no'' on the previous question so we can have an opportunity to vote on the Obey amendment. A ''no'' vote will not prevent us from voting on the wartime supplemental, but it will allow us to vote to protect our Nation and our citizens here and abroad. A ''yes'' vote on the previous question will block critical homeland security resources.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in opposition to the unfair rule for the FY–03 Supplemental Appropriations bill because it blocks members on my side from offering the Democratic Homeland Security Amendment to add $2.5 billion in needed, additional investments in homeland security to the supplemental bill.

Mr. Speaker, about half of the funds in the Democratic Homeland Security amendment go

to improving first response. This includes $300 million in additional funding for First Responders Grants. These funds would be used to pay for such important needs as training for police officers, firefighters, and emergency medical personnel, as well as, purchasing protective gear. The Democratic amendment also includes $197 million to protect military facilities; $241 million for nuclear security; and $722 million for port and infrastructure security.

As a member of the Select Homeland Committee on Homeland Security, I am keenly aware of the deficiencies that exist in funding for First Responders. Indeed, the bipartisan U.S. Conference of Mayors a week ago released a report which showed that cities would have to pay more than $21.4 million per week in additional security costs to close the $2 billion over 6 months during the increased security alert status brought on by the war with Iraq.

In my own area, the Virgin Islands, the local government frankly can't afford to contribute any additional dollars to strengthen our security because local economy continues to spiral downward. Moreover, we have additional needs in port security defense, as well as, training and equipment for our police and firefighters.

I urge my colleagues to this unfair rule and give our local communities a chance to receive the first responder funding that they badly need.

Mr. FROST. Mr. Speaker, I ask unanimous consent to insert the text of the amendment and a description of the amendment immediately prior to the vote.

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

There was no objection.

The material previously referred to is as follows:

PREVIOUS QUESTION STATEMENT H.RES. 172—RULE FOR H.R. 1559 FY03 EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Strike all after the resolved clause and insert:

That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Before consideration of any other amendment it shall be in order to consider the amendment specified in section 2 of this resolution, which may be offered only by Representative Obey or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendment are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendment referred to in the first section of this resolution is as follows:

In chapter 1 of title I, insert at the end the following:

FOOD SAFETY AND INSPECTION SERVICE

For additional amount for ''Food Safety and Inspection Service'', $13,000,000, to remain available until expended, for activities authorized under section 332 of the Public Health Security and Bioterrorism Preparedness Response Act of 2002 (Pub. L. 107–188).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $17,000,000, to remain available until expended.

In chapter 3 of title I, under the heading ''OPERATION AND MAINTENANCE'', in the item replating to ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'' insert after the dollar amount the following: ''(increased by $160,200,000)''.

In chapter 3 of title I, under the heading ''OPERATION AND MAINTENANCE'', insert at the end the following:

OPERAITON AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $66,000,000.

In title I, after chapter 3, insert the following new chapter:

CHAPTER 3A

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATIONS AND MAINTENANCE, GENERAL

For an additional amount for ''Operations and Maintenance, General'' for safeguards and security activities, $108,000,000, to remain available until expended.

DEPARTMENT OF INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'' for safeguards and security activities, $24,000,000, to remain available until expended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

SCIENCE

For an additional amount for ''Science'' to support additional safeguards and security activities, $7,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for ''Weapons Activities'' to support additional safeguards and security activities, $68,200,000, to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for ''Defense Nuclear Nonproliferation'' for various domestic and international nonproliferation activities, $175,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for ''Defense Environmental Restoration and Waste Management'' to support additional safeguards and security activities, $11,300,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For an additional amount for ''Other Defense Activities'' to support increased Office of Intelligence mission requirements resulting from the conflict in Iraq, $5,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

INTERNATIONAL MATERIALS PROTECTION, CONTROL, AND ACCOUNTING

SEC. 1351. (a) DEFINITION.—As used in this section, ''sensitive material'' means nuclear weapons or components thereof, nuclear materials, radioactive materials, and related technology and sources that pose a risk of proliferation of weapons of mass destruction.

(b) INTERNATIONAL MATERIALS, PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.—The Secretary of Energy may expand the International Materials Protection, Control and Accounting program outside the Russian Federation, and the independent states of the former Soviet Union. The program may include, but is not limited to, assisting countries to—

(1) reduce the risk of theft of sensitive material or of diversion of sensitive material to terrorists or terrorist organizations;

(2) store securely sensitive material;

(3) establish procedures, such as inspections, audits, and systematic background checks, to improve the security of the use, transportation, and storage of sensitive material; and

(4) improve their domestic export control and border security programs for sensitive material.

(c) APPLICABILITY.—This section shall only apply with respect to amounts appropriated by this Act and any previous appropriations Act enacted before the date of enactment of this Act.

In title I, after chapter 4, insert the following new chapter:

Chapter 4A

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $18,000,000, to remain available until expended.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Salaries and Expenses'', $10,000,000, to remain available until expended, for extraordinary costs to provide for the security of departmental facilities: *Provided*, That the Secretary of the Interior may transfer such funds to other accounts of the Department of the Interior, as the Secretary determines to be appropriate, for use by the agencies or bureaus of the Department to offset such homeland security costs.

In chapter 5 of title I, under the heading ''BORDER AND TRANSPORTATION SECURITY'', in the item relating to ''OFFICE FOR DOMESTIC PREPAREDNESS'', insert after the

first and second dollar amounts the following: ''(increased by $300,000,000)''.

In chapter 5 of title I, under the heading ''BORDER AND TRANSPORTATION SECURITY'', insert at the end the following:

FIREFIGHTER ASSISTANCE GRANTS

For an additional amount for ''Firefighter Assistance Grants'' for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $150,000,000, to remain available until December 31, 2003.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount for ''Emergency Management Planning and Assistance'' for grants for interoperable communications equipment, $350,000,000, to remain available until December 31, 2003.

TRANSPORTATION SECURITY, ADMINISTRATION

MARITIME AND LAND SECURITY

For an additional amount for ''Maritime and Land Security'', $250,000,000, for making port security grants to be distributed under the same term and conditions as provided for under Public Law 107–117, to remain until December 31, 2003.

In chapter 5 of title I, under he heading ''Coast Guard'', in the item relating to ''OPERATING EXPENSES'', insert after the dollar amount the following: ''(increased by $100,000,000)''.

In chapter 5 of title I, under the heading ''COAST GUARD'', insert at the end the following:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'', $90,000,000, to remain available until December 31, 2003.

In chapter 6 of title I, in the item relating to ''PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND'', insert at the end the following:

For an additional amount for ''Public Health and Social Services Emergency Fund'', for the Centers for Disease Control and Prevention, to be used to improve Federal, State, and local preparedness against potential chemical terrorism, $75,000,000.

In chapter 8 of title I, under the heading ''MILITARY CONSTRUCTION'', in the item relating to ''MILITARY CONSTRUCTION, NAVY'', insert after the dollar amount the following: ''(increased by $92,579,300)''.

In chapter 8 of title I, under the heading ''MILITARY CONSTRUCTION'', in the item relating to ''MILITARY CONSTRUCTION, AIR FORCE'', insert after the dollar amount the following: ''(increased by $28,160,000)''.

In chapter 8 of title I, under the heading ''MILITARY CONSTRUCTION'', insert at the end the following:

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $65,340,000, to remain available until expended.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard'', $8,800,000, to remain available until expended.

MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for ''Military Construction, Army Reserve'', $2,200,000, to remain available until expended.

In the Transportation and Treasury chapter of title I, insert after the chapter heading the following:

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

NATIONAL RAILROAD PASSENGER CORPORATION

For necessary life/safety capital improvements of the National Railroad Passenger Corporation as authorized by 49 U.S.C. 24101(a), $50,000,000, to remain available until expended.

In the VA–HUD chapter of title I, insert after the heading for ''DEPARTMENT OF VETERANS AFFAIRS'' the following:

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For an additional amount for ''Medical Care'', for enhancement of emergency preparedness, $70,000,000, to remain available until September 30, 2004.

In the VA–HUD chapter of title I, insert at the end the following:

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for ''Science and Technology,'' $100,000,000, to remain available until expended, of which $25,000,000 is for water systems vulnerability analysis and $75,000,000 is for chemical plant vulnerability assessments.

HAZARDOUS SUBSTANCES SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the ''Hazardous Substances Superfund'', $75,000,000, to remain available until expended, for carrying out homeland security activities authorized by law related to the agency's counter-terrorism programs including radiological, biological, and chemical attacks: *Provided*, That these activities include, but are not limited to, (1) support of State and local responders to plan for emergencies, (2) coordination with federal partners, (3) training of first responders, and (4) providing resources including federal personnel in the event of any attack: *Provided further*, That the Administrator may transfer such portion of these funds as she deems appropriate to other agencies of the Federal government with expertise in radiological, biological, chemical attack related counter-terrorism programs: *Provided further*, That the Administrator is authorized to make grants to states for radiological, biological, and chemical attack related to counter-terrorism.

Democrats are strongly urged to vote ''no'' on the Previous Question on the Rule to allow the consideration of the Obey Amendment that would increase funding by $2.5 billion to Homeland Security programs.

These increases would include: $197 million to protect military facilities; $241 million for nuclear security (nuclear cargo detection, nuclear detection equipment, securing nuclear materials abroad and in the U.S.); $722 million for port and infrastructure security (Coast Guard personnel, port security grants, dams and bridge security, water and chemical plant security, rail tunnel security); and $1.2 billion for state and local first responders (state and local civil defense teams, first responder equipment, firefighter grants, state and local bio-chemical response, military guard and reserves).

Office of the Democratic Whip—STENY H. HOYER

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 200, not voting 13, as follows:

[Roll No. 103]

YEAS—221

Aderholt	Gallegly	Nunes
Akin	Garrett (NJ)	Nussle
Bachus	Gerlach	Osborne
Baker	Gibbons	Ose
Ballenger	Gilchrest	Otter
Barrett (SC)	Gillmor	Oxley
Bartlett (MD)	Gingrey	Pearce
Barton (TX)	Goode	Pence
Bass	Goodlatte	Peterson (PA)
Beauprez	Goss	Petri
Bereuter	Granger	Pickering
Biggert	Graves	Pitts
Bilirakis	Green (WI)	Platts
Bishop (UT)	Greenwood	Pombo
Blackburn	Gutknecht	Porter
Blunt	Harris	Portman
Boehlert	Hart	Pryce (OH)
Boehner	Hastings (WA)	Putnam
Bonilla	Hayes	Quinn
Bonner	Hayworth	Radanovich
Bono	Hefley	Ramstad
Boozman	Hensarling	Regula
Bradley (NH)	Herger	Rehberg
Brady (TX)	Hobson	Renzi
Brown (SC)	Hoekstra	Reynolds
Brown-Waite, Ginny	Hostettler	Rogers (AL)
Burgess	Houghton	Rogers (KY)
Burns	Hulshof	Rogers (MI)
Burr	Hunter	Rohrabacher
Burton (IN)	Hyde	Ros-Lehtinen
Buyer	Isakson	Royce
Calvert	Issa	Ryan (WI)
Camp	Istook	Ryun (KS)
Cannon	Janklow	Saxton
Cantor	Jenkins	Schrock
Capito	Johnson (CT)	Sensenbrenner
Carter	Johnson (IL)	Sessions
Castle	Johnson, Sam	Shadegg
Chabot	Keller	Shaw
Chocola	Kelly	Shays
Coble	Kennedy (MN)	Sherwood
Cole	King (IA)	Shimkus
Collins	King (NY)	Shuster
Cox	Kingston	Simmons
Crane	Kirk	Simpson
Crenshaw	Kline	Smith (MI)
Cubin	Knollenberg	Smith (NJ)
Culberson	Kolbe	Smith (TX)
Cunningham	LaHood	Souder
Davis, Jo Ann	Latham	Stearns
Davis, Tom	LaTourette	Sullivan
Deal (GA)	Leach	Tancredo
DeLay	Lewis (CA)	Tauzin
DeMint	Lewis (KY)	Taylor (NC)
Diaz-Balart, L.	Linder	Terry
Diaz-Balart, M.	LoBiondo	Thomas
Doolittle	Lucas (OK)	Thornberry
Dreier	Manzullo	Tiahrt
Duncan	McCotter	Tiberi
Dunn	McCrery	Toomey
Ehlers	McHugh	Turner (OH)
Emerson	McKeon	Upton
English	Mica	Vitter
Everett	Miller (FL)	Walsh
Feeney	Miller (MI)	Wamp
Ferguson	Miller, Gary	Weldon (FL)
Flake	Moran (KS)	Weller
Fletcher	Murphy	Whitfield
Foley	Musgrave	Wicker
Forbes	Myrick	Wilson (NM)
Fossella	Nethercutt	Wilson (SC)
Franks (AZ)	Ney	Wolf
Frelinghuysen	Northup	Young (AK)
	Norwood	Young (FL)

NAYS—200

Abercrombie	Andrews	Becerra
Ackerman	Baca	Bell
Alexander	Baird	Berkley
Allen	Baldwin	Berman

Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Ballance
Combest
Gephardt
Jones (NC)
McCarthy (MO)
McInnis
McIntyre
Oberstar
Paul
Rangel
Sweeney
Walden (OR)
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FLAKE) (during the vote). The Chair reminds Members that there are 2 minutes remaining to vote.

□ 1137

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

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 898

Mr. KENNEDY of Rhode Island. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 898.

The SPEAKER pro tempore (Mr. TERRY). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1559, and that I may include tabular and extraneous material.

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

There was no objection.

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT, 2003

The SPEAKER pro tempore. Pursuant to House Resolution 172 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1559.

The Chair designates the gentleman from Texas (Mr. THORNBERRY) as chairman of the Committee of the Whole, and requests the gentleman from New York (Mr. FOSSELLA) to assume the chair temporarily.

□ 1140

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 consideration of the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes, with Mr. FOSSELLA (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today H.R. 1559 is before the Committee of the Whole House on the State of the Union to pay for the war in Iraq, the liberation of the people of Iraq, the destruction of a regime that threatens its own people, that persecutes its own people, that threatens its neighbors with weapons of mass destruction, that is a vicious, violent regime. We are at war today, and I want to say that American people can be, and I am sure they are, tremendously proud of the members of our Armed Forces.

□ 1145

I was paying tribute to the men and women who serve in our Armed Forces for their tremendous dedication and their courage and their commitment and their valor and the tremendous way in which they are carrying out their mission. All Americans are proud of what these young Americans are doing.

The Committee on Appropriations reported the bill with a recorded vote and every Member in the Committee voted yes: number one, to bring the bill to the floor; number two, to show our complete support of our American Armed Forces. And I am very proud of that. I want to thank the gentleman from Wisconsin (Mr. OBEY), and I wanted to thank the members of both parties, on both sides of the political aisle on the Committee on Appropriations who worked together to produce this product that is very similar, Mr. Chairman, to what the President of the United States, the Commander in Chief, asked us to do. The major part of the appropriations provided in this bill are for the Department of Defense, and the military services, to pay for much of the activities that have already taken place and to provide additional funding to complete this effort to rid the world of a regime as the one we have seen for the last 20 years headed by Saddam Hussein.

Mr. Chairman, I am going to reserve the balance of my time at this point because I want the subcommittee chairmen who worked so hard to bring this package together to use a considerable amount of the time to explain the part of the bill on which they worked.

Mr. Chairman, I include for the RECORD the following tabular and extraneous material:

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2003 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Public Law 480 Title II Grants	---	250,000	+250,000
Bill Emerson Humanitarian Trust	---	69,000	+69,000
Total, Chapter 1	---	319,000	+319,000
Appropriations	---	(319,000)	(+319,000)
CHAPTER 2			
DEPARTMENT OF JUSTICE			
General Administration			
Salaries and expenses	---	5,000	+5,000
Counterterrorism fund	500,000	50,000	-450,000
Detention trustee	---	15,000	+15,000
Office of Inspector General	---	2,500	+2,500
Subtotal, General administration	500,000	72,500	-427,500
Legal Activities			
United States Marshals Service:			
Salaries and expenses	---	26,080	+26,080
Federal Bureau of Investigation			
Salaries and expenses	---	398,862	+398,862
Total, Department of Justice	500,000	497,442	-2,558
THE JUDICIARY			
Supreme Court of the United States			
Salaries and expenses	---	1,535	+1,535
United States Court of Appeals for the Federal Circuit			
Salaries and expenses	---	973	+973
United States Court of International Trade			
Salaries and expenses	---	50	+50
Total, The Judiciary	---	2,558	+2,558
DEPARTMENT OF STATE AND RELATED AGENCY			
Administration of Foreign Affairs			
Diplomatic and consular programs	101,420	106,420	+5,000
Embassy security, construction, and maintenance	20,000	71,500	+51,500
Emergencies in the diplomatic and consular service	65,708	65,708	---
Subtotal, Administration of Foreign Affairs	187,128	243,628	+56,500
RELATED AGENCY			
Broadcasting Board of Governors			
International Broadcasting Operations	30,500	30,500	---
Total, Department of State	217,628	274,128	+56,500
Total, Chapter 2	717,628	774,128	+56,500
Appropriations	(717,628)	(774,128)	(+56,500)

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2003 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 3			
DEPARTMENT OF DEFENSE - MILITARY			
Operation and Maintenance			
Operation and Maintenance, Defense-Wide	1,400,000	1,400,000	---
Defense emergency response fund	59,863,200	---	-59,863,200
Operation Iraqi Freedom Response Fund	---	59,682,500	+59,682,500
Military Personnel:			
Military personnel, Army	---	(6,974,500)	(+6,974,500)
Military personnel, Navy	---	(1,984,300)	(+1,984,300)
Military personnel, Marine Corps	---	(1,204,900)	(+1,204,900)
Military personnel, Air Force	---	(1,834,800)	(+1,834,800)
Reserve personnel, Army	---	(3,000)	(+3,000)
National Guard personnel, Army	---	(93,000)	(+93,000)
Subtotal	---	12,094,500	+12,094,500
Operation and Maintenance:			
Operation and maintenance, Army	---	(10,481,500)	(+10,481,500)
Operation and maintenance, Navy	---	(3,940,300)	(+3,940,300)
Operation and maintenance, Marine Corps	---	(1,383,700)	(+1,383,700)
Operation and maintenance, Air Force	---	(3,668,200)	(+3,668,200)
Operation and maintenance, Defense-wide	---	(901,900)	(+901,900)
Operation and maintenance, Army National Guard	---	(58,400)	(+58,400)
Defense Health Program	---	(301,700)	(+301,700)
Subtotal	---	20,735,700	+20,735,700
Procurement:			
Aircraft procurement, Army	---	(4,100)	(+4,100)
Missile procurement, Army	---	(3,100)	(+3,100)
Procurement of weapons and tracked combat vehicles, Army	---	(53,300)	(+53,300)
Procurement of ammunition, Army	---	(447,500)	(+447,500)
Other procurement, Army	---	(241,800)	(+241,800)
Other procurement, Air Force	---	(113,600)	(+113,600)
Procurement, Defense-wide	---	(451,000)	(+451,000)
Subtotal	---	1,314,400	+1,314,400
Research, Development, Test, and Evaluation:			
RDT&E, Army	---	(11,500)	(+11,500)
RDT&E, Defense-wide	---	(90,000)	(+90,000)
Subtotal	---	101,500	+101,500
Combat, Stability Operations, and Force Reconstitution Costs	---	(25,436,400)	(+25,436,400)
Total, Operation Iraqi Freedom Response Fund	---	(59,682,500)	(+59,682,500)
Natural Resources Risk Remediation Fund	489,300	---	-489,300
Revolving and Management Funds			
Defense Working Capital Funds	430,000	1,100,000	+670,000
Other Department of Defense Programs			
Drug Interdiction and Counter-Drug Activities, Defense	34,000	34,000	---
Chapter 3 General Provisions			
Additional transfer authority (Public Law 107-248, Sec. 8005) (Sec. 1306)	(7,000,000)	(-500,000)	(-7,500,000)
Afghanistan Freedom Support (Sec. 1307)	165,000	165,000	---
Defense Cooperation Account (Sec. 1310)	28,000	28,000	---
Total, Chapter 3	62,409,500	62,409,500	---
Appropriations	(62,409,500)	(62,409,500)	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2003 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 4			
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
United States Agency for International Development			
Child survival and health programs fund	40,000	40,000	---
International disaster assistance	80,000	160,000	+80,000
Operating expenses of the U.S. Agency for International Development	22,000	23,000	+1,000
(Transfer to U.S. AID Office of Inspector General)	(-2,000)	(-2,000)	---
Operating expenses of U.S. Agency for International Development Office of Inspector General (By transfer)	(2,000)	(2,000)	---
Other Bilateral Economic Assistance			
Economic Support Fund:			
Economic support fund	2,442,000	2,342,000	-100,000
Loan Guarantees to Egypt:			
(Limitation on guaranteed loans)	(2,000,000)	(2,000,000)	---
Loan Guarantees to Turkey:			
(Limitation on guaranteed loans)	(8,500,000)	(8,500,000)	---
U.S. Emergency Fund for Complex Foreign Crises	150,000	---	-150,000
Iraq Relief and Reconstruction Fund	2,443,300	2,483,300	+40,000
(Transfer authority)	(200,000)	(200,000)	---
Loan Guarantees to Israel:			
(Limitation on guaranteed loans)	(9,000,000)	(9,000,000)	---
INDEPENDENT AGENCIES			
Department of State			
International narcotics control and law enforcement	25,000	25,000	---
Andean Counterdrug Initiative	34,000	34,000	---
United States Emergency Refugee and Migration Assistance Fund	50,000	80,000	+30,000
Nonproliferation, anti-terrorism, demining and related programs	28,000	28,000	---
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program	2,059,100	2,059,100	---
Peacekeeping operations	200,000	115,000	-85,000
Total, Chapter 4	7,573,400	7,389,400	-184,000
Appropriations	(7,573,400)	(7,389,400)	(-184,000)
(Transfer authority)	(200,000)	(200,000)	---
(Transfer out)	(-2,000)	(-2,000)	---
(By transfer)	(2,000)	(2,000)	---
(Limitation on guarantee loans)	(19,500,000)	(19,500,000)	---

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2003 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 5			
DEPARTMENT OF HOMELAND SECURITY			
Departmental Management			
Counterterrorism fund	1,500,000	---	-1,500,000
Citizenship and Immigration Services			
Operating expenses	---	1,000	+1,000
United States Secret Service			
Operating expenses	---	30,000	+30,000
Border and Transportation Security			
Customs and border protection	---	428,000	+428,000
Immigration and customs enforcement	---	185,000	+185,000
Transportation Security Administration	---	390,000	+390,000
Grants to air carriers	---	3,178,300	+3,178,300
Federal Law Enforcement Training Center:			
Operating expenses	---	2,000	+2,000
Office for Domestic Preparedness	2,000,000	2,200,000	+200,000
United States Coast Guard			
Operating expenses	---	230,000	+230,000
Emergency Preparedness and Response			
Operating expenses	---	45,000	+45,000
Information Analysis and Infrastructure Protection			
Operating expenses	---	10,000	+10,000
Total, Chapter 5	3,500,000	6,699,300	+3,199,300
Appropriations	(3,500,000)	(6,699,300)	(+3,199,300)
CHAPTER 6			
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Centers for Disease Control and Prevention			
Disease control, research, and training	---	16,000	+16,000
Office of the Secretary			
Public Health and Social Services Emergency Fund	---	144,000	+144,000
Total, Chapter 6	---	160,000	+160,000
Appropriations	---	(160,000)	(+160,000)

EMERGENCY WARTIME SUPPLEMENTAL APPROPRIATIONS ACT 2003
BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL

(Amounts in thousands)

	FY 2003 Request	Recommended in the Bill	Bill vs. Request
CHAPTER 7			
LEGISLATIVE BRANCH			
House of Representatives			
Committee Employees			
Standing Committees, Special and Select	---	11,000	+11,000
Joint Items			
Legislative Branch Emergency Response Fund	125,000	---	-125,000
Capitol Police			
General expenses	---	37,758	+37,758
Office of Compliance			
Salaries and expenses	---	111	+111
Architect of the Capitol			
Capitol Police Buildings and Grounds			
Capitol police buildings and grounds	---	63,868	+63,868
Library of Congress			
Salaries and expenses	---	5,500	+5,500
Congressional Research Service, salaries and expenses	---	1,863	+1,863
Subtotal, Library of Congress	---	7,363	+7,363
General Accounting Office			
Salaries and expenses	---	4,900	+4,900
Total, Chapter 7	125,000	125,000	---
Appropriations	(125,000)	(125,000)	---
CHAPTER 8			
DEPARTMENT OF DEFENSE			
Military construction, Navy	48,100	48,100	---
Military construction, Air Force	129,400	5,100	-124,300
Family housing, Air Force:			
Operation and maintenance	---	1,800	+1,800
Total, Chapter 8	177,500	55,000	-122,500
Appropriations	(177,500)	(55,000)	(-122,500)
CHAPTER 9			
EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT			
Unanticipated needs:			
Emergency Response Fund	250,000	---	-250,000
Total, Chapter 9	250,000	---	-250,000
Appropriations	(250,000)	---	(-250,000)
Grand total:			
New budget (obligational) authority	74,753,028	77,931,328	+3,178,300
Appropriations	(74,753,028)	(77,931,328)	(+3,178,300)
(Transfer authority)	(200,000)	(200,000)	---
(Transfer out)	(-2,000)	(-2,000)	---
(By transfer)	(2,000)	(2,000)	---
(Limitation on guarantee loans)	(19,500,000)	(19,500,000)	---

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

Mr. OBEY. Mr. Chairman, I yield myself 11 minutes.

Mr. Chairman, we have by the previous vote unfortunately short-circuited the democratic process in this House, and we have prevented us from having any really meaningful debate on this resolution today. Under the rule, we are going to be free to talk about providing additional money for homeland security. We just are not going to be able to put any amendments before the House that in any substantial way enhance homeland security, and I find that unfortunate.

I think that there is much in this bill that is good, and I wanted to congratulate the gentleman from Florida (Mr. YOUNG), the chairman of the committee, because he has done his constitutional duty and he has seen to it that the 200-year-long responsibility of the Congress to keep a tight leash on the public purse has been maintained, and I congratulate him for it. I know that there are a lot of people in this town who do not like that, but that was his responsibility. That was his committee's responsibility, and we lived up to it; and I think the House can be proud of that.

I also think, frankly, that there are a couple of other occasions when Members of Congress wanted to unfairly intervene in executive prerogatives in this bill, and the committee correctly resisted those as well. So on that score I have no problem whatsoever with this bill.

My problem is that I think it is a missed opportunity to provide additional protection for people at home. We are engaged in a war in Iraq. The idea of that war is to make the world safer for the United States and other democracies. And it would seem to me that if we are going to engage in a war against Iraq, we ought to be battening down the hatches to the fullest extent possible here at home to protect against terrorist attacks; but we have been denied the opportunity to offer our amendment to do so. And I want to walk through with the House what it is that they have rejected because I am going to try to offer it again anyway at a later point in the process.

Perhaps the greatest challenge we face in dealing with terrorism is to monitor the more than 20,000 shipping containers that enter the United States each day. In our amendment, which we will seek to offer even though the rules sought to deny us, we tried to put $135 million in this bill so that we can institute at nine major ports around the world a system which we have now in the port of Rotterdam, which would enable us to install equipment so that we know that none of the containers in the 10 major ports in the world contain radioactive material which could be used to set off a dirty bomb within the United States. We think the House ought to support that.

We also want to put $87 million in this bill to strengthen our ability to deal with nuclear material which is stored right here in the United States. We want to provide $150 million to strengthen the capacity of State laboratories and EPA laboratories to deal with the aftermath of a chemical attack. We are better equipped to deal with a biological attack in the country at this point than we are to deal with a chemical attack.

We wanted to put sufficient funds into this bill so that we can take the vulnerability assessment that was done on Federal dams and waterways throughout the country and in fact act on that assessment and actually provide for the security upgrades that we need for those facilities. We need $108 million to do that.

Only weeks ago, the General Accounting Office completed a report indicating that there is a serious threat posed by the possibility of terrorists targeting U.S. chemical plants. We wanted to provide $75 million to initiate an assessment of that threat as recommended by the GAO. We have been denied the opportunity to do that. We also want to see to it that there is better coordination between the FDA and the USDA in determining what kinds of inspections have taken place and what inspections have not taken place with respect to a number of shipments of agricultural products and medical products that come into this country.

The Hart-Rudman report recommended the Federal Government provide funding to first responders to immediately clear the backlog of requests for protective gear for our local first responders. This legislation does not begin to lay a glove on the size of that problem.

We also have a problem in that the equipment used by our firemen and our policemen and our rescue workers at the local level are not interoperable, and so those groups cannot talk to each other.

Twenty years ago in this town when we had the Air Florida accident, we had rescue workers from Virginia, from Maryland, from the District of Columbia. They could not talk to each other on their emergency equipment because they were all on different wavelengths. That was 20 years ago. When we had that same problem at the Pentagon just about a year ago, we still had not improved the situation. No real progress in 20 years. It is about time we fix it. We want to in our amendment. We have been denied the opportunity.

We also wanted to provide $300 million in additional funding to the Office of Domestic Preparedness, which has been denied. We also wanted to provide sufficient funds to guarantee that every State in the Union has at least one National Guard Civil Support Team to back up first responders in case of terrorist attack emergencies. We have been denied the opportunity to do that. We wanted to provide $90 million to expand port and waterway safety systems. Right now the port of Norfolk has a sophisticated system and the port of San Diego is going to get that system later in the year; but we still have ports like Boston, Charleston, Philadelphia, Jacksonville, Baltimore, Honolulu, San Francisco, Los Angeles, Corpus Christie, San Juan, and Washington, D.C. where we need that equipment, but do not have it.

The Coast Guard indicates that in addition to all of that we have at least $900 million in needs that we ought to be helping local port authorities with and over the next 10 years those needs are estimated to be about $4.4 billion. We wanted to add $250 million to the 440 already in this bill to deal with that problem, and we have been denied that opportunity.

And we also take note of the fact that the Pentagon has identified more than $1 billion of unfunded security needs at military bases here at home, such as providing additional protection for family housing by building perimeter fencing. Our amendment wanted to put at least $200 million in here for that purpose. We have been denied the right to do so.

We wanted to increase the intelligence budget for the Department of Energy so that they can have a better surveillance operation with respect to countries like Iran and North Korea. We have been denied that opportunity. And we wanted to do a number of other things which I do not have time to discuss.

Let me simply say, despite the fact that the rule has denied us the opportunity to offer the amendment, I am going to attempt to offer that amendment anyway when we get to the 5-minute rule because I believe that this is so important for the security of this country. There is no reason for us to have a dispute on this issue. There is no reason to have a difference between Republicans and Democrats on a national security issue of this magnitude. I cannot believe that we do not have bipartisan support for this added money.

We found enough room to give $3 billion and more to the airlines, but not enough to provide $2.5 billion for homeland security. We find enough room in this bill to provide $7 billion in foreign aid to other countries including some bribe money to countries that voted with us in the United Nations who are adding virtually nothing to our security effort; and yet we are being denied the opportunity to provide $1 billion on the homeland security front. For that matter we know that our government policy is, and this is in writing, to provide health care, basic universal health care was the term, for 25 million people in Iraq.

We know that our government intends to repair 6,000 schools and 100 hospitals in Iraq. It would be nice if we could do the same thing here at home. We are not, obviously, being allowed to do that because of the majority party's lust for passing every tax cut known to man, but that is a debate for another day.

Today, as far as I am concerned, the critical hole in this bill is lack of sufficient funds for homeland security. We are going to try to do everything we can to fix that problem despite the lack of cooperation from the majority leadership. But I do want to, at the same time, thank the chairman of the committee for his personal cooperation in trying to make sure that this House at least met its constitutional responsibilities with respect to the power of the purse, and I congratulate him for that action.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

I do so to again thank the gentleman from Wisconsin (Mr. OBEY) for the cooperation that we enjoyed as we prepared this bill. And this is a clean bill, by the way. And I compliment the members of the House. A lot of Members came to us and asked for consideration to do something that they felt was important to do in this supplemental, and we explained that it was a war supplemental and explained why we were not going to be able to accept Member projects. There are no Member projects in this bill. This is a clean bill. It tracks what the President asked for, and I think the House can be very proud of that.

There are several major parts of the bill: the national defense part dealing with the war, the very important part of the bill dealing with homeland security, and another part of the bill that deals with support for our coalition partners. So we are going to explain those sections of the bill separately.

The largest part of the bill goes to the war, of course, and for national defense and for our troops to provide what they need to carry out their important mission.

Mr. Chairman, to present that part of the bill, I yield 5 minutes to the gentleman from California (Mr. LEWIS), the very distinguished chairman of the Committee on Appropriations' Subcommittee on Defense, who does a tremendous job in presenting and providing information that we need to put these bills together.

Mr. LEWIS of California. Mr. Chairman, I would like to begin my remarks by first expressing the deepest appreciation we have for the work that has been done between the gentleman from Florida (Chairman YOUNG) and the gentleman from Wisconsin (Mr. OBEY), seeing that this bill that really is a work in response to the needs of our military forces who are fighting for freedom overseas. The way in which the House is responding today is a reflection of the best work of the House, perhaps demonstrated best in recent days by our all coming together to celebrate the freedom now that is being experienced by Jessica Lynch, the prisoner of war, this young American, who our forces made every effort to identify by way of location and made sure that she once again has the opportunity to breathe free.

□ 1200

This bill would not be in the condition it is in if it were not for the magnificent work of staff on both sides of the aisle. The growing relationship between David Morrison and Kevin Roper, working with the Committee's staff, is somewhat magnificent to see, even though it is not a surprise to most who have observed often our committee work.

In turn, however, there are others who deserve credit today, such as our personal staff, and all those people who spend endless hours to make sure that we get this work done in a timely fashion.

The bill before us has some $74.5 billion in supplemental funding that is designed in large form to make sure we can carry forward the war in a timely fashion and make sure that our forces do not run out of funding at this critical moment in our history. Of that $74.5 billion, approximately $62.5 goes to national defense matters. Within that package of funding, there is approximately one-half of it, a little over $30 billion, which really goes to money that has already been obligated and essentially spent; that is, the money that was required to deploy the forces, to mobilize the National Guard and Reserve, to train and equip for battle those men and women who are the backbone of our successful effort in Iraq. From there, there is little doubt that in the months ahead we will be called upon time and time again to make sure that the pipeline does not run dry, and that is the work of our committee. Working very closely with Members on both sides of the aisle, it has been my experience that this House is most responsive when our forces need them most.

So having said that, Mr. Chairman, the defense portion of this bill, which does spend as much money as I indicated, is going to be the least controversial of this bill. We will probably spend much of the day talking about other relatively smaller elements that are before us today. That piece of the bill that involves homeland defense will lead to a lot of discussion. And I would say to my colleagues on the other side of the aisle that the challenges that we face as they relate to homeland defense are challenges that really have come to our attention because of 9/11. They are primary in our mind.

But I would remind us also that this is not the last bill of the year. We are going to have more than one opportunity in the appropriations process to be responsive to the needs of protecting our homeland, and the committee will come together again when those items are before us, and I am sure respond in a bipartisan way.

There will be a good deal of discussion today regarding those elements that relate to Turkey's role in the struggle that is ahead of us; and the issues that flow around the foreign operations portion of the bill are difficult issues, but, indeed, those too can be handled through regular order.

In the months and the years ahead, we will be making decisions regarding the way we relate to those allies who are not nearly as responsive as we might have expected as we went about attempting to lay the foundation for freedom for the people of Iraq.

I am most pleased with the fact that this body today will give dramatic illustration that we can come together in time of need, in a nonpartisan way, on behalf of the men and women who are fighting for freedom in Iraq. In the final analysis, our purpose is to make certain that the children of Iraq have the same chance for opportunity and freedom that so many of us experience in this country because, by the grace of God, we happen to have been born here.

Mr. OBEY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY).

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the bill.

Mr. Chairman, I rise in support of this bill.

I would like to take a moment to address two different sections of the Supplemental—foreign assistance and support for first responders.

The Foreign Operations section provides $7.3 billion of the $7.5 billion requested. I think it is generally a good product, and I appreciate Chairman KOLBE's willingness to work with me on it.

As many of my colleagues know, I consider foreign aid to be an indispensable arm of our national security strategy. No place is this role more evident than in today's bill, which will help strengthen many of our allies in the coalition of the willing. I particularly support the funding for Israel, a key ally in the war on terrorism and a force for stability in the Middle East, as well as the assistance for Jordan, a country which has supported our cause at great risk to its own stability.

I am also pleased that this bill takes important steps to secure the role of the Department of State and the U.S. Agency for International Development in guiding spending for post-war relief and reconstruction. It has been clear to us for quite some time that the Department of Defense would like to take over the management of these funds. While the President requested that all Iraq relief and reconstruction dollars be provided in a form that would have allowed him to transfer them to any government agency with no Congressional input, this bill wisely allows the flexibility to use them only at USAID, the Department of State, the Department of the Treasury, and HHS—the four main agency implementers of our foreign assistance programs. The bill also makes clear the policy decisions regarding post-war relief and reconstruction should be made at the State Department—not anywhere else. Both of these provisions provide important precedents for similar situations that may arise in the future.

I do have a few concerns about the Foreign Operations section of the bill—primarily that

funding is provided for Colombia and the Philippines, despite the fact that they have no direct or indirect role in the conflict in Iraq. Congress has been admonished by the administration not to attach extraneous provisions to this bill, and I think these are two that could be better dealt with in the regular Fiscal Year 2004 process.

I strongly support the $700 million set-aside in the High-Risk Urban Areas category in the Office of Domestic Preparedness, an area of critical need. The administration requested $50 million for this purpose, an in the committee's mark on Tuesday the funding was raised to $700 million. This is excellent progress, but I still believe we must do more.

We have a responsibility to protect every American, wherever they live and wherever they serve this Nation around the globe.

But we know, based on experience and intelligence, that there are areas of higher risk than others in America. And it isn't always the most obvious places, like New York City, or Washington, DC, and the Pentagon.

It could be Orlando, where Disney World draws millions of visitors, or Fort Knox in Kentucky. It could be an attraction that symbolizes American culture like the Rock and Roll Hall of fame in Ohio, or a military installation like Quantico in Virginia.

Each of these places has political and cultural significance to our people and the world. We've seen that Al Qaeda has a diabolical sense of where to hit us—not only to take innocent life and destroy structures, but also to shake our confidence and our sense of America as a safe place.

For those reasons, there's an urgent need to provide funding for high-level risk areas, especially in urban centers. The administration, in its request, provided $50 million in funding for these needs. But $50 million isn't adequate. New York City spends that in 10 weeks alone—$5 million a week. The State of New York spends $7 million a week, mostly in New York City.

This funding is for needs nationally, and that's very important, but I want to mention just a few things that New York needs to do in order to protect the 11 million people who work in the city every day:

The city now has its own Counterterrorism Bureau in the police department that costs $200 million to run. Its one thousand officers are deployed in New York and around the world.

It's designing a communications system that will work from high-rise buildings to subways, that isn't reliant on a private carrier and has built-in redundancy so a failure at one point won't bring the whole communications systems to a halt. That will cost $120 million.

It needs $25 million to add HazMat units because the city isn't adequately prepared for a major chemical and/or biological incident.

It needs bigger and faster fireboats to help put out fires. For all of New York City's 575 miles of shoreline, there are 3 small fireboats. If, God forbid, there's an attack on a cruise ship, ferry, bridge or port, a large fireboat would be needed for rescue and fire control. A boat with large capacity is $15 million.

It also has immense training needs—among the 343 firefighters killed on September 11th were many of the department's most highly trained officers, who had accrued 4,400 years of collective experience and training. To recruit and train new firefighters will cost about $40 million.

And that's just New York—unfortunately, cities nationwide are forced to carry out similar costly measures to ensure their security. The U.S. Conference of Mayors estimates that cities are spending about $70 million a week, on top of their law enforcement budget, to deal with the increased threat level and security costs due to the war.

I want to thank the Chairman and Ranking Member for working hard to address these important needs, and to fund the High Risk Urban Areas category at $700 million.

We still need to do more. As a fire commissioner in my district said, referring to the color code alert system, ''we cannot go to color orange without seeing some color green.''

I hope we can work together through conference with the Senate, to help all our local areas—urban and rural—become as prepared as possible for any terrorist attack.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in support of this legislation. We all recognize the need to provide this emergency funding. It is the right thing to do for our troops, particularly those who are now in harm's way. No Member of Congress would send America's sons and daughters to war without providing for them the adequate resources, and we will pay any price to protect our troops and the American people. As the distinguished ranking member of the committee has said, there are no Democrats, there are no Republicans, there are only Americans who are involved in this debate.

However, I do remain concerned that the supplemental package falls short in funding pressing needs like homeland security. It is not a small venture; it is critical to our local communities. To date, our cities and towns have spent nearly $3 billion to protect their communities from the threat of terrorism. They cannot rely on State governments which are in the midst of the worst fiscal crisis since World War II. So at a time when towns like West Haven, Connecticut are spending more than $4,000 per week to meet these needs, we have a responsibility to offer them a helping hand. They cannot afford to do this alone.

While $4.2 billion for homeland security is an improvement over the initial proposal, there remains approximately $10 billion in unmet needs to adequately secure our ports, our airports, the police, fire, emergency medical personnel on the front lines who need this funding for training and for new equipment. We cannot afford to ignore those funding gaps.

Congress owes it to our troops overseas, who are sacrificing so much to protect the American people, to pass a bill that not only gives our fighting men and women the resources to carry out their mission, but one that also complements those efforts by securing our greatest vulnerabilities here at home.

Let us ensure those fighting men and women a safe homeland to return to.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

I do so to say that on September 11, 2001, America's world changed. As we entered the 21st century, everything changed. Our citizens came under attack from cowardly terrorists who killed thousands of innocent, and I repeat, innocent civilians. That war against terrorism has been ongoing very effectively.

Early this year, I recommended to the Committee on Appropriations a reorganizational structure that would create a subcommittee which would have the responsibility of dealing specifically with the security of our homeland. I asked the gentleman from Kentucky (Mr. ROGERS) if he would chair that subcommittee. He is one of the outstanding leaders of our Committee on Appropriations, and he agreed to do that. They are well under way with their work.

Mr. Chairman, I yield 6 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of that very important Subcommittee on Homeland Security.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman for yielding me this time, and I want to compliment the gentleman from Florida (Mr. YOUNG), the chairman of the full Committee on Appropriations who just spoke, for having the foresight and vision and leadership to have taken on this very difficult chore of reorganizing the House to deal with homeland security. It was his leadership that created this new subcommittee that brought together authorities from other subcommittees into one place, and it is the right thing to do and he took the leadership to make it happen; and the other body then followed suit, followed the leadership of the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations. We are fortunate to have him in the position that he is in.

Now, Mr. Chairman, this bill has plenty of money for homeland security. Could we spend more money? Yes, of course, we could. Are there fire departments and police departments and EMT departments out there that could use more money? Absolutely. Is there a role for the Federal Government in helping them meet their expenses? Yes. What is that role? Our role is to assist them to train and to have equipment and the like to help protect the Nation from threats. But of course, their main responsibility is to protect their hometown and their home State and, of course, we cannot and should not pay their entire budget.

Yet some would have us do that. Some would have us turn the homeland security funding mechanisms into another revenue sharing, so that States and localities could get huge sums of money without any real policy connection to a Federal role, and we must guard against that.

But in this bill, Mr. Chairman, there is plenty of money for homeland security. There is plenty of money backed

up in previous years that has not yet been spent that localities can have access to. But in this bill, there is $2.2 billion that is destined for our States and localities when they apply for it, for monies to go to their first responders; $2.2 billion to different grant programs that they can apply to the Secretary for, and those monies will be granted to the States and localities; and 80 percent of the money has to go to the local departments and not be funneled off by the States. So we think it is a substantial sum of money that will satisfy the need for the moment. We may see the need in short order for something else, but for the moment we think this is sufficient.

There is also $1.5 billion for the Secretary to use on the Federal level for such things as cargo and portal radiation monitors. These are in our Nation's seaports and our land ports to protect us from cargo containers that might contain nuclear materials or biological or chemical weapons. There is $193 million for just that. There is $100 million for additional staffing along the northern border with our neighbors in Canada. There is $35 million more for container security initiatives so that we can keep track of, find and keep track of container cargo that might be damaging. There is $235 million in this bill to help our local airports modify their premises to accommodate these huge x-ray machines that are checking our baggage. There is $85 million to help reimburse our local law enforcement and State law enforcement officers and National Guardsmen who have been providing increased security at the airports and other critical transportation sites. Most of this money is going to our localities, as it should. There is $40 million for the Transportation Security Administration's port security efforts, and there is $30 million for nonaviation surface transportation security initiatives. There is $185 million for the Immigration Service for overtime, and air and marine interdiction and detention and removal of people who should not be here.

Now, do the States and localities need more? Well, of course their budgets are tight. But I would point out to my colleagues that we still have $291 million of 2002 monies still available. There is $291 million yet unspent that we provided in fiscal year 02 that the States and localities have not even applied for. There is $566 million that we provided for State and local grants in the 03 omnibus bill. All of those monies are yet unspent. In the current supplemental, there is $2.2 billion that is destined for our localities, and in the 04 fiscal year that we are holding hearings on right now, and that bill will be passed sometime hopefully this summer, there is another several hundreds of millions of dollars.

All told, that is a combined total of $19 billion-plus over the 02–04 period, monies that are destined for localities, most of which has not even been applied for. So there is plenty of money in the pipeline for our States and localities. Sure, we would like to have more money perhaps one of these days, but for the moment we have plenty of money for our States and localities to apply for if they wish.

□ 1215

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I just want to correct the impression left by the previous speaker. The previous speaker said in committee earlier this week, and he has touched on it again today, he said that we had almost $19 billion in so-called ''unspent'' homeland security funds. The fact is, that is a fictional number. I want to show the Members why.

First, 34 percent of that number is found in a bill which we have not yet even enacted. We cannot expect localities to spend money we have not yet provided them.

Second, 10 percent of that so-called $19 billion in unspent money represents money in this supplemental which we have not yet passed. We cannot count money that we have not yet passed as part of the money localities have not yet spent.

Then, in the omnibus appropriation bill which we just passed in February, and we were supposed to pass it before October 1 but we did not get around to it until February, 30 percent of that so-called $19 billion in unspent money is in that omnibus bill.

It was only 2 weeks ago that the agency invited localities to apply for that money. The application time is not even closed yet. When we get down to the real, hard facts, only 26 percent of that $19 billion represents previously enacted money before February of this year. Of that 26 percent, only 4 percent is unobligated, and 22 percent of that is obligated.

Mr. Chairman, so much for the idea that there is ''enough in the pipeline.'' There is not nearly enough in the pipeline. Ask the mayors, ask the firemen, ask the police chiefs, ask the Coast Guard, ask the Department of Defense. They know there is not enough money in the pipeline.

Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, the defense part of this bill is the Congress' version of shock and awe.

The President the other day complained after only giving this to us 9 days ago, the largest supplemental in history, or in my 30 years; maybe it was larger in World War II, but the largest supplemental I have ever known.

We have had hearings, we have discussed it with the agencies, and we did our part in accountability. We want to make sure that these agencies are accountable to us, to the people that are elected to represent the people in this country.

It is a bipartisan bill. We sat down and we looked at what was done in 1991, we looked at how we handled things in the past, and we have tried to make sure that the public is protected and that this money is protected and they have accountability.

I compliment the gentleman from California (Mr. LEWIS) in the work that he did; the gentleman from Florida (Mr. YOUNG); and the gentleman from Wisconsin (Mr. OBEY). This is an accountable bill, but the defense portion takes care of the troops. That is what it is all about. We take care of the money that was spent already, and we take care of getting the troops back home. We hope they will be there as short a period as they could possibly be.

But we have to keep in mind, here we have a bill, $70-some billion in supplemental, which is bigger than almost every other bill that we have passed. In just a little over a week we have it on the floor, and within 2 weeks we will have it passed. So all the grumbling that goes on from some of the folks outside the legislature have to realize that we have a responsibility, and we have accepted that responsibility. We have made darned sure that this bill was something we can be proud of.

Obviously, I believe that in the end we are going to have to pass another supplemental, because of just the way things have gone. I am pleased that the troops are doing so well. Unfortunately, we will have casualties in any kind of a war like this. But one thing for sure, we have done everything we could do humanly possible in the legislative process to make sure that they had everything that they could possibly have and could get to the field. I am proud of this.

I would hope we would have large, bipartisan support for this supplemental, and it will pass overwhelmingly in as short a time as possible.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

I just want to point out that under the strong leadership of President Bush, we have developed a good coalition to fight this war against the regime of Saddam Hussein. We actually have 49 active members of the coalition, which is a larger group of countries supporting this effort than we had in Desert Storm in 1991.

So with the leadership of President Bush and the strong support that he has had from Prime Minister Blair, the Prime Minister of Spain, the Prime Minister of Australia, providing the strongest leadership, we have a good, strong coalition.

The next part of this bill has to do with financial support for some members of that coalition. But as I talk about the coalition, there is one group that has not had much recognition, and they really deserve it. That is Poland. Poland, a new member to NATO, an emergent country after the Soviet Union went away, actually was involved in one of the very first combat

missions in this action of the Iraqi freedom. That mission was the oil platforms in the gulf. Actually, their combat team took control of and are managing and defending those platforms that were sabotaged, that were wired for explosives.

Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. KOLBE), the very distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations, to discuss that part of the bill.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to publicly thank the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) for the work they have done to get this supplemental bill to the floor as expeditiously as possible, in as good shape as it is, and with as little controversy as we have seen. There is certainly some disagreement.

Mr. Chairman, the recommendations of the foreign operations chapter of this supplemental total $7.4 billion. That is 2 percent, $184 million, less than was requested by the President. We have fulfilled the administration's funding request for Iraq and for the countries supporting the war on terrorism. Let me start by outlining where we do concur with the President's request.

The most urgent requirement in the foreign operations chapter is assistance for Iraq's people. One-third of the foreign operations chapter is for relief and reconstruction in Iraq. We have provided every penny the President requested, plus an additional $40 million. Therefore, we are asking the House to approve $2.5 billion for a new Iraq relief and reconstruction fund.

The Department of State, USAID, and the Treasury and Health and Human Resources Department could receive direct apportionments from the fund; but it does not go to the Department of Defense, which already, I think most of us would agree, has its hands full with winning the war and providing security in Iraq.

The immediate focus of the new fund would be provision of clean water, food, and care for displaced and vulnerable people. Soon thereafter, repairs of the degraded electricity and communications, health, and education systems would get under way. We anticipate that other donors and international organizations would eventually take over much of that work.

The remaining funding in this chapter is to be provided for countries supporting Operation Iraqi Freedom, or the broader war against terrorism. The committee has provided all of the funding that was requested for Israel, Jordan, Afghanistan, Pakistan, Colombia, and the rest of the 22 countries that are included in this supplemental.

While I understand there are many amendments that today will be aimed at cutting funds to one or more of these countries, I would like to emphasize that the President requested these funds to help the United States fight this war in Iraq. He is our Commander in Chief, and I ask my colleagues not to remove the tools he needs to win this war. That includes funding for our diplomatic efforts as well as our military operations.

The foreign operations chapter includes $9 million for loan guarantees to Israel, which are to be issued over the next 3 years. This is very similar to the multiyear loan guarantee package that we provided to Israel in 1992. These guarantees will bolster the nation's credit rating and help Israel implement the critical budget and economic reforms. They may also support the renewed peace process after the end of the conflict in Iraq.

Additionally, the foreign operations chapter includes $2.3 billion for the economic support fund. This total provides $700 million for Jordan. Jordan is particularly dependent on Iraqi oil. There is $300 million for Egypt which may be used for loan guarantees, not to exceed $2 billion, and $127 million is provided for Afghanistan to continue efforts to support security and economic development in that Nation. Also, $100 million is provided for a new Islamic partnership and outreach program.

Additionally, there is permissive language that allows the President to use up to $1 billion for Turkey that could subsidize some $8.5 billion of loan guarantees. The language of this bill requires the Secretary of State to assure Congress that Turkey is cooperating with the United States in Operation Iraqi Freedom, including facilitation of humanitarian assistance to Iraq, before authorizing the loan guarantees.

There is going to be a lot of discussion about this issue today, so let me just say now that Turkey is a longtime ally of the United States. It is a key front-line state in the war on terrorism. It is a democratic Muslim nation that is part of most of the Middle East and southern Europe. Obviously, it is a nation that has been significantly impacted by the conflict in Iraq, and it had significant economic problems before the conflict.

As Deputy Secretary Armitage said in testimony before our subcommittee, ''It would be the greatest of ironies if we spend all this energy, blood, and treasure and were successful in Iraq, only to turn around and see a longtime ally, Turkey, go bottom up because of economic weakness.''

The last part of the foreign operations chapter includes $2.1 billion for foreign military financing as requested, which improves defense capabilities of America's friends and allies. There is $406 million that is provided to Jordan to meet border security requirements to upgrade air bases, and $170 million is for training and equipping the new Afghan army.

Finally, within this section the FMF account includes $1 billion to help Israel strengthen its military and civil defenses.

There are programs for which we did not provide the full President's request. Chief among these is the U.S. Emergency Fund for Complex Emergencies. The President asked for $150 million for this new emergency fund, but we believe that this request should be considered within the context of the fiscal year 2004 appropriations and authorization processes.

As I said in our hearing last week with Deputy Secretary of State Armitage, in my view it is not appropriate to use the Iraq supplemental as a cover to assert agency jurisdiction or to implement untried concepts. The amount not provided for this new emergency fund was distributed among the international disaster assistance and emergency refugee accounts and the new Iraq relief and reconstruction fund.

Mr. Chairman, this is a brief summary of the recommendations contained within the foreign operations chapter of this supplemental. I believe the committee has developed a responsible product, and I ask for the support of the House.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in strong support of this supplemental appropriations bill.

I want to compliment the chairman and the chairman of the Subcommittee on Defense, the gentleman from Pennsylvania (Mr. MURTHA), for giving specificity to this bill in terms of how the money was appropriated. I think that was the right decision, defending the constitutional prerogatives of the legislative branch.

We are all proud of what our men and women are doing over in Iraq. The gentleman from California (Chairman LEWIS) and I had a chance to visit right before the war started and to see the troops. It was truly outstanding.

We also had a chance to see the great work that is being done in the area of intelligence, the Predator, and all of the new capabilities that we have given our troops to know where the enemy is.

The thing that I am most proud of are the tremendous aerial capabilities that we have been able to provide with the B–2 bomber, the B–1, the B–52, giving smart weapons to them, smart conventional weapons which have worked so effectively in degrading the military capabilities of the Iraqis. We have seen this in the last few days with the collapse of the Medina and Baghdad divisions of the Republican Guard.

This is an enormously important bill because we have to replenish these smart weapons that we have used, because 10,000 smart weapons, precision weapons, have been used. We have flown over 21,000 sorties.

The one thing that is wrong with this bill is we have not done enough for homeland security. I completely concur with the gentleman from Wisconsin

(Mr. OBEY), who has taken the time to go out and investigate the needs of all of these agencies. We are underfunding the security of the United States of America here at home by not adequately funding homeland security.

We are doing a great job in Iraq; we are doing a great job in Afghanistan, but we are only doing a marginal job here at home in terms of protecting our ports, our cities. This is us. This is our families. This is our children, our grandchildren. We have to get serious about this. This administration has to get serious about this.

□ 1230

They can not continue to not provide the resources necessary for homeland security. Maybe we will not correct it here today, but I guarantee you once the American people understand that we are not providing the necessary resources, they will make certain that we correct it and hopefully in a bipartisan fashion.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan (Mr. KNOLLENBERG), the very distinguished chairman of the Subcommittee on Military Construction of the Committee on Appropriations.

Mr. KNOLLENBERG. Mr. Chairman, I rise today in strong support of this Emergency Wartime Supplemental Appropriations Act which, as has been mentioned, passed on a unanimous vote of 59 to 0 in the committee.

I wanted to extend a strong salute to the gentleman from Florida (Chairman YOUNG), to the ranking member, the gentleman from Wisconsin (Mr. OBEY), and also to the staff who worked, with barely a week, on the very extensive bill, and they worked to produce a bill that I believe deserves our thanks, and this also is one that is good and necessary and it protects the House priorities.

As chairman of the Subcommittee on Military Construction of the Committee on Appropriations, providing what our military personnel need to protect their lives and ensure their success is my top priority, and I believe this bill does that, we have made sure that our military personnel have all the tools necessary to ensure success.

I would like to bring the attention of the House to two important provisions in this wartime supplemental bill. The first is the additional funding for the Bureau of Customs and Border Protection, which will receive some 428 million. The bill sets asides 80 million of that amount for new inspectors and Border Patrol agents at the northern border ports of entry. For those whose districts and States lie on the northern border, this funding is critical not only to the safety of our constituents but also to the economic safety of our country.

I am pleased that the administration and the House continue to place such an emphasis on filling the needs we have at the northern border.

I would also like to bring to the House's attention the foreign assistance portion of the bill. Foreign assistance is critical to our overall foreign policy and the President needs these funds immediately. This money is necessary to support the stabilization of Iraq and also support our key partners in the war with Iraq and the global war on terrorism.

I also support strongly the Middle East partnership initiative, or MEPI. This initiative is critical to our country's policy toward the Middle East because it strengthens our policy on economic, political, and educational reforms in that part of the world. The administration should be commended for initiating and funding this program to work with our Arab and Muslim allies on these issues.

Mr. Chairman, it is clear that our men and women in the Armed Forces, along with our allies, will prevail in Iraq and remove Saddam Hussein and his regime from power. This supplemental will ensure that they have the resources they need to finish that job. I urge all of my colleagues to support this bill.

Mr. OBEY. Mr. Chairman, I yield 2½ minutes to the distinguished gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me time.

I rise in strong support of this essential bill for military operations, homeland security, and foreign assistance, and I want to thank the gentleman from Florida (Chairman YOUNG) and the ranking member, the gentleman from Wisconsin (Mr. OBEY), for their hard work, especially on the gentleman from Wisconsin's anniversary of service in this Congress today. After three decades of service, we need that intelligence, especially now in this critical time in world history.

I want to focus my remarks particularly on health care for those who are putting their lives on the line in America's cause as we stand here to provide the resources for them to do that, and that is especially those in our Guard and Reserve. Those in the Guard and Reserve are not tangential to this operation. In many units they comprise over half of these on the ground. I think we have to recognize with the change in our force structure that we have to provide the kind of benefits to these Guard and Reserve forces that they deserve.

In this bill, with the leadership of the gentleman from California (Mr. LEWIS) and the ranking member, the gentleman from Pennsylvania (Mr. MURTHA), we have made an improvement in health care coverage for our Guard and Reserve forces. After 30 days of active duty call-up, they are eligible for TRICARE and their families are eligible for that health insurance. So it is an improvement over past situations.

But as we move forward this year, I would hope we would recognize the changes that have occurred in our force structure and provide 365-day-a-year optional health care coverage for members of the Guard and Reserve upon their return home. Because, truly, one-third to one-half of members of the Guard and Reserve have no health insurance. They do not work for companies that provide health insurance. And for those with insurance, the current system is a patchwork. It creates a lot of family turbulence as they are called up to active duty and then they find their insurance plan switching to another, and so forth. And I can tell you when they come home, many of them will fall off their benefits. The Veterans Administration has told us they will only care for those in active duty from the Guard and Reserve for 2 years after they come home, and they will not care for their families.

So we have a situation here that has a lot of inequities. I would just ask the chairman and ask the chairman of the Subcommittee on Defense of the Committee on Appropriations and the ranking member, that as strongly as we support this bill and the improvements for family coverage for those in our Guard and Reserve, that when they do return home, that in further bills that will come before us in the appropriations process and in the authorizing bill for the Department of Defense for 2004, that we provide optional TRICARE coverage for those in the Guard and Reserve and their families, 365 days a year. Let us give them that option. I ask my colleagues to support this important measure as essential under current circumstances but far from perfect in times of adequate support for our veterans and our homeland security.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the very distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN), chairman of the Subcommittee on the District of Columbia of the Committee on Appropriations.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me time.

I rise in strong support of this supplemental appropriations to pay for Operation Iraqi Freedom and to advance and expand homeland security.

As those of us who have seen war know, freedom is not free. It is paid by the sacrifices of those who serve literally on the ground now in Iraq and Afghanistan as we speak and debate here on the floor today. Their courage is our inspiration. We wish them Godspeed, swift victory, and a safe return.

Now that we are liberating the Iraqi people and better protecting the safety of the American people, Congress is acting decisively today to ensure that our soldiers, sailors, and airmen and women, that they have the resources they need to win the war against the regime of Saddam Hussein.

This bill essentially contains over $62 million to support our military, to pay for the troop deployment that they are

presently in, to replenish essential munitions and smart munitions and supplies. And this bill provides critical humanitarian needs on the ground in this war-torn nation. And most importantly, this bill also recognizes the ongoing war on terror by strengthening America's first line of defense, our first responders, our local police and firefighters. This supplemental deserves our strong support.

Mr. OBEY. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Chairman, I thank the gentleman from Florida (Chairman YOUNG) for maintaining the Committee on Appropriations' constitutional right to appropriate, and for oversight, both to the gentleman from Florida (Mr. YOUNG) and to our ranking member, the gentleman from Wisconsin (Mr. OBEY) and our staffs for making sure that our constitutional rights as appropriators is preserved under this supplemental.

I rise in strong support of the supplemental, our troops, our men and women in the military who are fighting to support this country's and around the world's freedom. I rise also to support the Obey amendment that was not made in order. We must protect our homeland. We must protect our hometowns. And as was mentioned earlier in the chart displayed by the ranking member, the gentleman from Wisconsin (Mr. OBEY), this supplemental does not do that yet, and we will have another opportunity in the 2004 budget and I hope we will do that.

I represent probably the largest body of water, of international waterway, in this country. The Ambassador Bridge is the busiest commercial border in this country, where a billion and a half commercial products cross that border every day; 40,000 businesses have trucks with hazmat materials on them. Three million people drive those trucks. And we must make sure that our homeland is protected, and we need this homeland money so that our local communities, our targeted communities, can have those dollars we need to protects our citizens, not just at the ports but around this country. And this supplemental does not do it. And I hope we will do it in our 2004 budget as we move forward to do that.

It is so important that we speak out to let Americans know that as we appropriate their tax dollars, we are not only taking care of Afghanistan, Iraq, helping with our other foreign allies, but we are doing what is necessary so that their children can be safe in their own homes, so that the mayors can have the resources they need. It is so important.

And I thank the gentleman from Florida (Chairman YOUNG) and the gentleman from Wisconsin (Mr. OBEY) and our staffs for bringing it to the floor in such a timely manner. This is a good supplemental at this time, and I urge my colleagues to support it.

I rise today to support H.R. 1559, the Emergency Supplemental Appropriations for FY2003. As a member of the Appropriations Committee and the Subcommittee on Foreign Operations, I am proud of the work that the committee was able to produce and thank Chairman YOUNG and Ranking Member OBEY, as well as Chairman KOLBE and Ranking Member LOWEY of the Foreign Operations Subcommittee on Appropriations for their continued leadership.

Our nation is in a time of unparalleled needs. We are waging a war against Saddam Hussein and his regime, we are fighting a war on terrorism, while at the same time needing to respond to the needs to protect our homeland. This supplemental reflects what is at stake.

The supplemental includes $62.5 billion for military operations in Iraq and the war on terrorism. As an appropriator and a member of the United States Congress, let me say that I am committed to doing everything I can to make sure that our troops are provided with the equipment and resources necessary that will ensure their safety and their ability to mount an effective opposition in Iraq, that will ensure a successful and hopefully an expeditious end to military action. Let me state the utmost respect and admiration I have for our men and women in uniform and that my thoughts and prayers go out to all of them and their families during their difficult times.

I am also proud that this bill does not reflect the blanket check that the Administration originally sought, that would have created new accounts and provided the Administration with programming authority, without congressional oversight. I do not believe in writing blanket checks. As a Member of Congress and a member of the appropriations committee, I feel our role is more important than being just a bank. If we are to be successful in our important missions, Congress needs to be involved and be assured a say in how, where and to whom our money is going. I am happy that Members on both sides of the aisle were able to work together to ensure that Members retain congressional oversight during these important times.

While I support this important supplemental, it is not without certain reservations. First, this bill does not go far enough in providing the sufficient funds needed to protect our homeland. We have vital, unmet needs that need to be responded to effectively. We had a chance to do right, but the Republicans, unfortunately, have blocked an amendment by Congressman OBEY that would have provided for $2.5 billion in additional funds for our homeland security needs.

These additional funds would have allowed us to address important issues, such as: increasing port security; protecting federal dams and waterways from terrorist attacks; protecting important food and medical equipment; strengthening the security of nuclear materials at home and abroad; and strengthening U.S. laboratories' ability to cope with a chemical attack.

I represent the 13th District of Michigan, which contains the largest international commercial border in the nation, with $1.5 billion in goods coming into our country every day. The City of Detroit has also been named as one of 10 cities likely to be targeted for a terrorist attack. Mr. Speaker, our security needs are immense here at home and we need to act responsibly. Refusing to allow Members a vote here on the House floor to increase funding for homeland security is an act of irresponsibility that could have adverse consequences.

These additional funds would have allowed government agencies to respond to the unmet needs that our nation's safety requires. Refusing to allow Members a vote here on the House floor to increase funding for homeland security is an act of irresponsibility and we are shortchanging, plain and simple.

Mr. Chairman, the American people look to us to do the job of the people and to protect and safeguard our homeland. It is time that our words and intentions are reflected in the amount of funds that we appropriate in the name of homeland security.

Finally, I also question the amount of funding we are providing for reconstruction and humanitarian needs in Iraq—$2.48 billion. With the war that presumably could last for weeks, maybe longer, the humanitarian needs and reconstruction needs will be great.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the very distinguished member of the Committee on Appropriations, the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, if I could engage the chairman in a colloquy.

Mr. Chairman, as you know, the Senate version of the supplemental contains funding for further construction activity for the National Animal Disease Center facilities in Ames, Iowa. This initiative is one that the Agriculture Department has been planning for some time. After 9/11 and with the potential threats to our food supply, the urgency of this modernization initiative has become more pronounced. In fact, the Animal and Plant Health Inspection Service was put into the Department of Homeland Security because of such threats.

We are working closely with the USDA budget office to ensure a timely and cost-effective construction schedule, enabling a usable first phase that includes the biocontainment level 3 lab. This national animal disease facility is important for the prevention and diagnostic research for animal-related disease threats, when we talk about the potential for contamination of our food supply.

The longer we delay this project, the more expensive it becomes, and the further out the full project completion date. Without appropriate funding, we risk our construction costs by tens of millions of dollars. Will the Chairman agree to work with me on this National Animal Disease Center lab modernization initiative so as to complete the full project as soon as practical and with minimum cost increase?

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

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

Mr. YOUNG of Florida. I would like to respond that he is correct in his assessment of the situation, and I guarantee him that I would work as closely with him as I possibly can to accomplish what he wishes to accomplish.

The National Animal Disease Center modernization project is an important initiative, both for updating these facilities and particularly in light of the threats of agro- and bioterrorism. And I thank the gentleman for calling this to our attention today.

Mr. LATHAM. Mr. Chairman, I thank the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, I have just a brief closing statement. I reserve my time until the gentleman from Wisconsin (Mr. OBEY) yields back his time.

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

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 5½ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 1½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, I salute the gentleman from Florida (Chairman YOUNG), the gentleman from Wisconsin (Mr. OBEY) and others who put this package together. It funds the war in Iraq, and I strongly support that. And it funds some important homeland defense measures, and I support that. But I think this bill does not go far enough in protecting our homeland security and we have a responsibility to do something about that today.

The Obey amendment would provide $197 million for additional funding to protect our U.S. military installations and the families, the spouses of our soldiers fighting in Iraq, the children of our troops defending our country through their bravery and courage in Iraq. These projects only represented, these security upgrades, and I am talking about fences around our military installations, guard houses, ways in which we can responsibly protect those military bases and the families living there.

These projects in the Obey amendment represent only the top 16 percent of security needs requested by the Army, the Navy, the Air Force, and the Marines. This should be the least we should do. There is no reason, other than some artificial number established by the administration, why we should not spend just a bit more to make it safer for our families, our military families, living within our installations.

We cannot promise everything to our troops over in combat in Iraq. But the one thing we have an obligation to do for them is to say, if you will put your life on the line for our country in Iraq today, we will defend your children and your spouses back at home.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding me time. Out of courtesy, let me say I think that the gentleman and the gentleman from Pennsylvania (Mr. MURTHA) are correct. We are going to need to spend more money on homeland security, protecting our ports. We are going to need to do that soon. But I think this is a great step in the right direction and this is sufficient.

I want to say one thing to the whole House as a member of the homeland security subcommittee; be careful, because of what happened at TSA, not to overpromise to the first responders, local government, communities, that everything called homeland security is going to be funded by the Federal Government, because there is no possible way we can afford to fund everything that comes under the umbrella of homeland security.

□ 1245

We need to be careful as a Congress. The statute for TSA said they could not be more than 45,000 people. We created the Transportation Security Agency. Today it is 64,000 people. We have got to be careful the government does not go too far. We have got to be careful we do not grow these agencies beyond our ability to manage them and to exert our oversight. We have got to be careful. We have got to do this quick, but we have got to do it right.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I guarantee my colleague we are being careful, careful almost to the extent where I think we are leaving the country vulnerable, and I really do disagree.

I think we have got a responsibility to get a plan in all the States. We do not have all 50 States under the National Guard program, to give each State a unit in support of local officials in a crisis. We still do not have that done. There is a lot of things we need to do, and money is important in getting it done.

Mr. OBEY. Mr. Chairman, there are several Members who wanted to speak, but let me yield myself the balance of the time.

Mr. Chairman, every Member of this House supports whatever is necessary to give our troops every dollar and every piece of equipment they need to come through this war successfully and unscathed, we hope; but there are other duties which this Congress has as well, and I believe that we are missing a huge opportunity to strengthen our defenses here at home.

I really believe that the people who died in the Pentagon and in Pennsylvania and the Twin Towers in New York were the last casualties from the 1991 war against Iraq. It was that war to which bin Laden responded, and it was because of his anger at the West for stationing troops on Saudi territory that he lashed out in his vicious attack on this country.

I think we have to recognize that there will be future bin Ladens, and if we are going to have an ultimately successful result from our attack on Iraq, we need to make certain that we do a much better job the next 10 years in battening down the hatches against terrorism than we did the past 10 years. That is why we wanted to offer this amendment today; and in my view, we will pay a price for not being able to provide these additional protections.

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

Mr. OBEY. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, outside groups like the Council on Foreign Relations, Senator Rudman, Senator Hart, the Brookings Institute, they have looked at these numbers, and they have said they are completely inadequate to do the job. That is why we are so upset that we have not been offered the chance to present an amendment today.

The gentleman from Wisconsin (Mr. OBEY) presented it in the full committee. It was a close vote. This is something that worries me deeply.

I think we do a great job in Iraq and in Afghanistan, but we are not doing the job we need to do right here at home to protect the United States of America; and it is not right, and we have got to do something better than that. I appreciate the gentleman yielding to me.

Mr. OBEY. Mr. Chairman, I thank the gentleman for his remarks, and I could not say it better myself.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time.

I want to say, to the Members of the House, today my colleagues are exercising one of the most basic requirements of the Constitution, and that is to provide for the defense of our Nation. We will appropriate the funds today to do just that.

The situation is serious. Our young Americans are at risk on the battlefield. It is important that we provide everything that they need to conclude their mission and to replace whatever munitions have been used.

Mr. Chairman, I would just ask all Americans to join in a prayer asking God's blessing on all of those men and women who are performing that mission today, wherever they might be in this world, and also to ask God's blessings on the President of the United States, President Bush, the Commander in Chief, as he leads our Nation through these very difficult times.

Mr. HASTERT. Mr. Chairman, I rise in support of this War Time Supplemental, and I urge all of my colleagues to support it.

The Congress has certain responsibilities in a time of war. We have the responsibility to authorize the use of force. We did this in the last Congress.

And we have the responsibility to pay for the war. This supplemental is our contribution to the war effort.

Any one who has any doubts about the justice of our cause should read the story of Jessica Lynch, and how a bunch of Saddam's henchmen mistreated her. They should read

the story of how the citizens of Najaf have welcomed our troops as liberators from the Hussein regime.

Our troops need our help. They need our support. They need the bullets, the MRE's, the cruise missiles, the jet fuel, which we provide in this supplemental.

There are a lot of arm-chair quarterbacks out there, people who think they know better how to conduct this war. In my view, our President and his team have been doing a very good job. We are exceeding any realistic expectations. And we can be proud of our soldiers, sailors, and Marines. They are performing as well as any group of warriors has ever performed.

Mr. Chairman, our cause is just. Saddam Hussein is a brutal dictator who has based his regime on torture and terror. He has supported terrorists and he has tried to produce weapons of mass destruction. His days are numbered, and for that, the world should be grateful.

This supplemental also contains important resources to secure the Homeland.

Our cities and states need help in this battle against terrorists.

We want to make certain that what happened on September 11, 2001 never happens again. We want to prevent terrorists before they strike. And we want to be prepared if they do succeed in launching an attack.

We don't know where they will target. This is a big country, and the possible targets are as vast as the deranged imagination of an Al Qaeda terrorist.

This bill achieves a critical balance. We don't want to federalize every police and civil service function. But we do want to help these localities prepare. And that is what this bill does.

Finally, let me say a word about the airline provisions of this bill.

Some say we have done too much for the airlines industry. Some say we have done way too little. I think we have the right balance to help airlines deal with the increased security costs brought on by war and terrorism.

This is a simple proposal. It will help the airlines immediately, it will help them fairly, and it will help them effectively.

Let me conclude by saying that I urge my colleagues to support this important war supplemental. The American people want us to support our troops and defend the Homeland in this time of war.

Mr. GREEN of Texas. Mr. Chairman, I rise today in strong support of this wartime supplemental appropriations bill which provides needed resources for our troops who are fighting so valiantly in Iraq. With a price tag of almost $78 billion, this bill represents the largest supplemental bill ever considered by Congress.

This bill strikes the necessary balance between providing the Defense Department the flexibility to get resources to our troops in a timely manner and retaining Congress' constitutional authority over the nation's spending.

While this bill addresses our military needs abroad during this time of war, we must remember that we're also fighting a war against terrorism on our homefront. To do so effectively requires significant resources for the security of our ports and borders, our counterterrorism initiatives and our first responders on the front lines of this war. Yet only 5 percent of the funding in this bill is dedicated to homeland security.

Mr. Chairman, throughout this country, our states and localities are strapped for cash. They simply do not have the resources to take on the financial burden of homeland security. Without Federal help, there is no way we can implement a coordinated and comprehensive effort to defend our cities and states from attack.

Without doubt, the domestic and military needs of this country are great. And in times of need, the American people have a proud history of banding together and sacrificing for the betterment of the nation as a whole

It is in this tradition of shared sacrifice that we must put the needs of the country ahead of any personal desire for a tax cut. Our increasing budget deficits alone show that we can't afford it. And there's little evidence to suggest that this second tax cut would do any better than the first at stimulating the economy.

As we consider this supplemental bill and other budget and tax measures, I urge my colleagues to remember the true needs of this nation by providing adequate funding for homeland security and abandoning this fiscally irresponsible tax cut proposal that will inevitably be paid for on the backs of future generations.

Ms. ROYBAL-ALLARD. Mr. Chairman, the issue of homeland security affects us all, and the need for adequate homeland security funding must be a priority for Congress.

Perhaps no set of installations is more important to the economic well-being of the nation than our nation's port—and perhaps none is more vulnerable to the threat of a terrorist attack.

In California, the Ports of Los Angeles and Long Beach comprise the largest port complex in the nation, handling over 6 million cargo containers each year—over 15,000 each and every day. These containers represented more than $100 billion in goods entering the U.S. economy last year.

The threat of a terrorist device entering the port through one of those 6 million containers is very real, and the impact of such an attack at the Ports of Los Angeles and Long Beach would have far-reaching and devastating effects on our nation's economy.

For example, during the 10-day lock-out in July of last year by the pacific Maritime Association, the nation's economy lost an estimated $1 billion per day because container cargo was not moved. Container ships were anchored outside the breakwater at the port for several days, creating a backlog in ships waiting to berth and unload. Because of just 10 days of inactivity, container throughputs for the year were down nearly 10%.

The Ports of Los Angeles and Long Beach move cargo that is destined for businesses across the united States that have just-in-time inventory systems. These businesses, as far away as Michigan and Ohio, were affected by the port lock-out and slow-down. Some manufacturing lines cut back and furloughed employees during that port slow-down; some were forced to shut down.

A catastrophic terrorist event that shuts down the port for a significant period of time would have a disastrous impact on the U.S. economy.

The City of Los Angeles has responded aggressively to this threat. Following the terrorist attacks on September 11, 2001, Los Angeles Mayor James Hahn assembled an 18-member Seaport Security Task Force that included the U.S. Coast Guard and federal, state and local law enforcement officials, to devise a plan to assess the port's vulnerabilities and upgrade the port's security in case of terrorist attack.

Since that time, the port has invested more than $2 million to upgrade its security infrastructure, train additional port police, and acquire the necessary equipment to provide the required security at the container and cruise ship terminals and berths.

However, the port's importance is clearly national in scope, and the federal government should contribute its fair share for the increased security needs at the port.

How great is the port's need?

During the first round of Seaport Security Grants, the Port of Los Angeles identified $48 million in priority security improvements. Chief among these was the construction of a high-risk container inspection facility that would permit immediate inspections to take place on-site. Under current procedures, questionable containers must be transported along city streets and regional highways to the current inspection site located 15 miles north of the port.

Unfortunately, the Port of Los Angeles was awarded only $750,000 in federal money towards construction of a container inspection facility. The port has applied for $11 million under the second round of Seaport Security Grants. The security needs of the Port of Los Angeles and ports across the nation remain great. Until we make these needed security improvements, the Post of Los Angeles will remain just as vulnerable to a terrorist attack as on September 11. If a terrorist attack were to take place in Los Angeles or in any other of the nation's ports, we would be justly criticized for not having moved more quickly to provide the resources necessary.

I am pleased that H.R. 1559, the Emergency Supplemental Appropriations bill, contains funding for port security. But I would contend that the $35 million for container security provided in the bill is inadequate for the nation's needs in light of the fact that the Port of Los Angeles alone has identified $48 million of necessary security improvements, and the Coast Guard has indicated that $1 billion is probably a more realistic figure for what would be required to provide adequate port security across the U.S. this year.

As a member of the Appropriations Committee that considered this bill earlier in the week, I supported the Obey Amendment to add $250 million in port security funding. Had Congressman Obey been permitted to offer his amendment today, I would have voted for it on the House floor.

Mr. Chairman, I will support this bill today to provide our military leaders and our servicemen and women the tools they need to complete the job that has been given to them. Our military is strong, we support our military, and our military will prevail in the war in Iraq.

While making sure our forces are secure abroad, we must also strive to protect our people at home. The funding in this bill for port security is inadequate for the demonstrated need, and I will continue to fight with my Democratic colleagues for the necessary resources so our people, our commerce, and our economy will continue to be strong, too.

Mr. UDALL of Colorado. Mr. Chairman, I will vote for this defense supplemental without hesitation, but with regrets and concerns.

To begin with, I regret that we have to be voting on this bill now.

I thought the President's decision to begin military action in Iraq was premature. I thought it would have been better to allow more time for other measures, including coercive inspections, to accomplish the goal of disarming Saddam Hussein. However, Congress—by adopting the resolution authorizing the use of force—left it to the President to decide if and when military action would begin.

That is another source of regret. I opposed the resolution precisely because I thought it gave the President too much discretion about the timing of that action. But the resolution was enacted. And, now that military action has begun, it is necessary for Congress to consider the Administration's requests for funds to pay for it and for related purposes.

Our troops are in the field, actively engaged in operations that Congress has authorized. Under those circumstances, I cannot make them the victims of my regrets by failing to support this bill to provide them what they need to carry out those operations.

So much for my regrets. I also have strong concerns about some things that are in this bill and some things that were left out.

The bill does have many good features. For example, I am glad that the Appropriations Committee placed some important limits on the President's request before bringing the bill to the floor.

Among other things, the bill bars the Pentagon from controlling the over $2.5 billion it provides for humanitarian relief and reconstruction and instead designates the money for the State Department and other non-military agencies. The bill also reduces the President's request for no-strings-attached Pentagon funding from $63 billion to $25 billion by putting the rest of the funds into appropriate spending categories. Though the $25 billion still amounts to a signed check with the payee line left blank, it's an improvement over the request. Regardless of the Administration's preference, it remains the right and duty of Congress—not the White House—to decide how much money is allocated for what purpose.

On the other hand, I am concerned that the bill does not do enough in other areas. In particular, I voted against ordering the previous question on the rule, and against the rule itself, because it did not allow a straightforward vote on the Obey amendment to add more funding for homeland security.

The bill does include $4.25 billion for this purpose—slightly less than the President's request—but I think that is not nearly enough to meet the country's needs. Although many of our Republican colleagues would have you believe that states and localities are sitting on millions of dollars of unspent funds for first responders, my conversations with Colorado police chiefs, fire departments, and other first responders have convinced me that is not the case. Every time the Department of Homeland Security changes the official color-coded threat level, Colorado and the other States and localities are required to spend more money that they don't have. We are asking them to provide top-dollar security for our nation on a dime's worth of resources.

So, I am very concerned that the Republican leadership has denied us the opportunity to vote to correct the bill's deficiencies. The Obey amendment would have provided $2.5 billion in additional funds for our local first responders, for port security grants, for protection for our waterways and nuclear plants, for our National Guard and Reserves to provide assistance with chemical and biological weapons attacks, and for other homeland security needs.

I do not know how many of our colleagues would have joined me in supporting this amendment—and I will never know, because the Republican rule didn't permit a vote—but I know Colorado's first responders would have wanted it to be a majority. That's because homeland security is for Americans—it is not just for Democrats or Republicans. At a time when states and cities are suffering economically and crying out for federal assistance to meet their new and stepped-up homeland security obligations, I believe we must do more than we've done in this bill.

Nonetheless, as I said, I am voting for this bill without hesitation because its prompt passage is needed—not just to support our men and women in uniform as they fight, but also to lay the foundation for the harder mission of winning the peace after they have won the war.

Mr. BLUMENAUER. Mr. Chairman, this $77.9 billion supplemental appropriations bill is the largest ever considered by Congress. Yet, it still fails to address our most critical need of ''hometown'' security. The lack of adequate funding to protect our hometowns exposes the United States to greater risks than those posed by Saddam Hussein.

This bill provides less than half of an estimated $9 billion need for the safety of our ports, transportation systems, water supplies, and first responders. It even falls short of what the administration requested for homeland security. Nationwide, cities are spending $70 million a week to protect and prepare themselves from potential attacks at a time when state and local governments are already crippled by economic conditions.

In the last two weeks since the war in Iraq began, my hometown of Portland, Oregon has spent nearly a million dollars to respond to the heightened security alert. As the State of Oregon struggles to keep schools open and to provide medical care for the neediest people, it is incomprehensible that we are not fulfilling our responsibility at the federal level to help fund critical homeland security needs.

A Democratic amendment that would have added $5.5 billion for homeland security and $300 million specifically for metropolitan security needs, would have provided Oregon an additional $4 million to secure, protect, and prepare our ports, our hospitals, and our first responders against potential terrorist attacks. Appallingly, the Republican leadership blocked this and other Democratic amendments from even being voted on.

There is no reason to rush this resolution through to fund the war on Iraq. It would appear to the casual observer as an attempt to hide the true cost of the war by breaking it up into pieces. There are already discussions that another supplemental will be necessary before the end of the year. The 2004 budget resolution, which was just debated two weeks ago, failed completely to deal with the expended costs of this war.

I did not support this resolution, because it is not needed at this moment, the process by which it was brought to the floor is unreasonable, and it fails to fund protection for our communities.

Mr. PAUL. Mr. Chairman, at a time of war Congress has no more important duty than to make sure that our military force have all the resources they need. However, Congress also has a duty to not use the war as cover for unnecessary and unconstitutional spending. This is especially true when war coincides with a period of economic downturn and growing federal deficits. Unfortunately, Congress today is derelict in its duty to the United States taxpayer. Instead of simply ensuring that our military has the necessary resources to accomplish its mission in Iraq, a mission which may very well be over before this money reaches the Pentagon, Congress has loaded this bill up with unconstitutional wasteful foreign aid and corporate welfare spending.

For example, this bill provides a hidden subsidy to vaccine manufacturers by transferring liability for injuries caused by the smallpox vaccine from the companies to the United States Taxpayer. It also provides $3.2 billion dollars for yet another government bailout of the airline industry, as well as a hidden subsidy to the airlines in the form of $235 million of taxpayer money to pay for costs associated with enhanced baggage screening. Mr. Speaker, there is no more constitutional reason for the taxpayer to protect what is, after all, the airlines' private property, than there is for the taxpayer to subsidize security costs at shopping malls or factories. Furthermore, the airlines could do a more efficient and effective job at providing security if they were freed from government rules and regulations. I remind my colleagues that it was government bureaucrats who disarmed airline pilots, thus leaving the pilots of the planes used in the September 11 attacks defenseless against the terrorists. I would also remind my colleagues that anti-gun fanatics in the federal bureaucracy continue to prevent pilots from carrying firearms.

Although generous to certain corporate interests, this bill actually contains less money than the administration requested for homeland security. One area of homeland security that Congress did not underfund is its own security; this bill provides the full amount requested to ensure the security of the Congress. Still, one could reasonably conclude from reading this bill that the security of Turkey, Pakistan, and Jordan are more important to Congress that the security of Houston, New York and other major American cities.

On foreign spending, this bill actually provides one billion dollars in foreign aid to Turkey—even though that country refused the U.S. request for cooperation in the war on Iraq. One billion dollars to a country that thumbed its nose at an American request for assistance? How is this possibly an appropriate expenditure of taxpayer money? Additionally, this ''war supplemental'' has provided cover for more of the same unconstitutional foreign aid spending. It provides 2.5 billion dollar for Iraqi reconstruction when Americans have been told repeatedly that reconstruction costs will be funded out of Iraqi oil revenues. It also ensures that the American taxpayer will subsidize large corporations that wish to do business in Iraq by making transactions with Iraq eligible for support from the Export-Import Bank. It sends grants and loans in excess of 11.5 billion dollars to Jordan, Israel, Egypt, and Afghanistan—above and beyond the money we already send them each year.

Incredibly, this bill sends 175 million dollars in aid to Pakistan even though it was reported

in April that Pakistan purchased ballistic missiles from North Korea! Furthermore, it is difficult to understand how $100 million to Colombia, $50 million to the Gaza Strip, and $200 million for ''Muslim outreach'' has anything to do with the current war in Iraq. Also, this bill spends $31 million to get the federal government into the television broadcasting business in the Middle East. With private American news networks like CNN available virtually everywhere on the globe, is there any justification to spend taxpayer money to create and fund competing state-run networks? Aren't state-run news networks one of the features of closed societies we have been most critical of in the past?

In conclusion, Mr. Chairman, H.R. 1559 endangers America's economy by engaging in pork-barrel spending and corporate welfare unrelated to national security. This bill endangers America's economic health by adding almost $80 billion to the already bloated federal deficit. Additions to the deficit endanger our financial independence because America will have to increase its reliance on foreign borrowers to finance our debt. H.R. 1599 also shortchanges Americans by giving lower priority to funding homeland security than to funding unreliable allies and projects, like the Middle Eastern TV Network, that will do nothing to enhance America's security. Therefore, I must oppose this bill.

Ms. LEE. Mr. Speaker, I rise in opposition to this bill, knowing full well that it will pass today.

Like many of you here in Congress and like millions of Americans across the country, my hopes and prayers go out to our troops. I want to see them safe at home as soon as possible. I deeply admire their courage, mourn their losses, and honor their sacrifice and commitment.

I cannot, however, endorse the decision to send our troops into harm's way by launching a first strike against Iraq. I fear we are witnessing the first chapter of the Doctrine of Preemption. This Doctrine of Preemption is taking us more deeply into uncharted waters. No one knows where this will end.

There is also no end in sight to the costs of war and to the price we will pay here at home in the America we will not be able to build. Dr. Martin Luther King, Jr. taught us, ''In the wasteland of war, the expenditure of resources knows no restraints.''

Thus, I cannot support the $75 billion down payment on this war that makes up the bulk of this supplemental while under-funding homeland security by $4 billion. With those facts, in mind, I must oppose this appropriations bill.

Ms. LOFGREN. Mr. Chairman, I am aware that many of my constituents hope that I vote ''no'' on this supplemental appropriations bill. Many of my constituents are passionate in their opposition to the Iraqi invasion. Last fall, I voted against the resolution that authorized the invasion because I believed the invasion was a mistake for our country. But that fact is this: The resolution passed the Congress. Whether or not one agreed with the actions that led up to today, America's troops are now in the field and the bills need to be paid. Accordingly, I will vote ''aye'' on this bill.

Ms. HOOLEY of Oregon. Mr. Chairman, two years ago, I don't think there would be any doubt that most Americans would have felt a sense of safety, but in today's world that is not the case. Indeed, in today's world of opting to spend an estimated $9 million on security for the Super Bowl, Americans are looking for a greater feeling of safety and security in their daily lives, whether in their homes, on the street, or in their workplace.

While tensions abroad are troubling, we can't overlook or underfund our own homeland security.

There is a bipartisan consensus that protecting the security of our communities requires that we adequately equip and train our first responders, who form our first line of response to any terrorist attacks. These first responders need additional funding to match mandates and goals, particularly to address the need for new communications equipment. Fire fighters need to be able to communicate with police officers, and police officers need to be able to communicate with emergency medical personnel in order to effectively protect our communities.

Recently, a group of over 80 police, fire and emergency response agencies in Oregon came to me requesting funding for a regional communications system that would allow all the agencies to communicate with one another. This proposal cost $59 million and would greatly improve the regional response capability of these first responders. Increasing money for first responders may allow them to build their communications system.

We are in the midst of an extraordinary time, when we and our allies are pursuing a war on terrorism that extends across the globe. Our resources, troops, intelligence agents, and surveillance equipment are currently spread across the world, from Yemen to the Philippines, from Afghanistan to Colombia.

In our own backyards, at the borders with Canada and Mexico, in the hundreds of seaports on our coast, indeed even in our own communities, I will fight to ensure that we have the proper resources or organization to prevent terrorist attacks.

In the midst of this lack of resources and organization, we hear constant reports that new attacks on American soil are being planned. Members of President Bush's administration have publicly stated that they believe another attack on American soil is nearly inevitable.

During a time when our nation seems its most vulnerable and under its greatest threat, we have the responsibility to ensure that everyday Americans are safe and secure. We must protect and defend our cities at home during these troubling times by investing in our new Department of Homeland Security, by providing local law enforcement and first responders with adequate resources to prevent or respond to any future attacks.

I am disappointed that this legislation includes less spending on homeland security than was requested by the President, and I am disappointed that the rule was structured in such a way to prevent amendments increasing homeland security spending.

Ms. BALDWIN. Mr. Chairman, I rise in strong support of the McGovern Amendment. The war on drugs in Colombia should not receive funding in an emergency supplemental spending bill. Additional funding for Colombia should properly be considered as part of our regular appropriations process for fiscal year 2004. Muddling the important issues at stake in Colombia with an amorphous definition of terrorism and then burying the funding in a bill that is on a fast-track is not the way we should proceed.

I urge my colleagues to support this amendment.

The balance of my remarks relate to the underlying issue of war in Iraq and this Supplemental Appropriations bill.

I am one of the 133 Members of this body who cast a ''no'' vote on the resolution authorizing use of force against Iraq last October. I believed then as I do today that alternative means exist to deal with the threat posed by Saddam Hussein. I believed then as I do today that the world will not be a safer place because of this war. I believed then as I do today that the new Bush doctrine of preemptive military action threatens to further destabilize our world.

For those of us who voted against war in Iraq, this is an incredibly painful and difficult time. Many of our constituents are feeling angry and frustrated, powerless and hurt, worried and disappointed. We've been searching for ways to take meaningful steps toward peace, having failed to convince this President, a majority of this Congress and a majority of the American people that war in Iraq is not the right path. When I refer to the phrase ''meaningful steps toward peace,'' I have three very specific goals in mind. First, I deeply believe that the Bush policy of preemptive war must end, here and now.

Secondly, I believe that we must take immediate responsibility for rebuilding strong trusting relationships with the international community because too many of these relationships have been strained and damaged when this administration turned away from pursuit of a diplomatic resolution to this problem. Lastly, I believe that we must take immediate responsibility for rebuilding Iraq.

Throughout our history, the United States has been viewed by the world as a beacon of freedom and a pillar of democratic principle. While never perfect, we were admired for our openness, our charity and our commitment to liberty. Weary of war, we created, supported and enhanced international institutions and agreements to encourage peaceful solutions to world disagreements and conflicts. The United States was seen as a constructive force in the world. Right now we are seen by many as a destructive force in the world.

I stand here today to urge this President and this Congress to return to our tradition of constructiveness rather than destructiveness. We should be builders rather than destroyers.

A vote against this bill would do nothing to stop this war. If a ''no'' vote would stop the war, that is how I would vote. Rather, I urge Members and citizens to join me in the effort to become constructive as a nation, once again, to become builders, once again. This measure does contain resources to begin the rebuilding process. In light of these considerations, I expect to cast a vote to pass this bill.

We must rebuild and restore our relationships with our allies and our friends around the world. Our long term security rests in working cooperatively in a world community with international standards and laws, seeking peaceful solutions to the many challenges we face.

We must also rebuild Iraq. We can't back away now. American compassion, generosity and respect in Iraq are the essential first step in restoring trust between the United States and the Islamic world.

I said that we must construct and we must build rather than destroy. But, I make one exception to that statement. We must destroy

the doctrine of preemption. In fact the policy of preemption must be buried deep beneath the Iraqi desert, never to appear again. It is illegal and wrong and it harms American security far more than it helps. Beyond preemption lies the American way—democracy, diplomacy, cooperation and compassion.

Mr. Chairman, peace is not simply the absence of war. The seeds of peace must be planted and nurtured. A peaceful world must be tended. It is my hope that it is the rebirth of our true vision of America, in which we reject the ''got-it-alone'' mentality, reject preemption and endorse the hard work of building and growing a peaceful world.

Mr. FARR. Mr. Chairman, I rise today in opposition to this Supplemental Appropriations bill. I must admit that I opposed the war that this bill is funding. This war is the result of failed diplomacy. This war cost us valuable allies, and now it is costing us our lives. It will also cost us—the American taxpayer—billions of dollars.

In the last Persian Gulf war, we relied on our allies. The war cost the U.S. about $61 billion, but almost all of it was reimbursed. The amount of money in this one Supplemental—larger than the entire cost of the first Persian Gulf war—is the largest Supplemental in history. At about $75 billion, this Supplemental is larger than the entire budget of the State of California.

My opposition to the war, however, is not the principal reason for my opposition to this bill today. I oppose the bill for two reasons: First, because it leaves our first responders at home—our ''troops'' on the homefront—without complete protection. Second, I don't believe this bill addresses another emergency—repairing U.S. relations with the international community and its representative organizations, such as the United Nations and NATO.

The Emergency that this bill supposedly addresses is American security. While we must remain concerned with the impact of international affairs on American security, first and foremost, American security begins at home. Our attention as Congress, must therefore be focused on protecting the territory of the United States from attack. That was the danger we faced on September 11th. That is the apparent reason that we intervened in Afghanistan and now Iraq, and in other countries across the globe.

This bill inadequately addresses the security needs of the United States. We are spending $62.5 billion for military activities in this bill, and only $4.25 billion for ''Homeland Security''. Our troops overseas should be secure in the knowledge that their loved ones here are safe from any form of domestic terrorism.

An amendment offered by the gentleman from Wisconsin would have addressed some of these needs, but the Republican leadership did not allow the amendment to be debated on the floor of the House.

This bill also purportedly addresses the future of rebuilding Iraq. It provides $2.4 billion for ''Relief and Reconstruction''. The sum is woefully inadequate to meet the needs of the Iraqi people. We, the United States, are in the process of bombing their country, destroying their infrastructure. And when the war is over (which I hope will be soon), we will ask them to rebuild and form their country into a democracy. This bill provides more money for another airline bail-out than it does to provide the foundations of an Iraqi democracy.

Moreover, the money for reconstruction in Iraq—which is supposed to cover a huge range of activities including health, education, transportation, rule of law, agriculture—comes with no apparent structure or oversight. The post-conflict reconstruction of Iraq can provide the U.S. an opportunity to rebuild its frayed alliances with the international community, an opportunity to work with the United Nations and to strengthen its credibility, credibility that was undermined by the unilateralist approach the Administration has taken previously towards Iraq. This bill shows no vision of an international civilian administration in post-conflict Iraq, one that will be crucial to winning the peace. This task, as has been demonstrated in Afghanistan, could be far more difficult than a successful war campaign.

My vote today is in no way a vote against American troops in the field. Their safety is foremost in my thoughts; I hope that they will return quickly to safety of their homes. My vote, rather, is a vote against the priorities of this Administration and the Republican majority, priorities that place an offensive war abroad above defensive protection at home. Priorities to place short-term, unilateral quick-fixes over international solutions which are sustainable in the longer-term.

This vote is about current U.S. foreign policy and about what direction we are heading in. I think that we are supporting the wrong priorities and are heading in the wrong direction, and that is why I am voting against this bill.

Mr. KLECZKA. Mr. Chairman, the bill before us provides the additional funds required for the ongoing war in Iraq. $62 billion will help provide the supplies, munitions, weapons, intelligence, and logistics that are critical to those in combat at this time. I support our brave troops, and urge my colleagues to do the same. Congress must ensure that our fighting men and women are provided with every resource they need to accomplish their mission and return home quickly and safely.

As I cast my vote in favor of this measure, however, I note that there is $1 billion in foreign aid for Turkey. The Administration argues that we need to offer this aid because of the depressed economy there. I voted to strike this aid, since it makes no sense to provide a billion dollars to a nation that did not even allow our troops access to their soil for this operation. Unfortunately, the amendment was defeated.

Further, as I support this measure, I would hope that Congress is equally generous when addressing the challenges that we face right here on the home front. For instance, our economy is in worse shape than Turkey's, having steadily declined for the last two years and with job losses in my district and across the nation continuing to mount. But somehow we have no funds to provide extended unemployment benefits for the 1 million in our country who have been out of work for more than 39 weeks.

Additionally, seniors need a prescription drug benefit for Medicare, and families have contacted me to ask what can be done about skyrocketing healthcare costs. We also must ensure that federal commitments in education and healthcare are met, and that our homeland security is strong and our first responders equipped and prepared. Here at home we have needs that also could use this additional funding that we have provided to other nations through this legislation.

Mr. Chairman, I support our men and women in uniform and pray for their quick and safe return. We must give them everything they need to accomplish their mission. I just hope that later on, this Congress will remember what it gave for Turkey's economy when it comes time to vote on providing extended benefits to the many still unemployed right here at home. With this in mind, I urge my colleagues to support passage of this Emergency Wartime Supplemental Appropriations bill.

Mr. SANDLIN. Mr. Chairman, I rise today in support of H.R. 1559, the fiscal year 2003 Emergency Wartime Supplemental Appropriations Act. I applaud the swift bipartisan effort that has brought this vital legislation to the floor so quickly. I also congratulate my colleagues on the Appropriations Committee for resisting the Administration's effort to wrest from the Congress its constitutional prerogative of overseeing all monies drawn from the Treasury. Our founding fathers rightly understood the need for accountability among the branches of government—even in times of crisis.

The funding provided in this bill is critical to ensuring that the brave men and women in our armed services have the tools and resources necessary to accomplish a swift, sure and decisive victory over tyranny and oppression in Iraq. Accordingly, Mr. Speaker, I urge my colleagues to vote in favor of H.R. 1559 and for the full and continuing support for our troops deployed in the war on terrorism.

The best of America, and thousands of the best from my home state of Texas—our men and women in uniform, active duty and reserve components alike—are now in harm's way in Iraq, on the high seas and at the far corners of the world. These brave Americans now risk their lives to confront the oppression, tyranny, and terrorism that plague and threaten the world and our nation.

One of America's finest tradition is our ability to draw together in support of our men and women in uniform when they are actively engaged in the defense of our freedom. American forces in the Iraqi theater fight not for narrow interests or for reasons of national pride. American soldiers, sailors, aviators, and Marines are engaged in combat today so that our people do not live in a world in which tyrants armed with weapons of horror hold free nations hostage, and in doing so threaten freedom itself.

Accordingly, it is our solemn obligation to stand solidly behind our soldiers, sailors, aviators and Marines and to give our men and women in uniform the full and complete support they must have in order to prevail in this war and come safely home. This wartime supplemental appropriations bill is an appropriate first step in fulfilling our obligation.

However, Mr. Speaker, like many of my colleagues, I am concerned that this bill is incomplete. It is merely a down payment on the war in Iraq and, more broadly, on the war on terrorism at home and abroad.

The noble effort currently underway to liberate Iraq from a tyrannical regime is but one front in the global war on terrorism.

The Department of Homeland Security has elevated the national threat level to ''High'' because of its belief that there is a high risk of terrorist attacks against U.S. targets as a consequence of the war in Iraq. Despite this level of alarm, the bill being considered by the House today does not provide adequate resources to secure our own communities

against the very real threats the government has told us we face.

H.R. 1559 does not provide the tools and resources needed by the brave men and women on the front lines in the event of a terrorist attack against our local cities and towns. We should ensure that state and local civil defense teams are established and equipped to meet the needs of our communities in the event of such a tragedy. We should provide all the necessary resources so that the firefighters, police officers and emergency medical personnel can effectively respond to any and all threats to the peace and security of our citizens.

H.R. 1559 does not provide sufficient resources to secure our nation's ports and infrastructure.

In virtually every one of our towns across this country is a water-treatment facility that ensures that each of us has safe drinking water. Virtually all of these water-treatment facilities are vulnerable to terrorist attack and so our most basic necessity of life—water—is not adequately secured. Despite this, the Administration did not seek and this bill does not provide one penny to better secure our water-treatment facilities.

In addition, our nation's ports are vulnerable, as are dams, bridges and tunnels throughout the country. Even so, this bill does not provide the resources needed to secure our country's critical infrastructure.

In a time during which the threat of the horrific use of weapons of mass destruction is very real, we have to step up and ensure that our state and local governments have the tools they need to respond effectively to chemical or biological terrorism. We must ensure that our front-line defenders have adequate training and are properly equipped to secure the safety of our friends and family at home.

While H.R. 1559 is a thoughtful, measured response to the needs of our armed forces on the field in Iraq, it does not provide tools that are critical to adequately secure our local communities—the places where Americans live and work, where we raise our children and care for our families.

I support H.R. 1559 as a first step, but I believe that we have a solemn obligation to do more. The preamble to the Constitution spells it out as well as one could: We are obliged to ''insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity.''

Mr. Speaker, I will vote for H.R. 1559 in full and complete support of the brave men and women of our armed services in harm's way so far from home. But, Mr. Speaker, I also urge my colleagues on both sides of the aisle to do more—to vote to secure our cities and communities against the very real threats that they face every day during these uncertain times. Mr. Speaker, we must ''secure the Blessings of Liberty'' here at home with the same vigor and with the same measure of devotion that we have shown to bringing freedom to the people of Iraq.

Mr. LARSON of Connecticut. Mr. Chairman, I rise in support of H.R. 1559, the Emergency Wartime Supplemental Appropriations Act for Fiscal Year 2003, While I believe that it is a tragedy that the Republican Leadership in the House did not allow the Democrats to offer an amendment to include funding to support critical first responder and other homeland security needs, we have no choice to vote for this bill to support our brave men and women now engaged in hostilities in Iraq. My support for this bill does not mean, however, that I will not continue my fight with my like-minded colleagues to provide additional funds to enhance the security of Americans at home. We urgently need to address vulnerabilitites in our ports, borders, transportation system and other critical infrastructure, and we need to augment our first-response by way of training, equipment and communality of communications, in reinforce counter-terrorism and other capabilities.

As Ranking Member on the Committee on House Administration, I am pleased that this bill includes funds to address the needs of several Legislative Branch agencies under my Committee's jurisdiction. There is over $37 million for general expenses of the Capitol Police, mostly for additional equipment to improve the physical security of the Capitol, the temple of our democracy which thousands of American and foreign tourists visit each year. The bill provides $63.9 million for acquisition of a larger headquarters for the Capitol Police. Our police force has grown considerably since the 1998 shootings and 9/11, and there is a need for more space to consolidate functions and improve operational efficiency.

Also under our jurisdiction, the bill funds security-related work in the Library of Congress and the Congressional Research Service. The bill funds the newly constituted House Select Committee on Homeland Security, which will, under the able leadership of the gentleman from California [Mr. COX] and the gentleman from Texas [Mr. TURNER], oversee our newest department and its enormous job of making our people as safe as we can be made from terrorism.

I am particularly pleased that this bill includes $110,000 to satisfy an operating shortfall at the Office of Compliance. While this amount of money is very small in the context of the overall bill, it is important to ensure fairness in the Congressional Accountability Act complaint process by allowing the Office to employ outside, independent mediators. I would like to compliment the gentleman from Georgia [Mr. KINGSTON] and the gentleman from Virginia [Mr. MORAN], Chairman and Ranking Minority Member of the Legislative Branch Appropriations Subcommittee, respectively, for recognizing the importance of this program and for providing the funding needed for it to continue.

Mr. Chairman, I look forward to working with the distinguished gentleman from Ohio [Mr. NEY], Chairman of the House Administration Committee, our Committee colleagues, and members of the Appropriations Committee on these and a number of matters in coming months to ensure the security and other needs of the first branch of government are properly met.

In conclusion, Mr. Chairman, I believe we need to urgently act on providing additional resources to meet our country's homeland security needs that this bill fails to address. In the meantime, however, I rise in support of this bill to provide short term funding for our troops and security needs of the Congress and would urge my colleagues to vote in favor of it.

Mr. WELDON of Florida. Mr. Chairman, I rise in strong support of this supplemental—funding to provide for our troops and homeland security.

This supplemental will support the men and women of our Armed Forces in Operation Iraqi Freedom and help provide humanitarian relief for the people of Iraq.

The brutality of Saddam Hussein's Iraqi regime continues to be revealed through the brave efforts of the men and women of our Armed Forces. Saddam's death squads—his enforcers—go into cities to ensure that the people not rise up against him. They execute civilians. They go door-do-door, take children from their homes, and hold them hostage under the threat of massacre. Saddam Hussein's regime has a documented record of gassing, torturing, raping and executing its own people.

While there are many dangers in the world, the threat from this Iraqi regime stands alone—because, as President Bush has said, it gathers the most serious dangers of our age in one place under the leadership of a merciless dictator.

What if we had refused to take the necessary action to stop this Iraqi dictator from building his weapons of mass destruction—chemical, biological, and nuclear? What if we had allowed him to supply these weapons to international terrorists?

My friends, not long ago we came to the Floor and voted to allow President Bush to use every tool at his disposal to stop this threat to the American people and the world. We must make sure that our military has everything it needs to do the job that they have been asked to do.

Under difficult circumstances, our troops continue to make good progress toward our objectives of ending the Iraqi regime, freeing the Iraqi people, and disarming the country of weapons of mass destruction. Our forces are fighting well, with overwhelming force, and have defeated every threat they have encountered.

It is our obligation to make sure that they are fully supported in this endeavor. I urge my colleagues to vote for this supplemental.

Mr. ORTIZ. Mr. Chairman, I rise in support of the supplemental bill before the House today.

As a Member of the House Armed Services Committee, I have been anxiously awaiting this supplemental since current war operations are being funded out of this year's third and fourth quarter accounts. I thank the committee for your rapid action on this bill.

Our young men and women are performing magnificently right now in Iraq, as well as in Afghanistan. It doesn't matter if you agreed with the first strike policy, our troops are on the ground and operating with great professionalism. It falls to the Congress to make sure our troops have what they need to prosecute this war on all fronts.

I thank the appropriators for largely keeping the control over the spending in this bill with Congress, not giving away our Constitutional authority to the executive branch.

While I'm glad we are addressing some homeland security needs, what concerns me is a lack of proper funding for our nation's first responders, the first line of defense for us here in the United States. I was surprised the committee is recommending even less for homeland security than the president requested.

September 11—and the anthrax attack the following month—taught us that we are vulnerable here in the United States. We must employ the lessons we learned from those attacks and ensure these men and women are adequately funded.

We still have every reason to believe there will be a retaliatory attack here in the U.S., and we are still woefully unprepared. That does not need to be the case, but to date we have vastly under-funded our first responders. I am disappointed the committee did not adopt Mr. OBEY's amendment that would have added in more funding for this priority.

I represent a border and coastal district, with needs related to border security, Coast Guard funding, port and container security, plus other priorities. The constant refrain is: we cannot afford it. Here's the reality: we can't afford not to fund these urgent needs.

I will continue to work with my colleagues on the Appropriations Committee to find the money new agencies of the Department of Homeland Security need to conduct the tracking of foreign nationals from countries suspected of supporting terrorist activities, something we need to be doing better.

Our border stations need more money for the infrastructure to accurately and completely use biometrics in the entry-exit system of our tracking programs . . . to follow both those who aren't citizens and cargo originating outside the country. All the money in the bill appears to be for the Canadian border. While it was the Canadian border that the Sept. 11 hijackers crossed, the cost of increased security level along the Mexican border is being ignored.

I'm pleased to see money for Coast Guard operations. But our Coast Guard needs more funding for both infrastructure and operations. They are living up to their missions heroically, but their mission to protect every single mile of shoreline in the nation.

We must provide complete containment security at every port in the nation. South Texas is home to 2 deep seaports—making us a vulnerable place for those who want to get weapons or people into the country.

I appreciate our directing the authority for rebuilding Iraq to the Secretary of State, not the Pentagon. The Pentagon runs wars . . . diplomats run peace.

This war will touch many more of us before it is over. Already, South Texans are bearing the painful price for the war in Iraq, including young Edward Anguiano from Los Fresnos, Texas, who was listed as missing just this past weekend.

Our community is praying for Edward, his family, and other children of Texas who are serving in this war. We pray for the troops' safety, and for a rapid conclusion to this war.

Mr. SPRATT. Mr. Chairman, $74.7 billion seems sufficient to wage war for quite some time, but when it is broken down, there is less than meets the eye.

Of the $74.7 billion, $62.6 billion goes to DoD.

Of the $62.6 billion allocated to DoD, $30.3 billion goes to cover ''sunk cost,'' which the supplemental calls ''coercive diplomacy.''

Of the remaining $32.3 billion: $13.1 billion is allocated for a ''short, extremely intense period of combat operations''; $12 billion is allocated for post-war ''mopping up'' and phasing the combat force into an occupation force; $7.2 billion is allocated for redeployment, replenishment of munitions, and repair of weapon systems. Of the $7.2 billion, about $1.1 billion goes to Iraq's reconstruction.

In addition, $7.8 billion is allocated out of the $74.7 billion for aid and humanitarian assistance to Israel and Jordan and other nations as well as post-war Iraq. Out of this $7.8 billion, some $2.4 billion is identified for reconstruction and humanitarian aid to Iraq. Added to the $1.1 billion, this makes aid to post-war Iraq equal to about $3.5 billion.

One must conclude, therefore, that this supplemental is probably a first installment on the cost of this war. The supplemental will not cover (1) the cost of combat lasting more than 2–3 months, (2) the cost of prolonged occupation by a sizeable force, or (3) our likely share of the post-war reconstruction and humanitarian aid.

Mr. ACEVEDO-VILÁ. Mr. Chairman, I rise today in full support of the Democratic amendment to the Republican Supplemental for Homeland Security. I strongly urge my colleagues on both sides of the aisle to vote in favor of the democratic substitute.

Regardless of the speed of our success in Iraq, regardless of how we personally feel about our role in Iraq, we must recognize that our Homeland needs to be our first priority for defense. We must provide appropriate funding to our first responders and our preventative Homeland defense. The Democratic substitute recognizes our pressing needs. The Democratic substitute provides additional funding for the protection of our ports and infrastructure, state/local first responders, and extremely vulnerable nuclear facilities. For example, in the Republican supplemental Puerto Rico would receive most needed resources for Homeland defense; however, the Democratic substitute provides additional resources to the Commonwealth. In fact, the Democratic substitute provides all 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the territories additional resources.

The city of San Juan in Puerto Rico has one of the most important ports of any U.S. Jurisdiction—it is one of the most popular stops for Caribbean cruise liners and one of the most active commercial ports. We need those additional dollars to provide the most effective fortification of our vulnerable infrastructure and ports-of-entry.

I commend all of my colleagues, on both sides of the aisle, for bringing this important issue to the floor and to full democratic debate. I, also, commend them for acknowledging the importance of our Caribbean ports-of-entry.

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

The CHAIRMAN pro tempore (Mr. LATOURETTE). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 1559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—WAR-RELATED APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', $250,000,000, to remain available until expended.

BILL EMERSON HUMANITARIAN TRUST

The Secretary of Agriculture shall utilize the funds and authorities of the Commodity Credit Corporation to acquire a quantity of commodities for use in administering the Bill Emerson Humanitarian Trust in an amount equal to the quantity utilized by the Corporation pursuant to the release of March 20, 2003, relating to the use of commodities for assistance in Iraq: *Provided,* That notwithstanding any other provision of law, monetization of stocks in the Bill Emerson Humanitarian Trust to purchase different commodities for humanitarian aid to Iraq is prohibited.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

In chapter 1 of title I, insert at the end the following:

FOOD SAFETY AND INSPECTION SERVICE

For an additional amount for ''Food Safety and Inspection Service'', $13,000,000, to remain available until expended, for activities authorized under section 332 of the Public Health Security and Bioterrorism Preparedness Response Act of 2002 (Pub. L. 107–188).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $17,000,000, to remain available until expended.

In chapter 3 of title I, under the heading ''OPERATION AND MAINTENANCE'', in the item relating to ''OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD'' insert after the dollar amount the following: ''(increased by $160,200,000)''.

In chapter 3 of title I, under the heading ''OPERATION AND MAINTENANCE'', insert at the end the following:

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $66,000,000.

In title I, after chapter 3, insert the following new chapter:

CHAPTER 3A

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operations and Maintenance, General'' for safeguards and security activities, $108,000,000, to remain available until expended.

DEPARTMENT OF INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for ''Water and Related Resources'' for safeguards and security activities, $24,000,000, to remain available until expended.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS
SCIENCE

For an additional amount for ''Science'' to support additional safeguards and security activities, $7,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES
NATIOINAL NUCLEAR SECURITY ADMINISTRATION
WEAPONS ACTIVITIES

For an additional amount for ''Weapons Activities'' to support additional safeguards and security activities, $68,200,000, to remain available until expended.

DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for ''Defense Nuclear Nonproliferation'' for various domestic and international nonproliferation activities, $175,000,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for ''Defense Environmental Restoration and Waste Management'' to support additional safeguards and security activities, $11,300,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For an additional amount for ''Other Defense Activities'' to support increased Office of Intelligence mission requirements resulting from the conflict in Iraq, $5,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER
INTERNATIONAL MATERIALS PROTECTION, CONTROL, AND ACCOUNTING

SEC. 1351. (a) DEFINITION.—As used in this section, ''sensitive material'' means nuclear weapons or components thereof, nuclear materials, radioactive materials, and related technology and sources that pose a risk of proliferation of weapons of mass destruction.

(b) INTERNATIONAL MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.—The Secretary of Energy may expand the International Materials Protection, Control and Accounting program outside the Russian Federation, and the independent states of the former Soviet Union. The program may include, but is not limited to, assisting countries to—

(1) reduce the risk of theft of sensitive material or of diversion of sensitive material to terrorists or terrorist organizations;

(2) store securely sensitive material;

(3) establish procedures, such as inspections, audits, and systematic background checks, to improve the security of the use, transportation, and storage of sensitive material; and

(4) improve their domestic export control and border security programs for sensitive material.

(c) APPLICABILITY.—This section shall only apply with respect to amounts appropriated by this Act and any previous appropriations Act enacted before the date of enactment of this Act.

In title I, after chapter 4, insert the following new chapter:

CHAPTER 4A
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CONSTRUCTION

For an additional amount for ''Construction'', $18,000,000, to remain available until expended.

DEPARTMENTAL MANAGEMENT
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Salaries and Expenses'', $10,000,000, to remain available until expended, for extraordinary costs to provide for the security of departmental facilities; *Provided*, That the Secretary of the Interior may transfer such funds to other accounts of the Department of the Interior, as the Secretary determines to be appropriate, for use by the agencies or bureaus of the Department to offset such homeland security costs.

In chapter 5 of title I, under the heading ''BORDER AND TRANSPORTATION SECURITY'', in the item relating to ''OFFICE FOR DOMESTIC PREPAREDNESS'', insert after the first and second dollar amounts the following: ''(increased by $300,000,000)''.

In chapter 5 of title I, under the heading ''BORDER AND TRANSPORTATION SECURITY'', insert at the end the following:

FIREFIGHTER ASSISTANCE GRANTS

For an additional amount for ''Firefighter Assistance Grants'' for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $150,000,000, to remain available until December 31, 2003.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount for ''Emergency Management Planning and Assistance'' for grants for interoperable communications equipment, $350,000,000, to remain available until December 31, 2003.

TRANSPORTATION SECURITY ADMINISTRATION
MARITIME AND LAND SECURITY

For an additional amount for ''Maritime and Land Security'', $250,000,000, for making port security grants to be distributed under the same terms and conditions as provided for under Public Law 107–117, to remain available until December 31, 2003.

In chapter 5 of title I, under the heading ''COAST GUARD'', in the item relating to ''OPERATING EXPENSES'', insert after the dollar amount the following: ''(increased by $100,000,000)''.

In chapter 5 of title I, under the heading ''COAST GUARD'', insert at the end the following:

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction, and Improvements'', $90,000,000, to remain available until December 31, 2003.

In chapter 6 of title I, in the item relating to ''PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND'', insert at the end the following:

For an additional amount for ''Public Health and Social Services Emergency Fund'', for the Centers for Disease Control and Prevention, to be used to improve Federal, State, and local preparedness against potential chemical terrorism, $75,000,000.

In chapter 8 of title I, under the heading ''MILITARY CONSTRUCTION'', in the item relating to ''MILITARY CONSTRUCTION, NAVY'', insert after the dollar amount the following: ''(increased by $92,579,300)''.

In chapter 8 of title I, under the heading ''MILITARY CONSTRUCTION'', in the item relating to ''MILITARY CONSTRUCTION, AIR FORCE'', insert after the dollar amount the following: ''(increase by $28,160,000)''.

In chapter 8 of title I, under the heading ''MILITARY CONSTRUCTION'', insert at the end the following:

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army,'' $65,340,000, to remain available until expended.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for ''Military Construction, Air National Guard,'' $8,800,000, to remain available until expended.

MILITARY CONSTRUCTION, ARMY RESERVE

For an additional amount for ''Military Construction, Army Reserve'', $2,200,000, to remain available until expended.

In the Transportation and Treasury chapter of title I, insert after the chapter heading the following:

DEPARTMENT OF TRANSPORTATION
FEDERAL RAILROAD ADMINISTRATION
NATIONAL RAILROAD PASSENGER CORPORATION

For necessary life/safety capital improvements of the National Railroad Passenger Corporation as authorized by 49 U.S.C. 24104(a), $50,000,000, to remain available until expended.

In the VA–HUD chapter of title I, insert after the heading for ''DEPARTMENT OF VETERANS AFFAIRS'' the following:

VETERANS HEALTH ADMINISTRATION
MEDICAL CARE

For an additional amount for ''Medical Care'', for enhancement of emergency preparedness, $70,000,000, to remain available until September 30, 2004.

In the VA–HUD chapter of title I, insert at the end the following:

INDEPENDENT AGENCIES
ENVIRONMENTAL PROTECTION AGENCY
SCIENCE AND TECHNOLOGY

For an additional amount for ''Science and Technology,'' $100,000,000, to remain available until expended, of which $25,000,000 is for water systems vulnerability analysis and $75,000,000 is for chemical plant vulnerability assessments.

HAZARDOUS SUBSTANCES SUPERFUND
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the ''Hazardous Substances Superfund'', $75,000,000, to remain available until expended, for carrying out homeland security activities authorized by law related to the agency's counter-terrorism programs including radiological, biological, and chemical attacks: *Provided*, That these activities include, but are not limited to, (1) support of State and local responders to plan for emergencies, (2) coordination with federal partners, (3) training of first responders, and (4) providing resources including federal personnel in the event of any attack: *Provided further*, That the Administrator may transfer such portion of these funds as she deems appropriate to other agencies of the Federal government with expertise in radiological, biological, chemical attack related counter-terrorism programs: *Provided further*, That the Administrator is authorized to make grants to states for radiological, biological, and chemical attack related to counter-terrorism.

Mr. OBEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, this amendment attempts to add $2.5 billion in funding for homeland security. It seems to me that if we can undertake an effort that will provide basic health

care for Iraqis, 25 million Iraqis, if we can provide for the reconstruction of 6,000 schools in Iraq and 100 hospitals in Iraq, it seems to me that we can at least do the minimum necessary to batten down the hatches here at home and protect our communities, our ports, our first responders, our schools and our other citizens from potential terrorist attacks.

This amendment seeks to add $135 million to increase the sophistication of our anti-nuclear detection equipment in the 10 main ports around the world that ship over 50 percent of the shipping containers into the United States. We are incredibly vulnerable to the use of a dirty nuclear device in our ports, and this would be a major step forward in correcting that vulnerability.

We also want to spend $87 million to provide additional oversight of nuclear materials stored here in the United States so it is not reachable by terrorists.

We want to provide $150 million to upgrade the State public health departments and environmental laboratories in order to strengthen our ability to respond to chemical weapons attacks.

We want to provide additional funding to follow up on the site-by-site analyses of our vulnerability or of the vulnerability of our Federal dams and waterways across the country.

We want to provide $75 million to initiate assessments of the vulnerability of the U.S. chemical plants in the country.

We want to provide an additional $300 million for first responders and $150 million of that specifically for firefighter grants to raise that program up to its authorized level of $900 million.

We want to provide additional funding to our National Guard civil support team so that every State in the Union can have a qualified National Guard backup operation to supplement the actions of our first responders in case of terrorist attacks in our localities.

We want to see to it that the Coast Guard is expanded by at least 2,000 personnel beginning in October, rather than waiting until next April. The Coast Guard is stretched to the breaking point at this point.

We want to see to it that many of the other ports in the United States have the same detection equipment that is now available in Norfolk and will soon be available in San Diego.

We want to respond to the fact that the Coast Guard has estimated that we need $4.5 billion in additional funding for our local port authorities over the next 10 years. We want to provide an additional response to that.

We want to deal with the fact that today, if there were an attack on our tunnels, our Amtrak tunnels, in a number of cities across the country, that, in fact, the ability to evacuate people from those tunnels right now is extremely and dangerously limited. And I would point out that the size of this amendment is smaller than the amendment that is contained in the bill to provide aid to airlines. It is very much smaller, about a third the size of the foreign assistance that is contained in this bill for other countries.

This is the minimum that we ought to be doing. I originally submitted a list that would come up to almost $8 billion in what we regard as essential security, home front security operations that need to be undertaken. None of these ideas originate with us. They all originate with the agencies charged with the responsibility of protecting the security of the United States at home.

So, Mr. Chairman, I would urge that the Members of this House not lodge an objection to this amendment so that we can, in fact, at least have a debate on this issue. We are in the minority. We understand that we cannot expect to win on many votes around here, but at least in the people's House, we ought to be able to debate these issues. You already have 13 votes more than we have on this side of the aisle. You will most assuredly win; but at least take the gag off, and let us have the opportunity to have an up or down vote on something that ought to be a totally bipartisan effort.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this amendment. The committee, as I said before in general debate, provided $3.5 billion for the Department of Homeland Security activities related to the war effort. This amendment would add another substantial amount of money to that figure, which at this moment in time is not necessary.

This bill, this supplemental bill we are talking about is only for a 3-month period of time. We will have plenty of time after that to look to the future, but for this 3-month window of time, I say to the Members, this money is adequate. Could we spend more? Of course, we can shovel money out the door, but we have tried to be reasonable and somewhat restrained in what we throw out the window here at this point in time. This is a 3-month expenditure we are talking about.

Taking some of the gentleman from Wisconsin's (Mr. OBEY) specifics, for the Office of Domestic Preparedness, this is money for our local responders. We provide $2.2 billion. His amendment would add another 300, but I would point out to the Members that there is already almost $1 billion of money presently allocated that is unspent, laying there waiting for our communities to ask for that money.

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And, number two, the 2004 budget request adds another $3.6 billion that likely will be appropriated and will be available beginning this October 1.

Now, the Coast Guard: We provide $630 million. His amendment would add $100 million more to hire 2,000 more people. We cannot bring 2,000 people on board that fast. The 2004 budget request includes funds for hiring new people and, undoubtedly, we will approve that. But for this 3-month period of time, this is unrealistic.

Now, for the Transportation Security Administration, we provide $390 million. The gentleman from Wisconsin (Mr. OBEY) would add $250 million for port security grants. But the Coast Guard has $40 million in this supplemental to complete the port vulnerability assessments. We do not know what the ports need until we assess them, and that is what the Coast Guard is doing just this minute. They are going to come back and tell us what we will need for fiscal 2004 and we will provide it for them. They are going to tell us what we will need for the next 10 years. And the estimated cost over 10 years is $4.4 billion to harden the ports, and we will do that over the period of time. We cannot do it all at once.

The amendment provides another $150 million for firefighter assistance grants for which there was no request. We have already provided $1.1 billion in fiscal 2002 and 2003. And as I said, most of that money has not yet been passed out to the communities.

Mr. Chairman, I am just saying to my colleagues that there is plenty of money in the first responder pipeline for this 3-month period of time about which this bill addresses itself.

The amendment would provide $350 million for interoperable communications equipment between first responders. There was no request for that money. There is a need for interoperability, no doubt about it, but we have first got to develop regional and national standards before we spend zillions of dollars trying to communicate with each other. This has to be done on a regional basis. And the regionalization of that system is in the works even as we speak, but not quite yet ready.

The committee, I think, has adequately funded homeland security activities that were war related for this 3-month period of time. There is only 5 months left in the fiscal year to spend additional monies. There is plenty of money in the pipeline for our first responders. There is plenty of money in the bill for port security, including extending our port assessment to the 20 megaports in the other parts of the world from which we receive most of our shipments.

Mr. Chairman, I urge a ''no'' vote on this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I continue to reserve a point of order.

Mr. EDWARDS. Mr. Chairman, I move to strike the requisite number of words.

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

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

Mr. OBEY. Mr. Chairman, in response to the gentleman from Kentucky, let me simply say that the Coast Guard has told us very clearly that if we provide this money now, they can get

these additional 2,000 people on board by October. They have also told us if we wait until the 2004 budget year that they cannot bring them on until April. That is a fact.

Fact number two. The gentleman talks of $1 billion in ODP money that is not spent. The fact is it is not spent because the application period is open until April 22. It cannot be spent until that application period is finished.

Thirdly, the fire grants for 2002. They are virtually all out. And for the fiscal 2003, the applications are still open, so again that money cannot be expected to be out of here. The agency assures us it will be out of here by June once the application period is finished.

So I think the gentleman is using a lot of interesting numbers to make a point that does not exist.

I thank the gentleman for yielding to me.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. I would be glad to yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, let us just look at it. The fiscal 2002 grants, the money we appropriated a year and a half ago, $495 million for grants for our local communities to apply for, $291 million of that money is still lying there unspent. Nearly 60 percent of the fiscal 2002 monies are still available to communities, and the filing deadline is still available. It has been available since 2002, and the money is not applied for. What does the gentleman say about that?

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

Mr. EDWARDS. I will be glad to yield to the gentleman from Wisconsin for a response.

Mr. OBEY. With all due respect, Mr. Chairman, we have answered those statements twice, and I also answered them earlier in the debate.

The fact is if Members think there is enough money being provided to protect the homeland, vote against the amendment. If they think there is not enough money, vote for it. But at least let us have a vote.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. I will yield briefly to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, there is $291 million available for first responders from fiscal 2002. Why do you not apply for it?

Mr. OBEY. Against a defined need of $9 billion.

Mr. ROGERS of Kentucky. Well, let us spend what we have already. If we need more, we will get it.

Mr. OBEY. It is your administration running the show, not ours.

Mr. EDWARDS. Mr. Chairman, reclaiming my time, let me say this. There are some problems that we should not wait to address, and I can think of few more important than the potential threat of nuclear terrorism exercised against major American cities.

It is frightening when one realizes the reality that a Coke can-size full of highly enriched uranium, put into a bomb, placed into one of 11 million ship containers that end up in major U.S. ports, God forbid if that were to happen and that bomb to be exploded in a major American port, 2 to 3 million American citizens could be killed instantly. Surely, surely, we would all agree in this House that we should do everything we can humanly do to prevent that sort of catastrophe from happening. Perhaps that is why President Bush has said protecting our homeland against nuclear terrorism should be of the highest national priority.

I think the Obey amendment does something about that potential threat of nuclear terrorism. By providing a little over $100 million, we can actually put in place at 10 megaports nuclear protection devices. So that if a terrorist were to try to put a nuclear bomb into a ship container, and keep in mind, Mr. Chairman, only 2 percent of ship containers are ever inspected before they come into major American ports, but these nuclear detection devices, funded by the Obey amendment, a technology developed by our Department of Energy, could be put in place in the next year or so, starting now, in the 10 major megaports that could protect our major American cities and the millions of people that live in them from the threat of a nuclear bomb being exploded in the hold of a cargo ship parked in New York harbor or New Orleans harbor or outside of Los Angeles or the city of Houston.

If we can spend $100 billion to fight a war in Iraq, which I support, and if we can have proposed a $374 billion dividend tax cut, which I do not support, certainly we could afford to spend another $135 million in this bill today to try to protect major American cities from nuclear terrorism. I urge support for the Obey amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of H.R. 1559, Emergency Supplemental Appropriations for Fiscal Year 2003, including $62.5 billion for military operations in Iraq and the war on terrorism.

In the months and years ahead, questions will persist as to whether alternatives to a U.S. military invasion might have succeeded in removing the threat posed by Iraq's weapons program. And there are important debates still to come about the postwar program for rebuilding Iraq, the multilateral cooperation we must secure to ensure a postwar transition to democracy, and the efforts our nation must resume to bring Israelis and Palestinians back to the negotiating table. This Congress must hold the President and our country to these critical objectives.

But today, our task is more straightforward: we are here to give our courageous men and women in uniform the support and the resources they need to carry out their mission swiftly, effectively, and decisively. I have no doubt that that support, in the form of this supplemental appropriations bill, will be provided with near unanimity later today.

This bill also must address the protection of our citizens here at home. This Administration has made a total supplemental appropriation request of $74.7 billion. Homeland Security accounts for less than 6 percent, or only $4.2 billion, of this total. The Republican leadership of the Appropriations Committee has made significant improvements in the Administration's request and has courageously refused to cede the Congress's responsibility to apportion spending to the discretion of the President or Secretary of Defense on any other executive officer. But the bill still falls short of our minimal homeland security needs, and unfortunately, the leadership of this body has rejected constructive efforts from our side of the aisle to improve it.

Let me give two examples: port security and support for first responders. Although Congress and the Bush administration have taken important steps to improve airline safety, very little has been done to secure the 361 seaports around our nation that receive nearly 21,000 containers a day from hundreds of overseas ports. Maritime shipping moves 95 percent of non-North American U.S. trade.

Testifying before Congress last August, Robert Bonner, Commissioner of Customs and Border Protection, said, ''There is virtually no security for what is the primary system to transport global trade . . . The impact (of an attack) on global trade and the global economy could be immediate and devastating—all nations would be affected.'' Despite the vital role seaports play in linking America to the world, both economically and militarily, port vulnerability studies for the nation's 50 largest ports are not scheduled to be completed for five more years.

The Coast Guard estimates the 10-year cost for port security improvements at $4.4 billion, and $963 million for the first year alone. In this time of crisis, we cannot afford to delay this effort. Despite no request from the Administration, Congress has appropriated $400 million for grants to critical ports to conduct vulnerability assessments and make needed security improvements. The Democratic amendment provides $250 million more to better meet the security requirements of our ports.

Our first responders are our first line of defense—the ones who intercept terrorist activities and are first on the scene in the event of disaster, putting their life-saving skills to work.

I have traveled throughout my district meeting with local leaders and first responders. They tell me that they need equipment, training, and funding to meet the demands of their new responsibilities. Yet, they still have not received the funding that they have been promised; in fact, they are facing funding cuts in the President's 2004 budget.

The Democratic amendment provides critical support, first, in securing interoperable communications equipment. Incompatible communications equipment hinders the ability of our first responders to adequately respond to disasters and costs lives. Only 40 percent of fire departments can communicate with police or EMS personnel. The technology to obtain interoperable communication equipment exists now. DHS is developing national guidelines. The Democratic amendment provides $350 million to be directed immediately through grants to this effort in our effort to correct a universally accepted need.

Fire fighter grants were authorized at a level of $900 million for Fiscal Year 2003, but funded $150 million below its authorized level. The Democratic proposal makes up this shortfall

by providing the additional $150 million to the grant program. This additional money would make up shortages in basic needs such as portable radios, self-contained breathing devices, and map coordinate systems.

Not only major metropolitan areas but also smaller communities located near critical infrastructure are faced with an increased burden of security as a result of the ongoing high threat level. The Democratic proposal provides $300 million through the Office of Domestic Preparedness to help these communities fund the heightened security requirements they must address. This additional $300 million would provide a total of $3.5 billion to ODP for Fiscal Year 2003, which is equal to the Administrations original Fiscal Year 2003 budget request.

Mr. Chairman, members of this House understand the importance of providing our troops with the resources they need. We stand united behind them today, and we remain steadfast in our faith in them and our support of their mission.

However, it is also our duty protect all of our citizens and to provide funding to ensure homeland safety and security. It is in that respect that the bill before us falls short. Having been denied the opportunity to strengthen this bill today, we on the Democratic side will persevere in future appropriations efforts, hopefully with bipartisan support, to address urgent priorities in homeland defense.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

Mr. Chairman, I ask for a ruling from the Chair.

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

Mr. OBEY. I most certainly do, Mr. Chairman.

Mr. Chairman, let me state what I understand the parliamentary situation to be. My understanding is that the rule under which we are operating waives section 302(c), 302(f) and section 311 of the Budget Act against the bill as reported, and clause 2 of rule XXI.

My understanding is that the rule provides, with respect to section 302(c), my understanding is that if the gentleman's interpretation of the rule is correct, that would mean that while the majority would get a waiver for its bill, even though the committee has not filed its 302(b) suballocations, the minority would not get a corresponding waiver.

My understanding with respect to section 302(f) is that if the gentleman's interpretation is correct, that would mean that despite the fact that the bill exceeds 302(a) or (b) allocations, that the majority's bill will still be allowed to come to the House floor but our amendment would not be able to, even though we are in precisely the same situation with respect to those allocations.

With respect to section 311, which prohibits consideration of a bill or amendments that exceed total spending in the deemed fiscal year 2003 budget resolution, if the gentleman's interpretation is to prevail, that would mean that the majority would be waiving requirements on this point for their bill but not for the minority's.

I cannot believe that the majority would intentionally produce such an unfair result, and so I therefore would urge the Chair to rule that the amendment is in order.

The CHAIRMAN. If no other Member wishes to be heard on the point of order, the Chair is prepared to rule.

The Chair understood the point of order offered by the gentleman from Florida to be related to clause 2 of rule XXI. The Chair finds that the amendment offered by the gentleman from Wisconsin (Mr. OBEY) includes new language imparting direction, as, for example, section 1351 in the proposed amendment. The amendment, therefore, does constitute legislation in violation of clause 2 of rule XXI.

The fact that points of order under clause 2 of rule XXI were waived against provisions in the bill does not, under the precedents, permit amendments adding further legislation. The point of order is, therefore, sustained and the amendment is not in order.

Mr. OBEY. Mr. Chairman, I am most reluctant to do this, but in my view when the rights of the minority to offer a meaningful amendment on a bill of this nature, which goes to the very heart of our national security preparation, when the minority is denied an opportunity to even have such a proposal debated, I have no choice but to move to appeal the ruling of the Chair.

The CHAIRMAN. The question 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. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 195, not voting 22, as follows:

[Roll No. 104]

AYES—217

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—195

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan

Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—22

Ballance
Capuano
Combest
Conyers
Cox
Doolittle
Gephardt
Gingrey
Hyde
Jones (NC)
Linder
Lynch
McCarthy (MO)
McInnis
McIntyre
Oberstar
Paul
Royce
Slaughter
Towns
Velazquez
Walden (OR)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are approximately 2 minutes remaining to vote.

□ 1331

Mr. ROSS, Mr. WYNN and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''aye'' to ''no.''

Mrs. CAPITO and Mr. PETERSON of Pennsylvania 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.

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

Mr. Chairman, I would first like to thank the gentleman from Florida (Chairman YOUNG) and our ranking member. I think they have done the best job that could possibly be done, and I commend them for making sure the supplemental appropriation is not simply a slush fund giving the administration and Secretary Rumsfeld the ability to spend this money in any way that they wish to spend it. However, no matter how hard they have worked, this bill is not what it is made out to be.

This bill provides almost $78 billion in supplemental funds, some of which are not related to either the war in Iraq or homeland security. In addition to some funds for the war in Iraq, this bill includes money for Turkey, Israel, Poland, Hungary, Czechoslovakia, Estonia, Latvia, Slovakia, Romania, Slovania, Lithuania, and Bulgaria. In addition to the millions of dollars for all of those Eastern European countries, this bill includes generous sums of money for health care, rehabilitation, and the construction of new schools, housing, and transportation systems in Iraq and Afghanistan. Yet many communities right here in the United States of America are continuing to suffer from the effects of prolonged economic recession and deprivation, including job losses and a lack of investment in our cities and our rural communities.

Later on today I will be offering an amendment to encourage investment in our cities and in our rural communities and for economic development. I will also offer an amendment to encourage the Inter-American Development Bank to release money for Haiti, one of the poorest countries in the whole world right here in our own hemisphere. Mr. Chairman, I do not begrudge these countries. We have bombed and invaded. I do not begrudge them assistance in rebuilding, but I do resent attempts to define this bill as simply support for our soldiers.

This bill includes political money that simply rewards countries for voting with us in the United Nations. It includes money to subsidize the airlines. It includes money to the CDC and other funding that has nothing to do with the war in Iraq that it is supposed to be covering.

I can tell the Members what is not in this bill. There is not money for homeland security or money for our own ailing and broken education and health systems.

I will support this bill, but I will also speak up for the citizens of this country. Mr. Chairman, charity begins at home and spreads abroad. If I had my way, I would not only include in this language that would have forced the money from the Inter-American Development Bank to be passed on to Haiti that should have been done years ago, not only would I have an amendment for $5 billion that would deal with our ailing infrastructure systems right here in our own communities, urban communities and rural communities. I think I would even put $28 billion in here that the President is cutting from our veterans. Do not forget, those soldiers who are in Iraq today will be veterans some day, and they will need to have funds to cover all of those services that we are now cutting.

Mr. Chairman, the young lady who was just rescued, who was captured and was a prisoner of war found in the hospital, simply went into the service because she could not afford to pay for her education. She went into the service in order to be able to pay for her education; and now that she has been shot, now that she has been captured and rescued, when she gets home she has been offered a scholarship. She should have had a scholarship before she ever signed up, but that is what is wrong with our education system. It does not provide for all of those young people who wish to be educated.

Again, I respect the work that has been done; but I want this bill to include support for homeland security, support for our ailing communities, and language for Haiti.

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

Mr. Chairman, let me speak to the gentlewoman that just spoke. There are ways in which I think we can come together. One of the areas, the gentleman from Washington (Mr. NETHERCUTT) has an amendment coming up that gives preference to the United States in the rebuilding process over those nations that fought against us in the United Nations. That is American jobs, American construction. In California with our constituents, I think the gentlewoman and the caucus could support that.

The second thing, I think it is even more important, as one that opposed going into Haiti, as one that opposed going into Somalia after Adid, and I would tell the gentlewoman if she has been to Haiti, the Halie Selassie Highway, one can drive a truck in a pothole. It is terrible. Many of the conditions have not been improved, and even though I opposed going in there, the dollars that were already appropriated for that should be released to help, and I again opposed going into Haiti and Somalia. So I think it is even more important.

I would also inform the gentlewoman there is another way. I have an amendment on Turkey. Turkey stood against our troops going in from the north, stopped us from having a northern front, caused us to have to ship around all the way to the east side our troops. It cost American lives. We should send them a message. That is $1 billion that could be freed up. They did not ask for it, and Turkey gets a ton of money already in the foreign aid package. That is another way which I think we can help. I recently had it in homeland defense. Technicalities did not allow us to do that, but $1 billion in the general fund is a lot of money to work with, with us.

As far as the scholarships, the gentlewoman and I both support, and I personally believe, that a child that qualifies, that works hard should not be denied a college education or a general education as a result of their economic status, and they should be provided that.

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

Mr. Chairman, I rise today to talk about this bill that will provide much-needed support for our men and women in the armed services who find themselves in harm's way. That aspect of this bill is very good. As a matter of fact, I see this bill in three parts. First, the war. We are doing the right thing. We are supporting our men and women through the supplemental. Second, the post-war. Provisions are made in this bill, I believe, to the tune of $8 billion that would provide for the reconstruction of Iraq or the beginning of the reconstruction of Iraq after the war as well as assistance to our allies.

But then there is the third part, homeland security. And here I must say, Mr. Chairman, I am greatly distressed. We are not adequately supporting our homeland security needs. In this bill we have not put in enough money to help the local firemen, policemen, public safety personnel, emergency medical technicians, the people

on the front lines to keep our communities safe. The gentleman from Wisconsin (Mr. OBEY) has tried to put in an additional $2.8 billion. That has not been accepted. That money goes into our communities to provide the same kinds of protections in our hometowns that we would want to see in communities abroad in Iraq after the war is over.

Let me give an example of what I am speaking about. Here in the Capitol we have all sorts of protections. We have barriers around the complex. We have an emergency communication system. We have got special equipment in the case of a chemical or biological attack for ourselves but also for other Federal employees working in this complex. But when these same employees go home to their districts in the suburbs of Washington, D.C., and specifically to my district in Prince George's and Montgomery County, they do not have these same kinds of protections.

For instance, in Prince George's County, Maryland, just outside of the Capitol where many of our employees live and where evacuation procedures may take place, we still need funding to purchase 800 megahertz radios to seamlessly communicate with surrounding jurisdictions as we try to facilitate traffic and respond to emergency situations.

Montgomery County, Maryland, again in the Washington, D.C. suburbs where many of our employees live, needs gas masks and monitoring equipment for first responders and schools. These counties and many others all across our country are working tirelessly to respond to the orange alerts and the red alerts and all the other kinds of exigencies connected with war on terrorism and what we anticipate may be increased problems as a result of the war in Iraq. But yet when it comes to funding them, we cannot find the additional $2 billion that we need to provide resources that they need.

□ 1345

One of my counties is actually cutting personnel because of the strains caused by trying to maintain homeland security. There are still questions. Schoolteachers come to me and say, well, what are we going to do about protecting the schools? We have concrete barriers, but many of our schools do not. We have extra police personnel, but many of our schools and local government facilities do not have them. We have reservoirs, we have water systems with other public accommodations at the local level where our citizens live that do not have the adequate resources for homeland security.

We should include more money for homeland security in this bill. It is a true tragedy that we have not.

So I urge my colleagues, as we consider this bill and as amendments come to the floor, to give us an opportunity to do more than just wave the flag or pay lip service, but that we will actually put some money, more money where it belongs, and that is in the protection of our local communities.

The CHAIRMAN. If there are no other Members seeking recognition, the Clerk will read.

The Clerk read as follows:

CHAPTER 2

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''General Administration, Salaries and Expenses'', $5,000,000, to remain available until September 30, 2004.

COUNTERTERRORISM FUND

For an additional amount for ''Counterterrorism Fund'', $50,000,000, to remain available until December 31, 2003: *Provided,* That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of Division B of Public Law 108–7.

DETENTION TRUSTEE

For an additional amount for ''Detention Trustee'' for the detention of Federal prisoners in the custody of the United States Marshals Service, $15,000,000.

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $2,500,000, to remain available until September 30, 2004.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For an additional amount for ''Salaries and Expenses, United States Marshals Service'' for necessary expenses, $26,080,000, to remain available until September 30, 2004.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Federal Bureau of Investigations, Salaries and Expenses'', $398,862,000, to remain available until September 30, 2004.

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For an additional amount for ''Supreme Court of the United States, Salaries and Expenses'' for police enhancements, $1,535,000, to remain available until September 30, 2004.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For an additional amount for ''United States Court of Appeals for the Federal Circuit, Salaries and Expenses'' for court security officer expenses, $973,000, to remain available until September 30, 2004.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For an additional amount for ''United States Court of International Trade, Salaries and Expenses'' to enhance security, $50,000.

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'', $106,420,000, to remain available until December 31, 2003.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $71,500,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for ''Emergencies in the Diplomatic and Consular Service'', $65,708,000, to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'' for activities related to the Middle East Television Network broadcasting to the Middle East and radio broadcasting to Iraq, $30,500,000, to remain available until September 30, 2004.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1201. Funds appropriated under this Chapter 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, and section 15 of the State Department Basic Authorities Act of 1956, as amended.

CHAPTER 3

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $1,400,000,000, to remain available until September 30, 2004, which may be used, notwithstanding any other provision of law, for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical and military support provided, or to be provided, to United States military operations in connection with military action in Iraq and the global war on terrorism: *Provided,* That such payments may be made in such amounts as the Secretary of Defense, with concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, and such determination is final and conclusive upon the accounting officers of the United States: *Provided further,* That unless expressly provided for in an appropriations act enacted after the date of enactment of this Act, and notwithstanding any other provision of law, no funds other than those additional amounts provided herein shall be made available for any payments intended to fulfill the purposes specified in this paragraph and similar reimbursement authorities expressly provided in section 304 of Public Law 107–117 and within the ''Operation and Maintenance, Defense-Wide'' appropriation account enacted in Public Law 107–206: *Provided further,* That the Committees on Appropriations of the House and Senate shall be notified in writing at least seven days prior to the obligation of funds for payments to Pakistan, Jordan, or other key cooperating nations: *Provided further,* That not later than 30 days following enactment of this Act, the Secretary of Defense shall submit a report in writing to the Committees on Appropriations that includes a financial plan for the obligation and expenditure of such funds: *Provided further,* That if such report is not provided to the Committees on Appropriations by the date specified in the previous proviso, unobligated balances of funds in this account that are available from the amounts provided in this paragraph shall be returned to the Treasury of the United States: *Provided further,* That, beginning not later than June 30, 2003, and ending on September 30, 2004, the Secretary of Defense shall provide quarterly reports to the Committees on Appropriations of the House and

Senate on the uses of funds made available for payments to Pakistan, Jordan, and other key cooperating nations for logistical and military support provided to United States military operations in connection with military action in and around Iraq and the global war on terrorism.

OPERATION IRAQI FREEDOM RESPONSE FUND

(INCLUDING TRANSFER OF FUNDS)

For incremental costs of the Department of Defense associated with the global war on terrorism and operations in and around Iraq as part of operations currently known as Operation Iraqi Freedom: $59,682,500,000 is appropriated to the ''Operation Iraqi Freedom Response Fund'', which is hereby established in the Treasury of the United States. Funds appropriated or transferred to the ''Operation Iraqi Freedom Response Fund'' shall remain available until expended.

AMENDMENTS OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer two amendments and I ask unanimous consent they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. KUCINICH:

Page 9, line 8, after the dollar amount insert ''(reduced by $19,386,500,000)''.

Page 10, line 2, after the dollar amount insert ''(reduced by $19,386,500,000)''.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, and I only do so to engage the gentleman just very briefly, the gentleman and I have an understanding that I will not object to his request; I have no problem with that, but that we have an agreement that I would then ask unanimous consent to limit debate on this amendment, these amendments, to 15 minutes, 7½ minutes on each side.

Mr. KUCINICH. Mr. Chairman, I agree with the gentleman's request.

Mr. YOUNG of Florida. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from Ohio (Mr. KUCINICH) and any amendments thereto be limited to 15 minutes to be equally divided and controlled by the proponent and myself, the opponent.

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

Mr. KUCINICH. Mr. Chairman, reserving the right to object, in the interchange that we were having, I was momentarily distracted. The agreement that we had worked out earlier I understood was 15 minutes. I thought it was 15 minutes a side, instead of 7½ minutes a side.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will yield, I thought we had amended that. But that is okay with me; if the gentleman wants to do it 15 and 15, I have no problem with that either.

Mr. KUCINICH. Mr. Chairman, I would ask the gentleman if that would be acceptable to him.

Mr. YOUNG of Florida. Mr. Chairman, I would restate my unanimous consent request that it be 15 minutes on each side rather than 7½ minutes on each side.

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

There was no objection.

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) will be recognized for 15 minutes and the gentleman from Florida (Mr. YOUNG) will be recognized for 15 minutes on the amendments.

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

Mr. KUCINICH. Mr. Chairman, I yield myself 10 minutes.

We all stand here today hoping that no more American soldiers will be killed in Iraq. My amendment will do the most to prevent more American fatalities.

This amendment would bring the troops home immediately and safely. It will end this unjust and illegal war now.

The administration has spent $30.3 billion already on current military operations. This amendment will give the Pentagon another $10 billion to ensure the troops can be safely brought back home to their families. Out of the $59.6 billion for military operations, my amendment will leave $40.3 billion to pay for the war to date and to get the troops back home now. This amendment will save taxpayers $19.3 billion. The savings from the adventure in Iraq can be used for increased homeland security, education, health care, or veterans funds.

Mr. Chairman, I believe this war is not about defending the United States from the threat of Iraq, this war is not about the U.S. trying to save or liberate the Iraqi people, this war is not about an Iraqi nuclear threat. Iraq has no weapons of mass destruction that have been able to be detected by the U.N., and it would be most unfortunate if it was for our troops to find those weapons in combat when, by stepping back and letting the U.N. inspectors return, we could avoid that kind of confrontation and cataclysm.

None of us in this Chamber holds any brief for Saddam Hussein. He is a dictator, yet it is not the responsibility of the United States to oust the leaders of sovereign nations. There are many who want to see this Nation become more safe, but I think a good case can be made that the action against Iraq will not make this country more safe, it will make this country less safe. It will foster terrorism and it will increase anti-American feelings. We will continue to see more orange alerts as the threats against our Nation increase, and we will continue to see the hatred of America grow from people around the world.

This war is killing our troops. It is killing innocent Iraqi civilians. This war must end now. It was unjust when it started 2 weeks ago and it is still unjust today. The U.S. should get out now and try to save the lives of our troops and of innocent Iraqi citizens.

This is the ultimate support-the-troops amendment. There is no better way to ensure their safety than to bring them home now. I support the troops, but I oppose the war.

I am not the only Member of Congress to have taken such a position. On another war at another time with another President, the gentleman from Texas (Mr. DELAY) was quoted in The New York Times on May 7, 1999 as saying, ''While we may not support the President's ill-advised war, we do support our troops.''

My colleague from Texas, for whom I have the greatest respect, was referring to a different war, but he demonstrates the precedent for opposing the mission and supporting the troops. I believe he is a patriot and I believe he is a good American. In fact, I voted with him that year on a vote seeking to get the troops out of Kosovo.

On December 13, 1995, the House, under the control of Speaker Gingrich, considered H.R. 2770. The bill, a prohibition of funds for the deployment of forces in Bosnia, was introduced by Representative Dornan. Many leading Republicans, such as the gentleman from Texas (Mr. DELAY), the gentleman from Illinois (Mr. HASTERT), the gentleman from California (Mr. THOMAS), the gentleman from California (Mr. HUNTER), and the gentleman from Illinois (Mr. HYDE), voted to cut off funds for the military action while the troops were deployed in Bosnia. In fact, 82 percent of the gentlemen and gentlewomen from the other side of the aisle voted to cut off funds while troops were deployed in Bosnia.

I urge my colleagues to read the CONGRESSIONAL RECORD of that day. I would quote:

''Mr. Speaker, I think it is disgraceful that Members would get up in the well of this House and talk about cutting the knees out from under the troops. No one wants to hurt the troops. No one wants to hurt the troops. We want to get the troops there out, and we do not want to send any more troops.''

That was our good friend, the gentleman from Colorado (Mr. HEFLEY).

Again, another quote:

''Mr. Speaker, I rise tonight with a troubled heart. I rise tonight to ask my colleagues to support our troops. Support them by bringing the 150 home. Bring them home now before we get into a mess like I personally had to live through 30 years ago.''

That was my good friend, the gentleman from Georgia (Mr. NORWOOD).

□ 1400

I believe that a ''no'' vote on this supplemental is patriotic, because this war is not about defending the United

States from a threat of Iraq. Iraq had nothing to do with 9–11. There has never been a link demonstrated of any credibility connecting Iraq to al Qaeda's work on 9–11. Iraq had nothing to do with the anthrax attack upon this country.

Iraq did not attack this country. Iraq does not have the military capability to attack this country. The United Nations had not been able to establish before their inspectors were withdrawn that Iraq in fact had weapons of mass destruction. Iraq was not acquiring nuclear material from Niger, as had been advanced by some in the administration.

This war is not about the U.S. trying to liberate the people of Iraq. It is not about an Iraqi nuclear threat. Ending this war now and resuming weapons inspections could salvage world opinion of the United States, which has been deteriorating since even the talk of war began. After all, the greatest threat to the United States at this time is terrorism. This war will breed terrorism.

I agree with those in this Congress who today have taken this floor to express concern about meeting the challenge of terrorism. But this war against Iraq and our occupation of Iraq will make America less safe, not more safe. This war will make America a target.

We all desire safety and security in this country. The only way that we can truly achieve that is to work cooperatively with the world community. We had the sympathies of the world after 9–11. Nation upon nation looked forward to cooperating with the United States after 9–11. This approach towards aggressive war has squandered the support of the world, the very support that we need to successfully meet the challenge of terrorism here at home.

Every dime that we spend to advance aggressive war in Iraq, or anywhere else in that region, for that matter, will require later on spending two dimes or $2 to secure our own Nation. I believe that now is the time for America to take a new direction, to turn away from aggressive war.

Mr. Chairman, we have been told that it is Iraq's possible possession of weapons of mass destruction which brings us into their borders and causes our troops to go throughout their cities. This country needs to confront the reality that there are many countries which possess or are pursuing or are capable of acquiring nuclear, chemical, or biological weapons or missile delivery systems.

As of 2000, there were 17 such nations with respect to nuclear weapons, 26 such nations with respect to chemical weapons, 20 with biological weapons, 17 with missile systems. The administration's nuclear posture review and their national security strategy taken together would put us towards confrontation with many nations of the world. Now is the time for us to reassess that.

This downpayment on this war, which is represented by this supplemental, is not simply a way of supporting the war; it is a way of supporting a policy which can only lead this Nation to disaster around the world. Now is the time to step back.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 10 minutes to the very distinguished gentleman from California (Mr. LEWIS), chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding me this time. I must say that the gentleman from Ohio (Mr. KUCINICH), I know, is very sincerely serious about his position on this matter. I respect his position greatly.

I must say that I was one of those who believed deep in my heart that we would solve this problem by way of peace; that there was an avenue open for us to change the regime in Iraq, and at the same time do so without having to find ourselves in war.

That opportunity for peace closed. The door closed entirely when friends and allies of ours in Europe took a different position. When France decided to take the position they did, when Germany decided to take the position they did, there was no opportunity to find a peaceful solution.

In the meantime, this bill before us is designed to make sure that our troops will be fully supported as they go forward attempting to ensure the opportunity of freedom for the people of Iraq. It is absolutely certain by the time we get through this process before us that they will have an opportunity they have not had during all of the history of this brutal regime.

Indeed, it is difficult for me to understand my colleague's position. I happen to think he is absolutely wrong, but I have risen in part to support his right to express that position. That is what this debate is all about.

I hope at another day, another time, we will find a peaceful solution for dealing with people like Saddam Hussein. I just do not see that time in the near future.

Mr. KUCINICH. Mr. Chairman, I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington (Mr. DICKS), a member of the Subcommittee on Defense of the Committee on Appropriations.

Mr. DICKS. Mr. Chairman, I want to first of all again congratulate the gentleman from Florida (Chairman Young), the gentleman from California (Chairman Lewis), and the gentleman from Pennsylvania (Mr. MURTHA) for the way they crafted this legislation. We have made the Defense Department be accountable for this money.

But I must say, cutting $19 million out of this fund, or $19 billion, excuse me, is not going to help the troops. We are in the middle of a war. This money must be replenished. We have used 10,000 precision weapons very effectively. We have these troops in the field, and they need to have the resources in order to complete this task and get this job done.

I do not mind people making their speeches and exhorting their position on the issues; but when it is going to hurt the people in the field, it is unacceptable. This will hurt the troops in the field. I urge the House to reject overwhelmingly the Kucinich amendment, which I will request a record vote on.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment points out that the administration has spent $30 billion already on current military operations. This amendment will give the Pentagon another $10 billion to ensure that the troops can be brought safely home to their families.

Out of the $59.6 billion for military operations, my amendment will leave $40 billion to pay for the war to date and to get the troops home now. I want to restate that $10 billion is there to ensure that the troops get home safely.

This amendment is a statement that we should end the war now and that we should bring our troops back home safely; that we can pay the bills that have already been incurred, but that we should not incur any more bills.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the very distinguished gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I have been around this institution long enough to know what an amendment looks like when it does cut off and end the war because we voted that way to end the Vietnam War. I voted for that resolution, or for that amendment.

I also voted to require the President to come back to the Congress for a second vote before he went to war if the Security Council did not agree with his decision to go to war, so I think my position is clear. I think there are going to be very bad, long-term results from this war.

But having said that, I think it is incorrect for the gentleman to say that this amendment will, in effect, bring the troops home. It does no such thing. All it does is to say that we will not reimburse the Pentagon for money which has already largely been spent. It simply does not replenish those accounts. I do not think that that is a rational thing to do.

Secondly, I would point out one of my problems with this bill is that this bill already, in my view, substantially understates, and therefore substantially hides from public view, the full cost of this war. It is going to cost a lot more than the $70 billion in this bill today.

The effect of offering this amendment, in my view, would be to further mask the real cost of that war. I do not think that is a healthy thing to do. I think we are getting into some long-term costs associated with this war far in excess of what the Pentagon, the State Department, or the White House are admitting. I think this amendment simply further would play into that game.

Mr. Chairman, this amendment is not going to pass because, frankly, it does not do what it purports to do. I understand what the gentleman is trying to do; he is trying to find some way to express his views on the war, so in a sense this is a symbolic act. I respect him for that.

The fact is, Members need to be assured they understand exactly what it does and what it does not do. One thing it does not do, it does not bring the troops home.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the Subcommittee on Defense of the Committee on Appropriations.

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I do not doubt my friend's concern for the troops. I think that is genuine. However, I do debate the gentleman's point on the war. I will be specific.

First of all, there is no doubt, no doubt whatsoever that Saddam Hussein has contacts and is utilizing al Qaeda within Iraq. Just attend some of the intelligence briefings.

Second, as a combat veteran, the troops, sure, when we flew in Vietnam, we wanted to come home; but we also wanted to do our job. If we talk to the embedded reporters and listen to our men and women overseas, they want to finish the job, I would tell the gentleman.

Secondly, on the Subcommittee on Defense of the Committee on Appropriations, the gentleman's amendment does not bring the troops home. We are already spending fourth-quarter dollars. What the gentleman wants to do is not be able to even replenish those, which would weaken the state of national security in the long run.

I would tell the gentleman that Saddam Hussein today pays $5,000 to a family in Palestine that will take their 15-year-old child and blow themselves up in Israel. We have lost American citizens in that. I do not think we want to let that go.

If we listen to Saddam Hussein, he says he will attack us in the air, the sea, and the land. I would ask the gentleman to project Saddam Hussein, if we pull our troops back, project someone like this 5 years from now with a nuclear weapon. It would be devastating, and we would lose American souls, many thousands.

A lot of people say, what about Korea? Korea is a threat; but I want to tell the Members, they are not working every single day through Mujahedin, Hammas, Hezbollah, and al Qaeda to damage the United States. We need to finish this job, whether the gentleman agrees with it or not. We need to protect American citizens and those abroad for worldwide peace.

If we take Afghanistan, Iraq, Saudi Arabia, Egypt and bring them about with true democracies, this country is far better off than bringing our troops home and not dealing with this problem. If we do that, this problem will magnify in the Middle East, not depreciate.

Mr. YOUNG of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. KUCINICH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank my good friend, the gentleman from California (Mr. CUNNINGHAM), for his remarks. I respect his service to our country, both in the military and in this Congress.

To my friend, the gentleman from Wisconsin (Mr. OBEY): If I could have offered an amendment that would have required the President to bring the troops home now, I would have.

□ 1415

As my friend, the gentleman from Wisconsin (Mr. OBEY) knows, the majority would not have permitted such an amendment, and that leaves me with two options. One, which is to do nothing. And considering the statements that I have made over the past year challenging this war, that is not going to happen. And the other is to offer the amendment before us now, which my colleague from Wisconsin understands does have a powerful symbolic impact, and, as I understand it, is limited by the limitations of the amendments process. But my amendment was crafted to ensure that the troops would have safe passage home, $10 billion to assure that they come home safely.

I yield to no one in my love for this country, in my commitment to the men and women who serve, and I honor similarly the patriotism which brings every Member of this House to this floor, their honest differences of opinion about the policies of this United States which have brought this country into Baghdad today.

This is an appropriate moment for us to stop and think whether or not aggressive warfare is consistent with the aspirations of this country, whether or not policies of preemption and unilateralism, as articulated in the National Security Strategy, will serve this country well in a complex world where so many nations possess biological, chemical, and nuclear weapons as well as the missile capability to deliver them.

This amendment seeks to create this discussion in this House at this moment as to whether or not this is the time in world history to seek to reengage the world community, which certainly understands America's concern, but to get that same world community which has shown sympathy for America in the past to join with us in once again going back to Iraq with U.N. inspectors instead of our troops, who we would never want to have to find weapons of mass destruction on the battlefield in combat used against them. It is much more appropriate to have inspectors determine whether or not such weapons exist, and if they do, to move to destroy them.

We need to find a way to reintegrate nations like Iraq and the others, which are hostile to this country at this point, back into the world community. We need to find a way to catch what I believe is an advancing tide of human unity which we see expressed all around the world with friends of ours who have stated their concern about the American position of aggressive war against Iraq.

This is a turning point in this country's history, and it is an important moment for us to ask questions about the direction we are going in. Because we are not only talking about Iraq here. We are not just talking about a down payment on a war. We are not just talking about the safety of our troops today. We are talking about the safety and security of the world, America's role in the world, our ability to keep America safe and secure in a climate with an administration that is determining that aggressive war is the way to achieve that.

I maintain that is always open to debate, and I want to thank the gentleman for providing me with this opportunity to raise this question on this floor.

We are all patriots. We all love our country. But one of the glories of this country is its first amendment, which provides not only for freedom of speech, but which provides for a national discussion on issues that are of urgent importance.

And I want to thank both the ranking member and the chair for ensuring that this happens on this issue, and I acknowledge that. And when it is appropriate, I will ask unanimous consent to withdraw the amendment out of respect for the heartfelt concerns expressed by my colleagues.

Mr. YOUNG of Florida. Mr. Chairman, I appreciate the tenor of the gentleman's debate. I think this debate has been great all day long, and at a very high level.

For a closing statement in opposition to the amendment, I yield the balance of the time to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Mr. Chairman, I very much appreciate my colleague yielding me this time and rise simply to say that I very much empathize with the position of my colleague, the gentleman from Ohio (Mr. KUCINICH).

We happen to rather intensely disagree as to what role America is going to be playing in the world in the years

and months, perhaps decades, ahead. Our country remains, whether we like it or not, as the only remaining superpower in the world. We now spend dollars at a level, 380-plus billions of dollars to make sure that we are the strongest country in the world. Indeed, it is my view that those dollars are spent because we are the force for peace. If there is a country that, long term, is going to maintain the peace in the world, it is America. And it is the men and women of the very troops serving presently in the Middle East who reflect the best of the best, who are of course for peace.

This bill is designed to make sure that they can carry forward their job at this moment to its completion and do it well. Indeed, no force is more capable than these men and women. Their purpose, though, is to ensure that freedom becomes available to the people, the men and women, the mothers, the children of Iraq. Without their presence, Saddam Hussein would take us down the pathway towards appeasement. He would be the voice that says ''we ought to stand still for whatever time is necessary for me to rebuild my position of strength.'' He will say, ''I will find any another way to win one more time.'' This is not a plan of peace.

America is the voice for peace in the world. We need to recognize that. And because we need to recognize that, we must reject this amendment.

Mr. KUCINICH. Mr. Chairman, out of respect for the troops and the concern that all of our Members have for them, whatever their position is on this war, I respectfully withdraw the amendment.

The CHAIRMAN. The gentleman from Ohio (Mr. KUCINICH) asks unanimous consent to withdraw the amendment.

Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. Without objection, the amendment is withdrawn.

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

Mr. Chairman, I am in support of the wartime supplemental, H.R. 1559, and I rise today to thank the House Committee on Appropriations for recognizing the damage caused by Supertyphoon Pongsona to our military installations in the territories of Guam. As this bill before us states, Typhoon Pongsona struck Andersen Air Force Base on December 8, 2002 for 9 long hours, with sustained winds of 180 miles per hour. Much damage was done to the family housing units at our base where our brave servicemen and women work around the clock to ensure our safety and security, and especially during this time of war when our bases should be in top order.

On behalf of those servicemen and women and their families, I would like to thank the House Committee on Appropriations chairman, the gentleman from Florida (Mr. YOUNG) and ranking member, the gentleman from Wisconsin (Mr. OBEY). Because of their hard work, this bill provides $1.8 million to repair family housing and air-conditioning units damaged by Supertyphoon Pongsona.

It also identifies the need for new aircraft hangers to bed down bombers, tankers, surveillance and fighter aircraft. Currently only one of three hangars at Andersen Air Force base is fully operational. The new reinforced concrete high-bay aircraft hangars will be typhoon proof. The state-of-the-art climate control within the hangars will ensure that the bombers will be able to use the hangars for repairs and maintenance.

I hope that in conference on this bill, funds will be identified to begin the hangars' construction. And once again, I want to thank the leadership for recognizing the emergency damage caused by Supertyphoon Pongsona to our military assets on Guam and for taking action to fund the repair of these damages which is now so important, Mr. Chairman, because of increased military activity, the Iraq war, and the impending dangers in North Korea.

Mr. Chairman, I support this legislation.

AMENDMENT OFFERED BY MR. CUNNINGHAM

Mr. CUNNINGHAM. Mr. Chairman, I ask unanimous consent that my amendment related to Turkey be considered at this point in the reading of the bill.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I reserve the right to object merely to inquire of the gentleman if he would be interested in reaching some agreement on a time limit, because this amendment has the potential to be very time consuming. And it is a very important amendment, but I would like to say to the gentleman that I do not want to limit any debate for those who desire to speak, but we need to finish this bill tonight. We have to have the weekend to prepare for the conference with the other body. So, would the gentleman be interested in discussing the possibility of a time limit?

Mr. CUNNINGHAM. Mr. Chairman, if the gentleman will yield, I would say to my friend and my chairman that we have several speakers that are very passionate on this issue. To me, the debate of this issue is as important as its passage, and once those individuals do get allowed to speak, and I would encourage them not to take the 5 minutes, if the chairman would redress the issue then I would not object.

Mr. YOUNG of Florida. I appreciate that.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to considering the amendment at this point in the bill?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM:

In chapter 4 of title I, in the item relating to ''ECONOMIC SUPPORT FUND''—

(1) after the aggregate dollar amount, insert the following: ''(reduced by $1,000,000,000)'';

(2) strike paragraph (3) (relating to financial assistance to Turkey); and

(3) redesignate paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Mr. CUNNINGHAM (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. CUNNINGHAM) is recognized for 5 minutes on his amendment.

Mr. CUNNINGHAM. Mr. Chairman, I will choose to strike the last word at the end to close, and I would allow the other Members that wish to speak on this issue, and I would go to the gentleman.

The CHAIRMAN. Did the gentleman from California (Mr. CUNNINGHAM) yield to the gentleman?

Mr. CUNNINGHAM. Yes, the gentleman is going to strike the last word. I will strike the last word at the end so I will have time to close.

The CHAIRMAN. The gentleman from California is recognized now for 5 minutes in support of his amendment. If the gentleman wants to be recognized again later, the gentleman will have to ask unanimous consent to do so.

Mr. CUNNINGHAM. Okay. Then I will be recognized for the 5 minutes, Mr. Chairman.

Mr. Chairman, I truly believe that the United States needs the support of all allies. That includes Turkey. That includes France. That includes Germany. As many of us are upset at those countries for the actions that they took in the previous weeks, we need their help towards world peace in the future. They are aware of the damage that they have done to the United States and their allies and that some penalty is in order.

And as I stated before, the debate on this issue is just as important as the passage of the amendment. There needs to be some message sent to any country that chooses to put in harm's way American and allied soldiers that there will be a penalty. The message should be, ''Do not tread on me.''

Now, that does not mean that we do not want them as allies in the future. I would state, and I do not mean to demean Turkey by making this point, but merely to make a point, if my own daughters intentionally did something egregious, I am surely, Mr. Chairman, not going to raise their allowance. I love them. I want their love in the future. And the same goes for Turkey.

Secretary Colin Powell at this very moment is negotiating with Turkey, and he has made some great strides. I

think all the Members in this House respect Secretary Powell. But I would say, Mr. Chairman, that current negotiations and even positive steps do not forgive what has happened in the past with Turkey denying our troops access.

Turkey never asked for this money. The United States is asking to give them $1 billion. The United States is giving Turkey a ton of money in the foreign aid bill.

□ 1430

This is in the 2003 supplemental. The 2004 bill is coming up. There is a ton of money in there for Turkey. I am not asking to take this away, but should we reward a country for not only putting our men and women in harm's way, but actually causing the deaths of some of our troops?

By Turkey not allowing us to overfly Turkey and give overfly rights, there was an agreement, and they have done some overflights, but that was based on a previous agreement, but by not allowing our troops to launch from the north and out of Turkey, it denied us a northern front. It allowed Saddam Hussein to redeploy his troops and forced us to parachute in with our paratroopers a very lightly armed force to support the north; and I think this is wrong.

A foreign aid package should be for Turkey and our allies, but I would tell the gentleman that just like the gentleman from Kentucky (Mr. ROGERS) a minute ago spoke against the Obey amendment, he used the analogy that this was only for 3 months, and I would use the same analogy here because in the 2004 budget, I do not object to the support for Turkey, if, if their parliament does not turn its back on the United States as they did in the past.

In 3 months, Saddam Hussein will be out of power. We will be on the road to democracy in Iraq and a free people, but can my colleagues imagine giving France preferential treatment on the reconstruction of Iraq? No, and there is an amendment coming up by the gentleman from Washington (Mr. NETHERCUTT) that will handle that; and I would encourage my colleagues to vote for that.

By the same means, do we reward Turkey? Do we give them an incentive for turning their backs on the United States even though they are opening up their borders with Colin Powell today? What they did in causing American lives to be lost, there needs to be a message sent and a penalty, Mr. Chairman. I would say the same is true with France and Germany as well.

Saddam Hussein did work with al Qaeda, and where he worked in al Qaeda is in the northeast portions of Iraq. By not allowing our northern front to go forward and launch out of that area, it allowed many of the terrorists and al Qaeda to launch out of that area.

I ask for the support of this amendment, Mr. Chairman.

Mr. DICKS. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from California is a valued member of our subcommittee, and on almost all defense issues we agree. Unfortunately, today, I must rise in opposition to this amendment.

As everyone here knows, yesterday Secretary Powell met with the leadership of Turkey. Immediately following that meeting, the border was opened and supplies on trucks were flowing into northern Iraq for the U.S. forces that are there. These are supplies, not ammunition or weapons; but it is a significant step forward.

Also, we were able to use the air space of Turkey in order to bring in forces into northern Iraq by air lift. Bombers have flown into Iraq using turkey's airspace.

So I think they have made a very significant contribution, and people sometimes forget that 90 percent of the people in Turkey are opposed to this war. They are on the border with Iraq. It was much different in 1991 when Saddam Hussein was invading another country like Kuwait, and therefore, they could join as a NATO ally and work with the United States to get Saddam out of Kuwait. This is a different circumstance.

I think they have done almost everything they could. If 90 percent of the people in the United States were opposed to this war, we might not be there. I think we have to understand, this is a new government with a new parliament; and Turkey has been a reliable ally for many, many years.

This was in the President's budget request. Condoleezza Rice has written a letter to the gentleman from Florida (Mr. YOUNG) expressing the support of the administration for keeping this money in this bill.

We also have to look at the long term. Once we get through with this war, and I hope and pray it is over very quickly, we are going to have to rebuild our alliances, not only with NATO, but with all the countries in the region; and I think showing some good faith at this point and supporting this $1 billion to help Turkey, who has serious financial problems that were caused by their participation in the original Gulf War in 1990 and 1991. They have been hurt economically by this because of humanitarian problems and economic problems that they are facing.

They desperately need this aid and assistance, and they are a democratic secular country that in my mind deserves the support of the United States. They have been involved with us in every military conflict since the Korean War and through Afghanistan; and on the floor of the House, to undercut the agreement that was reached just yesterday with Secretary Powell, I think, would be a terrible mistake.

We should show Turkey that we understand their problem and we want them to recover economically and we want them to work with us through NATO to be a good ally and a good friend. Please vote against the Cunningham amendment.

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

Mr. Chairman, I rise in opposition to the amendment. As the preceding speaker said, the gentleman who offers this amendment is somebody that I have the highest respect for. He is a true patriot, and no way would I impugn his motives. I just think the basis of this amendment is fundamentally wrong.

As I said the other day in the committee, this is one of those tough votes where I think we as Members have an obligation to not let our emotions run away with us but to do what is the right thing in order to prosecute the war and to carry out our national security and diplomatic objectives.

If I may I would like to provide a little bit of background. The bill language, as it is presented on the floor today, permits us to provide to Turkey, through permissive legislative language, $1 billion in economic support funds to Turkey which could be used by Turkey in turn to buy down the cost of private sector loans, that is, the credit subsidy that would sustain about $8.5 billion of loan guarantees.

The committee recommends this bill language but requires that the Secretary of State determine and notify Congress that Turkey is cooperating with the United States in Operation Iraqi Freedom, including the facilitation of humanitarian assistance. So this money does not get spent until that certification is made by the President.

The President, the administration, and the committee support the assistance in this bill because a strong and economically viable and a democratic Turkey is a model in the Middle East, and it is essential to U.S. strategic interests.

Turkey has been an ally of ours for the last half century. During the Korean War, the Turks were with us and suffered the highest per capita casualties of any partner in the Korean War coalition. They were with us in Vietnam. They were with us in 1991 in the Gulf War. They have been with us in Afghanistan. They helped us in Bosnia. They have been very helpful in the war against terrorism.

They have hosted Operation Northern Watch. That is the enforcement of the no-fly zone in the northern part of Iraq for the last 12 years. They are a member in good standing of the NATO alliance.

Turkey is also a democratic nation. It is one of the few Muslim nations that has built economic and military ties with Israel. Ankara has viewed this relation as important, as does Israel. After the conflict with Iraq ends, we will clearly need Turkey to play an important role in the Middle East peace process.

Obviously, the Turks have not done everything that we would have wished and may have been expected in Operation Iraqi Freedom; but we need to remember that they are a democracy,

and sometimes democracies can be messy, as we certainly know in our own body here.

The Turkish parliament did not support the executive by some three votes. They fell short of the absolute majority they needed to have; but in fairness, 90 percent of the population has been opposed to this war, and so it was an act of some courage for this new parliament, 80 percent of whom were new at the time they voted, to cast the votes they did; and as The Washington Post pointed out recently, the United States contributed to part of the problem with its own diplomatic errors leading up to the vote that took place.

Foreign affairs is, in part I think, understanding about being sensitive to other nations' views. We need to remember that Turkey does border Iraq, as well as Syria and Iran. We need to understand that the Iraq conflict and Kurdish issues are extraordinarily important domestic issues in this multiethnic nation. The refugee flows from Iraq in 1991 tragically led to a wave of terrorism that resulted in 30,000 Turkish deaths, and we can be sure that was very much on the minds of these people at the time they cast the votes that they did.

While they did not allow U.S. combat troops to cross into Iraq from Turkish territory, they are now supporting us in a number of important ways with intelligence support, with overflights by combat aircraft and missiles, the basing of helicopters in southeastern Turkey for medical evacuations, by allowing resupply of our troops by opening a northern front, and emergency landings of U.S. combat aircraft, and with humanitarian assistance that is now flowing regularly across the border into Iraq.

We have been firmly opposed to having Turkish military intervention in Iraq. The assistance in the supplemental provides an incentive for Turkish restraint. Should Turkey move into Iraq, the President would be able to withhold the funds in this bill.

Just yesterday, Secretary of State Powell completed talks in Turkey. He obtained formal Turkish agreement to allow overland supply of fuel, water and food to our forces in northern Iraq. The Secretary worked on repairing relations. He secured Turkish agreement on the flow of humanitarian supplies.

Mr. Chairman, for us to cast a positive vote on this amendment right now undercuts not only the President's diplomatic efforts but, yes, sadly undercuts our military forces in northern Iraq; and, Mr. Chairman, we should not do that. I urge my colleagues to vote against this amendment.

Mr. OBEY. Mr. Chairman, because she has laryngitis, I ask unanimous consent that the gentlewoman from New York (Mrs. LOWEY) may be permitted to insert a statement in the RECORD at this point.

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

There was no objection.

Mrs. LOWEY. Mr. Chairman, I rise in opposition to this amendment.

There is no question that Turkey's initial refusal to allow the use of its territory had made prosecution of the war more difficult for us.

While I would characterize the vote of the Turkish Parliament as unfortunate and misguided, it happened. Sometimes we find the result of democratic deliberations inconvenient, but this was, in fact, the result. Despite that vote, the administration has requested $1 billion for Turkey. The justification, as presented by administration officials, is primarily economic. Turkey is in dire straits at the moment.

This is partly due to the war, and partly due to past economic policies. But regardless of the reason, the Turkish economy is teetering. They owe the IMF over $17 billion at the moment, and are financing most of their cash needs in short-term, high-interest debt. They have started down the path of economic reform, but they have a long way to go.

Now that the war is on, and Turkey has finally agreed to allow the positioning of supplies for our troops on its soil, the worst thing we could do is send a signal that we do not support Turkey. The circumstances surrounding this request may not be ideal, but our men and women in uniform are well into a tough battle for the future of Iraq, and Turkey's continued cooperation will help them.

Economic collapse of Turkey, coupled with a further breach in United States-Turkish relations which would result from passage of this amendment, would be absolutely disastrous to the war effort—and the peace effort that will come after. Turkey remains one of the few stable, democratic countries in the region, surrounded by unstable, authoritarian states. As a moderate Muslim state, strategically situated at the gateway to the Middle East, we simply cannot allow it to fail.

I urge my colleagues to defeat this amendment.

Mr. PALLONE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentleman from California's amendment. I join many of my colleagues that feel anger and frustration over the Turkish refusal to allow some 62,000 American troops to be based on their soil in order to open up the northern front against Iraq.

Mr. Chairman, Secretary Powell recently went to Ankara to meet with Turkish officials, and press reports on his mission indicate that Turkey has made some concessions allowing limited U.S. military and humanitarian resupply operations via its territory. These concessions are obviously vital to the safety of the Americans that are on the ground right now in northern Iraq and the overall success of the Iraq mission.

The supplemental bill addresses some of my concerns on the use of the $1 billion in aid to Turkey. There are legitimate restrictions on use of our aid. The Secretary of State is required to determine and to report to Congress that Turkey has met certain obligations such as certain economic responsibilities that the Turkish Government must meet and Turkey's cooperation in Operation Iraqi Freedom. I would like to see the report to Congress to address more than these issues, though, and to set benchmarks for what the Secretary can determine as Turkey's cooperation in Operation Iraqi Freedom. We have not seen all the details.

On the House floor last week, I called attention to several important issues that bear repeating and that should serve as the basis for additional conditional aid to Turkey. Turkey must agree to allow unfettered U.S. and/or international humanitarian aid transiting through and/or being staged in Turkish territory in support of the northern Iraqi Kurds. Turkey must explicitly agree not to cross into northern Iraq, as demanded by President Bush.

Turkey must agree that it will provide only logistical support to the humanitarian effort in the northern, and Turkey must agree to economic and banking reforms as specified by international lending institutions.

Finally, Turkey should agree to provide full minority rights to its citizens as stipulated in international and European conventions.

I know all these conditions have not been met, and the report is not clear about exactly what conditions are to be set, and I think we need to be careful and concerned about the fact that all of these conditions are not set forth before we provide any aid.

Turkey has been touted by some as a model of a Muslim, secular, democratic State; but it is often overlooked that Turkey's history of human rights abuses and aggression towards its neighbors is very long.

Turkey appears on every major U.S. and international human rights violator's lists every year. This is mainly due to their treatment of their minority citizens. The international community has repeatedly warned them that the brutal treatment of their Kurdish citizens and others jeopardizes their chances of entering the European Union.

Turkey also continues to join with Azerbaijan in illegally blockading Armenia. This is in direct violation of the U.S. Humanitarian Aid Corridors Act, which states the U.S. assistance may not be made available for any country whose government prohibits or otherwise restricts, directly or indirectly, the transport or delivery of U.S. humanitarian assistance.

□ 1445

Turkey has also flouted international law and U.S. criticism for 31 years, illegally occupying the northern third of Cyprus. And even though there was an effort in the last few weeks to try to come to a settlement, Turkey refused to be part of that settlement and there still is no settlement in Cyprus.

Now, these last few weeks have served as a wake-up call for many of us in the United States. We have seen the obvious contradictions I have spoken

about and have real questions about how we can afford giving American tax dollars to a country like Turkey that does not share our strategic vision and is not willing to share the burdens of dealing with the Iraqi regime. I understand that Secretary Powell and others on the Committee on Appropriations have made an effort to put some conditions on this aid, but I do not think it goes far enough. I think at this time, unless we have more restrictions put on the aid, that it is wrong for us to go ahead with this billion-dollar package.

For that reason, Mr. Chairman, I urge my colleagues to support the Cunningham amendment to cut the aid to Turkey unless Turkey shoulders its international responsibilities more correctly. And, more specifically, the American taxpayer should not be footing their loan bill or any other of their bills.

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

Mr. PALLONE. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I disagree with the gentleman's position, and I do agree with the chair of the subcommittee's position, the gentleman from Arizona. I think he articulates the reasons that we ought to support the money allocated to Turkey. And yet I have a question for him, if I can attract his attention for a moment, either the gentleman from Arizona or the chair of the full committee.

Again, while I applaud the democracy that we have noted in Turkey and the fact that they have been steadfast allies of this country, and that they did have a very healthy parliamentary debate and reached the conclusion, as democracies do, that they would not accept what I understand was a $30 billion package, at the same time I just recently read and I would like——

The CHAIRMAN. Time of the gentleman from New Jersey (Mr. PALLONE) has expired.

Mr. DELAHUNT. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey be granted an additional 30 seconds.

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

Mr. YOUNG OF Florida. Mr. Chairman, reserving the right to object, and I will not, but if we get into a situation where we are having a lot of requests for a lot of time extensions, then I would have to object because this bill needs to get done.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts that the gentleman from New Jersey be given an additional 30 seconds?

Mr. STEARNS. Objection.

The CHAIRMAN. The gentleman from Florida objects.

Mr. STEARNS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I come here to the House floor and I rise in opposition to the gentleman's amendment. I understand my friend's concern, but I do not think we need to exacerbate the situation. Turkey has been with us so many times, as the gentleman from Arizona has pointed out. So many times Turkey has been with us, and would my colleagues hurt a friend because of this situation, after Turkey has now agreed, as reported in The New York Times, to increase its cooperation with the American military campaign in Iraq by permitting use of its territory for the overland supply of food, water, fuel, and other necessities to American armed forces operating in northern Iraq?

Number two, Mr. Chairman, and another step that Colin Powell was successful in, Turkey has agreed to open their airfields to American military planes in distress or for the evacuation of American service personnel. Turkey has extended such help occasionally since the war began 2 weeks ago, but the new accord will make it more routine.

Most importantly, my colleagues, in a separate but important part of the agreement, Secretary Powell said that the United States and Turkey would establish a monitoring group to watch northern Iraq to make sure no conditions arose that might compel Turkey to send its troops across the borders into Iraq. Turkey is a modern republic. It is a Muslim state. It is unique, as pointed out, in all the nations of the world. It is the only operating democracy in the Middle East. So it is essential that the United States realize and appreciate the burden, the special burden Turkey has, and the fact that they are the only Muslim member of NATO.

Turkey remained steadfast with the United States and our allies through the Iraqi invasion of Kuwait, NATO air strikes during the conflict in Kosovo, and in providing aid to Albanian refugees, as well as hosting Operation Northern Watch, which maintains the no-fly zone over northern Iraq. Turkey has been of enormous assistance in our global war on terrorism. And they should know. They have been fighting it for 30 years. Thirty thousand people have been killed by terrorists in Turkey.

We have a vested interest in Turkey, and Turkey is sacrificing its well-being just by supporting a lot of our policies. Turkey will open its airfields, as I pointed out earlier, to the American military planes. Is this everything we have asked for from this ally? No. But I would like to point out that Turkey does support our efforts, unlike other so-called allies who have opposed us at every turn.

So, Mr. Chairman, I believe this is an amendment that should be defeated. The administration, Secretary of State Colin Powell, is satisfied with Turkey's response and he is willing to go ahead with the foreign aid package, so why should we not? In the interest of maintaining good relationships with an ally, a solid ally, where solemn Muslim leadership is needed in this region, we should do this as well. So I urge my colleagues to reject this amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not want to get into a debate on this amendment, but I do want to object to something I just saw here on the House floor. We have been trying to work out cooperatively, between both sides of the aisle, arrangements on time. The gentleman from Ohio (Mr. KUCINICH) was willing to limit his amendment, for instance, to 15 minutes. We now have a Republican amendment on which we have not yet been able to obtain time limits. The gentleman from Florida (Mr. YOUNG) has been trying to manage the bill in a very fair way, and I have been trying to do what I can on this side as well.

I, frankly, find it offensive when an individual Member of the House objects to another Member of the House simply asking for an extension of time for a minute or so to ask a question. I want to put the House on notice that if that happens once more, I will guarantee that we will not finish this bill tonight.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise with hesitation to oppose the amendment of my very dear friend, the gentleman from California (Mr. CUNNINGHAM), who, let me note, has always been one of my heroes in this body because he not only is an articulate champion of the things that he believes, but he is a man who has walked the walk as well as talked the talk. He is a legitimate American hero and, thus, I am hesitantly coming to oppose his amendment.

Let me suggest that the gentleman from California (Mr. CUNNINGHAM) is right when he says that no Nation, including Turkey, should be able to slap the United States in the face and walk away without paying a price. They are paying a price. The fact is that earlier on we were willing to give them a huge aid package to join us in this war. It was a $16 to $30 billion package, and they are not going to get that now. This is a very much reduced package of about a $1 billion expenditure. So let us say that they have paid the price for not being true when the time was right.

But let us add that Turkey must also get the credit it deserves for being one of our most stalwart friends and allies over the years. The Turkish people have stood by the United States more strongly and more courageously than almost any other people on this planet for over five decades. They deserve to get a little leeway for that. We deserve for them to be given a little credit. We should give the Turks a little credit for the fact that when the Korean War was on, and our people were being brutally murdered and we were unprepared for that conflict, the Turks were the first ones to send help to our end and stand by us in that conflict.

In Vietnam, while they did not have troops there, they did support us in that effort while the rest of the world heaped abuse upon us. During the Gulf War, a decade ago, even though it was dramatically against their economic interest to do so, the Turks stood with us, and their assistance saved the lives of many and made that operation the success it was. We could not have done it without them.

Thus, we owe the Turks. Now, yes, they did not do what was right by us at this moment. It was a time of confusion in their history. They are paying for that mistake. But let us give them the credit that is due them for so many years of friendship, so many years of alliance, so many years when we could count on them. And let us look to the future. If we are going to have democracy develop in the Muslim world, Turkey will be an absolutely pivotal player. We will rely on them again to make this a safer and a better world. We will not succeed in the President's goal of bringing democracy to the Muslim world without the Turks there. They are giving us a good example. They are giving their fellow Muslims a good example. Let us stand by them.

Yes, let us say we were disappointed, but let us not treat them in a way inconsistent with the way that they have treated us over these many decades, which is as a friend and ally.

Ms. HARMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I associate myself with the thoughtful comments just presented by my colleague from California and with comments made earlier in this debate by the gentleman from Washington (Mr. DICKS) and the gentleman from Arizona (Mr. KOLBE).

Turkey is a democracy, as our Secretary of Defense often points out approvingly, Turkey is a NATO ally, and Turkey is a courageous supporter of Israel. I too regret the recent action by Turkey's Parliament, but I am pleased to see that what has followed is more promising. And I applaud our Secretary of State for visiting Turkey these past days to mend relations.

This is a good debate to have, Mr. Chairman, and an important vote to make on this floor. In that spirit, I wish the rule had permitted us to have a good debate on the amendment the gentleman from Wisconsin (Mr. OBEY) had planned to offer, and a good vote on the proper level of homeland security funding for our first responders.

On that subject, I want to point out briefly that it is not just the level of responder funding, it is not just the top line that matters, it is the front line.

It is as important that Federal funds are delivered quickly to local police and fire departments, public health officials and other first responders on the front lines of our hometowns. When an earthquake or other natural disaster strikes in California, first responders rush in to secure the scene, render medical assistance and provide a hot meal and a cot. FEMA has programs in place to reimburse communities promptly for the costs they incur.

The point is this: The FEMA system has been thoroughly tested. We know it works and it serves our communities well.

A similar kind of system should be in place in preparation for possible acts of domestic terrorism which can have the same or worse impacts than a natural disaster. It is up to the Federal Government to make sure emergency response programs are extremely effective and efficient. After all, we are obligated by the Constitution to provide for the common defense, and part of the war theater is our hometowns.

Last week, Secretary Ridge put it this way in testimony before the Congress. ''I would like to engage both Chambers in a bipartisan way to see whether or not I can convince you that the formula we have used in the past shouldn't be the formula we use in the future.'' He continued: ''It doesn't take into consideration some of the special needs that certain communities have and certain States have that are substantially greater than others.''

Secretary Ridge has it right and I commend him for his willingness to acknowledge the problem and offer to work with Congress to fix it. The Secretary is saying what many of us have known for some time. It is not enough for Congress simply to write the check. The check needs to be delivered and cashed. And as of today, the dollars are not flowing.

There is a better way to do this, and I think it is the FEMA way. Secretary Ridge can and should exercise his authority to streamline and expedite his Department's funding process the FEMA way.

□ 1500

FEMA has long used emergency funds to support communities, individuals, and families in the face of a natural disaster. Under prior leadership, FEMA streamlined its assistance to individuals and families, cutting checks within 3 to 7 days of a disaster.

As a first step, Secretary Ridge should move the Department's Emergency Management Preparedness Grant program from the Office of Domestic Preparedness back to FEMA where experienced officials can process requests more quickly. Our emergency unpreparedness is a disaster waiting to happen, and we need to support our communities.

There are other steps to consider as well. All Federal first responder funds that have not yet been made available should be released, including $100 million available to Secretary Ridge for high-threat urban areas. He should determine where these areas are and get those funds out immediately. America's major metropolitan areas know their needs and can take steps to increase security now. We should not have to wait for a full-blown interagency process to tell us that a city like Los Angeles has critical infrastructure or a large population.

I not only represent that large urban area, but many small areas, where small amounts of dollars can make a big difference. And those dollars are needed now.

Wartime is not a time for business as usual. The war on terrorism is being fought on a number of fronts, including our hometowns. We would not send our troops to war in Iraq without the support, training, and equipment they deserve. We should do nothing less for those on the front lines here at home.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that further debate on the pending amendment offered by the gentleman from California (Mr. CUNNINGHAM), and any amendments thereto be limited to 40 minutes to be equally divided and controlled by the proponent of the amendment and myself as the opponent.

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

Mr. OBEY. Mr. Chairman, reserving the right to object, that arrangement as stated would provide that all of the time would be managed on that side of the aisle. Can we work it out so that some of it is assured to folks on this side of the aisle, regardless of which side of the question they are on?

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would be happy to ask unanimous consent that the gentleman from Wisconsin (Mr. OBEY) as an opponent would share the 20 minutes. So the gentleman from Wisconsin would have 10 minutes and I would have 10 minutes.

Mr. OBEY. Mr. Chairman, that is agreeable. I withdraw my reservation of objection.

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

Mr. DEFAZIO. Reserving the right to object, Mr. Chairman, I would like an idea how many Members are waiting to speak on which side of the issue, and whether that is an adequate amount of time.

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

Mr. DEFAZIO. I yield to the gentleman from California.

Mr. CUNNINGHAM. I have about six speakers for the amendment.

Mr. DEFAZIO. Mr. Chairman, on this side we have at least two or three.

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

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

Mr. OBEY. Mr. Chairman, I do not intend to speak on the amendment. I would just like to see us finish before 4 in the morning.

Mr. DEFAZIO. Mr. Chairman, maybe a little more time is required on this amendment.

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

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

Mr. YOUNG of Florida. Mr. Chairman, would the gentleman be interested in 25 minutes on each side? I think Members know how they are going to vote on this amendment right now, but we need to have the debate. I do not want to restrict the debate, but as the gentleman from Wisconsin stated, we would like to finish before we get accused of doing this in the wee hours of the night, and Members know that usual routine.

Mr. DEFAZIO. Mr. Chairman, the problem is the uncertainty who will get to speak or not get to speak. Can we proceed a little further and then see if we can get a unanimous consent request? Maybe 25 minutes a side.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent request that further debate on the pending amendment offered by the gentleman from California (Mr. CUNNINGHAM) be limited to 25 minutes on each side, to be equally divided and controlled by myself and the gentleman from California (Mr. CUNNINGHAM) as the proponent.

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

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent to yield half of my 25 minutes to the gentleman from Wisconsin (Mr. OBEY) as an additional opponent to the amendment.

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

There was no objection.

The CHAIRMAN. The gentleman from California (Mr. CUNNINGHAM) will control 25 minutes, the gentleman from Florida (Mr. YOUNG) will control 12½ minutes, and the gentleman from Wisconsin (Mr. OBEY) will control 12½ minutes.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chairman, I congratulate the chairman of the committee for a fine job on a fine bill for the soldiers, sailors, and airmen of the United States military.

I stand here as a friend of Turkey. I stand here as someone who looks to a strong relationship with Turkey in the years to come. I also stand here as a strong proponent of the Cunningham amendment.

I met Mr. Erdogan the weekend before he was to be elected. We talked to some of his top leaders and advisers, ministerial-level officials in the new government. We came to a conclusion when we were getting ready to leave that it was probably in the best interest, and maybe in the next 10 or 15 or 12 days there would be a vote and they would push for a vote, understanding the very clear consequence that if they did not do this vote, we believed and we believe today there will be more American casualties on the battlefield and more Iraqi citizens killed.

Instead of standing up and showing leadership in those 10 days, they decided to ride that wave of populism and avoid that vote. They had their chance to make a difference in this debate. Leadership would have solved this problem, and I understand they are a new government. I understand they have challenges with their IMF requirements, and they have challenges they need to meet in reforming their economy, and I understand that they have a struggling economy like our own.

But it is a concern to me that this money is in this bill at this time. This is a wartime supplemental. Our chairman graciously stood up earlier and said let us keep these troops in our thoughts and our prayers, and I was humbled by that. This bill is for the very brave patriots who fight for America today, and by no means should we underestimate what the Turkish decision by a democracy, who are still friends, but let us not underestimate what that decision did; it cost us more money, more time, and more American lives.

I find it offensive that we would put this money in this bill today on this floor. This is not the time nor is it the place to be debating the Turkey financial future or IMF or economic reform, or the fact that they helped us 50 years ago. Let us send a message to this new government that we are their friends, but there are consequences to being a part of democracy.

I met with the Ambassador to Turkey yesterday who said this money ''is not anything that they asked for,'' quote/unquote; that the money has nothing to do with any of the previous arrangements made on humanitarian aid supply, resupply or flyover, no bearing whatsoever. This has nothing, quote/unquote, to do with the war.

A State Department senior official said yesterday that Powell's visit did not get any new agreements, it reinforced old agreements with Turkey. Let us not get confused by the things that we will hear on this floor or by the letters that we receive. This is about old agreements and old relationships that we should value as allies. This should not be about a new billion dollars at a time when we have soldiers dying on the battlefield as a result of their decision.

Let us remind our friends in Turkey that they are allies of ours and they will continue to be, and even democracies can have differences; but sometimes there is a cost and a consequence to a decision to turn your back at a very critical time. This is not about a trade agreement or a company that got its privileges taken away in a copyright violation. This decision cost American lives.

Let us stand up today and let them remember that. They are going to continue to be our friends, and I am going to continue to be a supporter from Turkey. But I want them to understand that we can never tie these issues together. Some of this money will be used to bring home our dead. The fact that we are allowing this money to be in this bill is wrong. I would ask Members to stand up today and support the Cunningham amendment and let us save Turkey economic development for another day.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. WICKER).

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

Mr. WICKER. Mr. Chairman, I join the chorus of Members who have commended the gentleman from California (Mr. CUNNINGHAM), who is a patriot and is exactly right on so many national security issues, but I have to oppose this amendment. I believe it would be ill-advised to allow our short-term emotional feelings to affect the long-term security of this Nation and of the world.

The nation of Turkey has been an ally of the United States for more than 50 years. During the Korean War, 717 Turkish soldiers lost their lives fighting on our side, and more than 2,000 were wounded. After September 11, 2001, Turkey voted in NATO to invoke article 5 of the Defense Treaty and join the coalition to fight al Qaeda and the Taliban regime, allowing access to airspace and providing intelligence within 24 hours of that vote.

The U.S. is right now working with Turkish forces in the Balkans, the Middle East, and the Caucasus. Currently Turkey is allowing flyover rights, supporting our resupply lines, allowing humanitarian aid and the evacuation of our wounded to cross their borders.

Although Turkey's Parliament did not vote as we wanted, we need to remember that over 90 percent of their Parliament is brand new at this idea of governing. They were just newly elected, and more members of their Parliament voted in our favor than voted against us. It was only a parliamentary requirement that caused the issue to fail in Parliament.

I think the actions of the Turkish Parliament were irresponsible and wrong, but two wrongs do not make a right. And certainly let's not compare Turkey with France and Germany on this issue. Turkey's leadership has supported the United States throughout. It has not been Turkey who has gone globe trotting all over the world, rounding up Security Council votes against the United States' position. It was not Turkey which did this.

Further, I think it is inaccurate to make the analogy that the gentleman from California (Mr. CUNNINGHAM) made with regard to what we do with our children. Turkey is not our child. Turkey is our ally, our partner in NATO. We can love them as a child and love them as an ally, but we must not

forget that Turkey is a sovereign nation, a nation whose friendship we need and whose friendship we have enjoyed.

This appropriation issue is a matter of this House exercising its discretion and prerogative. We have the power of the purse. We can make this decision as a Congress. The Constitution gives us that right, but it also gives us the responsibility, I believe, to listen to the best minds on Earth on this issue. The Secretary of Defense yesterday told Congress that appropriating this money is in the national interest. That has also been the message of Secretary of State Powell, National Security Advisor Rice, and most importantly the President of the United States. I urge defeat of this amendment.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Chairman, I rise in strong opposition to this amendment which cuts the President's $1 billion request for wartime aid to Turkey. I too join in the commendation to the sponsor of the amendment for his patriotism and to the goodwill for those Members that support it. But with all due respect, and I was with the gentleman from Michigan in Turkey 2 weeks ago, the suggestion that Turkey, in the exercise of her democracy, is somehow responsible for putting American soldiers in harm's way I believe is a misplaced and inaccurate argument.

We are not at war with Turkey. We are at war with Iraq. Do not transfer the atrocities of Iraq to the decisions of a longtime democratic ally. What is being discussed in the essence of this amendment, I would respectfully suggest, is a very short-term American memory; and if we really want to calculate what advantage the American men and women, the brave American men and women who are on the battlefield now have gotten or not gotten from Turkey, why are we not calculating the last 12 years where Turkey has provided the authority for American and British pilots to control northern Iraq and contain Saddam Hussein?

□ 1515

One of the principal reasons why the disparity of power is so great and so much in our favor in the fight right now is because Turkey allowed the United States for the past 12 years to diminish the capacity of Saddam Hussein and diminish his atrocities; but there is no mention of that with respect to this amendment.

Following September 11, Turkey demonstrated a steadfast commitment to aiding the United States by leading the international security assistance force in Afghanistan. Let us not underestimate that. When we were attacked in New York, in Washington, in Pennsylvania, when it was our blood that was being spilled and when our forces left Afghanistan, whom did we hand it over to? We handed it over to a willing Turkey, a country that is almost 100 percent made up of Muslim citizens; and they took our battle and they took it willingly. And to suggest that because they exercised their democracy, even though we may be disappointed by the decision, that they are somehow responsible for the letting of American blood I do not believe is the message that the United States should ever suggest to an ally like Turkey.

We are fighting in Iraq to destroy Saddam Hussein's weapons of mass destruction, but I also thought we were fighting to liberate the Iraqi people, to help them install a democracy. So what is the message? That the United States is their friend if they are a democracy only when they decide in agreement with what we believe?

Is there no room for allies in the midst of a hot debate, in the midst of competing interests to have honest discussions, and do there have to be catastrophic consequences if a country disagrees?

If I were an ally of the United States today, the message that I would get from this amendment is they are only as good as long as they agree 100 percent, but if they spill their blood with the United States for 6 decades like Turkish soldiers have done shoulder to shoulder with American soldiers, if they spill their blood for 6 decades, but they exercise their democracy and come up with a differing result, then the United States says all bets are off.

We are better than that. We are better as a people, and we owe it to our soldiers that are fighting now to defeat this amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of the Cunningham amendment to strike $1 billion in foreign aid to Turkey.

Turkey is a NATO ally; and because of its location just to the north of Iraq, it was strategically important to the United States in our military plans to remove Saddam Hussein from power.

But at a time when we needed Turkey the most, on March 1, 2003, the Turkish Parliament rejected a resolution to allow 62,000 U.S. troops, 255 planes, and 62 helicopters to enter Turkey.

Saddam Hussein is a ruthless, pathologically aggressive dictator with a history of attacking several countries bordering Iraq. Our country has incurred many casualties. We spent billions of dollars to help reestablish the reign of peace and stability throughout the Middle East. Why is Turkey not giving us $1 billion?

And these fair-weather friends in Turkey, are they even grateful that the United States is giving them $1 billion in American taxpayers' money, money that is extracted from the paychecks of waitresses, secretaries, and small businessmen? The answer is no. Recently the Turkish Ambassador to the United States stated, ''This is not something Turkey has asked for. It is a unilateral action by the U.S. administration.''

We are giving $1 billion to Turkey in the name of friendship when it is clear to anyone with common sense that friendship cannot be bought.

One billion dollars is a lot of money. It is enough to send 250,000 American children to college on Pell grants. Let us use our taxpayer dollars wisely.

I urge my colleagues to vote ''yes'' on the Cunningham amendment and strike the $1 billion in foreign aid to Turkey.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the ranking member on our Committee on Appropriations for yielding me this time.

I rise in opposition to this amendment, but I certainly understand where the distinguished Member from California is coming from. But in a bill that includes $7.5 billion in direct assistance and authorization for another $19.5 billion in guaranteed loans with the full faith and credit of the United States behind them, Turkey needs to be part of this package. They are too strategically an important ally not to be because they are a member of NATO, they border Iraq and Iran. They are, in fact, cooperating in our battle with Iraq, with Saddam Hussein more than with the Iraqi people. But if we are going to be successful in a long-term war of winning over the hearts and minds of the Islamic people, more than 1 billion people throughout the world, that is where we need Turkey the most, to move this world in the direction of democracy, of free enterprise, and of individual rights.

Turkey is a secular society and a truly democratic electoral system, and we cannot have it both ways. We cannot urge countries throughout the world to in fact democratize their political system, but then when they do not act according to our will but rather reflect the will of their people, we reject it and we want to hold back money. We cannot do that. We cannot have it both ways in Turkey or any other country; and that is really what this is all about. When 90 percent of the Turkish people are opposed to the war in Iraq, of course 90 percent of the Turkish people are Islamic, it is perhaps understandable; but we ought to respect that and respect Turkish leaders and work with them.

Turkey needs to be a member of the European Union. One of the reasons they are held back is because of corruption, which at least has been endemic in Turkey, and human rights abuses. We need to use this money, in my opinion, as leverage in advancing America's priorities, the priorities of the American people in terms of human rights and democratization.

There is a woman by the name of Leyla Zana, for example, who goes on

trial today. She has been in prison for 11 years. When she was inaugurated a duly elected member of parliament, she made a speech urging that the Kurdish minority work with the Turkish majority in a more integrated and peaceful society. That is a tinderbox in Turkey. Turkey needs to work with the Kurdish minority. Many of us were concerned about the Turkish military going into the northern part of Iraq into the Kurdish zone for fear they might attempt a military occupation. Turkey needs to understand that we provide this money, but we expect them to integrate the Kurdish people within their entire society and, in fact, their economy.

So that is our objective, advancing America's priorities; and America's priorities are more consistent with Turkey's long-term priorities than many of the countries that we are providing aid to today.

So I urge the Members of this Congress to support the $1 billion and in fact the additional $8.5 billion in guaranteed loans for Turkey, but then not to shrug our shoulders and turn our back but to work with those in the Turkish society and in politics who want to modernize Turkey, to enable it to become a member of the European Union, a bridge between East and West and one of the shining examples that democracy can work and human rights can be observed throughout the Islamic world.

I urge defeat of the amendment for that reason, but I congratulate the Member for raising the issue.

Mr. YOUNG of Florida. Mr. Chairman, I would like to inquire as to how much time is remaining for the proponent and the opponents.

The CHAIRMAN. The gentleman from California (Mr. CUNNINGHAM) has 19 minutes remaining. The gentleman from Florida (Mr. YOUNG) has 9½ minutes remaining, and the gentleman from Wisconsin (Mr. OBEY) has 4½ minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2½ minutes to the gentleman from Missouri (Mr. BLUNT), the distinguished majority whip.

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding me this time.

As my friend from Virginia just said, I share his admiration and appreciation for the gentleman from California (Mr. CUNNINGHAM), one of the true heroes of this Congress, a person who has defended our country, who thinks about those who are in harm's way, who appreciates what they do only as one who has bravely stood there, appreciates what they do, and I appreciate his sense that this is a topic that we need to discuss because we do need to discuss it; and our friends in Turkey need to hear the discussion. We have been disappointed with their actions in recent days. In fact, someone just stood up a minute ago, another friend of mine, and said Turkey disappointed us when we needed them most. I think that would be hard to evaluate when we needed Turkey the most because we have needed Turkey often and we have needed Turkey for a long time, and they have been there on all previous occasions.

If we were going to have a debate on this floor about who was the most valued NATO ally, certainly our friends in Great Britain today and in this moment would rank at the top of that list, and they would be widely appreciated. But if we had to look over the history of NATO, certainly as we had that discussion, we would have to have that discussion, and it would have to involve Turkey. Turkey, because of its location, has been at the focal point of so much of the world's chaos and in the last 5 decades has been at that focal point as well. Turkey, who during the 45 years of the Cold War stood facing the Soviet Union on the north, the bulwark of stopping the advance of those that we saw who opposed our way of life and what we did at that time, they stood so firmly and so strong that we prevailed in that great conflict of ideology. Now Turkey has had to turn and face the south as the hotbed of the world borders Turkey on the south, and they face the south as a great and dependable friend of ours. Certainly Turkey has had a change based on their democracy. The government has changed. The government is working hard, in my opinion, to continue that strong friendship with the United States. They do need to be part of the European Union. They have been discriminated against for many reasons. They need to move in the right direction. We need to encourage that both economically and socially and politically.

This continues to move Turkey in that direction. It continues to show that we appreciate those who 90 percent of the time and plus in the last decades have stood with us.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Chairman, it was not long ago we were standing in this place voicing our support of the troops; and when we were voicing that support, I think some of the most poignant remarks came from the soldiers in our midst.

It is hard to imagine what it is like being in the middle of a war for those that have not done it like myself. However, the sponsor of this amendment has been there. He has had the experience of being a soldier in a very perilous situation, and I think today that the sponsor of this amendment is putting himself in the place of the soldiers that are serving us in this conflict right now.

We have not forgotten what Turkey has done for us. My brother-in-law is a Korean War veteran, and we appreciate their friendship and their support through the years. But one of the qualities of friendship is steadfastness, being able to call on a friend in one's time of need. Turkey has failed us now in this present situation. In fact, Under Secretary Wolfowitz told the House of Representatives on March 27, ''There is no question if we had had a U.S. armored force in Iraq right now, the end of the war would have been closer.''

□ 1530

Every one of us in this Chamber, every citizen in the United States, wants this conflict to end as soon as possible. If Turkey had done what the United States had requested and needs, and given their full support and assistance, many lives would have been saved. The soldiers that my distinguished colleague identifies with that are in this conflict today, many of them would not have been killed.

I find it offensive that we would say to the families of those soldiers that have been lost, we are going to reward Turkey's behavior by giving them $1 billion in aid today. I think there are consequences when nations take action that harm our soldiers, and I would ask that we support this amendment that is given by the heart of a soldier.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman for yielding me this time.

Turkey may need assistance, but today is not the day to approve that assistance. Today we send a clear signal to America and the rest of the world that we support our troops. Turkey has not supported our troops.

The U.S. over the last number of months has consistently and frequently consulted with Turkey as to the direction of the war with Iraq and the role that Turkey would take. Turkey allowed us to make improvements to their infrastructure. We invested millions of dollars, contracted with Turkish companies to work, yet they would not allow us to deploy our troops. The Pentagon supported their economy by purchasing Turkish-made apparel for U.S. troops for 1 year, waiving a Buy America provision, sacrificing American jobs for Turkish jobs. The U.S. continues to promise protection to Turkey in the event of an attack. That is more than what we can say Turkey did for us.

Turkey has been an ally for a long time. So maybe sometime in the future would be the appropriate time to come back and take a look at how to help a friend with tough economic times. But in this vote, where we are supporting our troops in our war effort, this is not the place to reward Turkey.

Let us remove this from the bill. Let us make this a clean bill that signals to our troops that we stand with them and that we will be with them through the conclusion of this war effort.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the very distinguished gentleman from Nebraska (Mr. BEREUTER), a leader in this House.

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

Mr. BEREUTER. Mr. Chairman, I rise in strong opposition to the Cunningham amendment.

We have heard a lot about the distinguished history of Turkey as a NATO ally, and as an ally in Korea as well, and in Afghanistan leading the ISAF for 8 months, and in Operation Northern Watch over Iraq where they provided the air base for our flights for the last 12 years. They have been an incredibly faithful ally.

Now, what happened in Turkey is really this, when it comes down to it. They had an election in November. It swept in a new party. Ninety percent of their national assembly is new. This party, the Justice and Development Party, had never been in power; and never had even shared power before. And through inexperience and incompetence they were surprised to have lost the vote. They got the plurality. They had too many absentees and too many abstentions and they were surprised that they did not have the absolute majority vote.

This is not the time to punish Turkey for that inexperience.

Their own party leader, a charismatic man, was not eligible to serve in the Parliament at that time. Now he is the Prime Minister.

They have done an incredible amount of things, but the other thing I want my colleagues to consider is that they were the biggest loser in the Gulf War. Not the United States in terms of costs, no one else; the cost to them was somewhere between $60 billion and $80 billion, unreimbursed. We had our costs paid for, primarily so, by Kuwait and Saudi Arabia.

Now, let us see what Condoleezza Rice said in behalf of the President today. She said in this letter addressed to the chairman, ''American and Turkish soldiers stood side by side during the Cold War and on battlefields from Korea to Afghanistan. The President's supplemental request recognizes and reflects that past, and his desire,'' that is the President's desire, ''to strengthen the relationship further. This assistance . . . can play a significant role in bolstering the U.S.-Turkey partnership.''

This is not the time to undercut our President. And this very moment is certainly not the time, because the concessions and the kind of agreements recently conveyed to Colin Powell says Turkey is there for us.

Please defeat the amendment. The costs for passing this amendment are extraordinary.

Mr. CUNNINGHAM. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman from California for yielding me this time.

I rise in support of this very important amendment. I think the debate itself is a very important one.

It has been said that this amendment is emotional. I am not sure where folks are coming from. A lot of what we do up here is certainly emotional, and certainly not everything we do up here is logical. But I will say this, in terms of the logic of this important amendment, if we can picture Baghdad and if we can picture the 3rd Infantry Division, the 3rd Infantry Division whose patch I am proudly wearing today because it was given to me by one of the military officer's wives back at Fort Stewart in Georgia, and I have the proud honor of representing the 3rd Infantry. Mr. Chairman, 18,000 troops right now are in the war theater who are my constituents.

Now, they have gone up the Euphrates River and they are a little bit southwest of Baghdad. Now, in the original game plan, the war plan, the 4th Infantry was to be on the north of Baghdad. The idea was that they would come over from the Turkish border and then they would be ready, and we would have Baghdad in kind of a pincher movement. We would have troops on the north, heavy armor; we would have troops on the south, heavy armor. Instead, what we have because of Turkey's wishy-washy position, because Turkey could not make up their mind, we have the 3rd Infantry Division fighting basically the full force of Baghdad on their own. Now there are folks from the 4th Infantry Division getting in place, but there has been anywhere from a 2-week to a 1-month delay.

So what I am saying to my colleagues is, you know what? Maybe if you were from Hinesville, Georgia, maybe if you were a member of the 3rd Infantry Division, maybe if you are looking at the Republican Guard in the face, maybe you have a right to show a little bit of emotion. For Members here to take kind of this intellectual high ground and suggest that the gentleman from California (Mr. CUNNINGHAM), who is one of our brave combat veterans of Vietnam, to suggest that he is not entitled to some emotion on a situation that regards troops in harm's way, I think that is somewhat of a slight.

But I want to say this to the gentleman from California: The gentleman is entitled to be emotional anytime he wants, and by golly, I think our folks from the 3rd Infantry Division are. I want to say this. Back in the 1970s, when the gentleman was in Vietnam, I am glad the gentleman was emotional.

But I want to address some of the logic here that people so proudly say they have. We have 49 countries in our coalition. I will ask Members, do my colleagues know how many of those are getting monetary support from the United States? Twenty-two of them. The reason why I point that out is many people are saying, this is no way to treat an ally. Well, wait a minute. If we are only giving money to 22, what about the others? Are they not entitled to it? Are they going to walk around saying, well, we have to question being allies of the United States of America because they did not give us money?

Now, it has been suggested that this is the only money for Turkey. Remember, this is $1 billion. We gave Turkey money just a month ago in our regular fiscal year 03 budget. We will be giving Turkey more money in our regular fiscal year 04 budget. We have given Turkey aid money for the past 5, maybe even 10 years. I am not sure of the exact number of years, and I am not sure of the exact level. I think it is in the $200 million range.

But people are coming up here acting like this is Turkey's one shot for money. It is not. It is a $1 billion support check. That is a lot of money.

If we support the Cunningham amendment, we will get a second shot at Turkey, for those of us who feel that we should support them. They are allies and I think we should have some level of support for them, but we might not need to do it right here, right now. Let us wait until the fiscal year 04 budget and take a look again.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding me this time.

The debate has been a little surreal because we have had such impassioned speeches about Turkey as an ally and how could we do this to them, how could we deprive them of this money, which they did not ask for? The Turkish Ambassador, Faruk Logoglo, said yesterday, ''This is not something Turkey has asked for. It is a unilateral action by the U.S. administration.''

Mr. Chairman, this is $1 billion they did not ask for, they do not expect, and yet now it has become an imperative in this bill, making emergency wartime supplemental appropriations. Why? Why now? Why is it in this bill?

As the gentleman who spoke before me said, there will be a time and place to debate aid to Turkey and the many other worthy nations around the world who need United States assistance. But should not this bill be more focused?

Remember, we are borrowing every penny. Every penny of the $74 billion in this bill will be borrowed. We do not have the money in the bank somewhere. It is not coming from a contingency fund. It is going to be borrowed. So we should borrow $1 billion to send to Turkey who has not asked for it, and if we do not borrow the money to send to Turkey who has not asked for it, we are somehow penalizing them. I do not think they will see it that way. It does not sound like the Ambassador is going there.

There are other needs that are unmet in this bill. The gentleman from Wisconsin attempted to enhance homeland security, port security. I serve on the Subcommittee on Coast Guard and Maritime Transportation of the Committee on Transportation and Infrastructure, and the Committee on Homeland Security, and I can tell my colleagues, our ports are not safe. We have not done everything we need to do. We need more funds to make those ports safe. The most likely way of delivering a weapon of mass destruction

in the United States is not an intercontinental ballistic missile, it is a container on a rogue ship. That is how it will get here in all probability.

So why are we not making those investments? We could spend, if we need to borrow this extra $1 billion, there are a lot of ways to spend it. We could even spend it here at home. There is $3.4 billion in this bill to rebuild Iraq: 6,000 new schools, universal health insurance. Guess what? We have 44 million Americans uninsured. We have cut Medicaid in my State. I have thousands of Oregonians who do not have health insurance, that need work. Our schools are crumbling. We cannot run a full school year. We could take this $1 billion and spend it here in the United States of America. I have to question a lot of the foreign aid that is in this bill and the priorities that are being set here.

So therefore, I rise in support of the gentleman's amendment, and if this is successful, that would be good; and if not, I will offer an amendment later to reduce the funds to Turkey to fund National Guard weapons of mass destruction civil support teams which my State and 17 other States do not have, which have been authorized by this Congress, but we do not have enough money to fund them; but we can send $1 billion to a country that did not ask for it and does not want it.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Chairman, I just returned from Camp Lejeune, went down with the President and the gentlemen from North Carolina (Mr. MCINTYRE) and (Mr. BALLANCE), my colleagues, to say thank you to the families of those who have lost loved ones fighting this war in Iraq.

I just want to say I join my colleagues on both sides of the political aisle. I think it is time that this Congress start looking at what is important to this country.

Let me give an example. Veterans. I have 61,000 veterans in my district. Many of my colleagues in this House have more than that, but I have 61,000 veterans and retired military combined. Yet every year when we debate concurrent receipts for those men and women who have served this Nation, it is also a major issue of where are we going to find the money? How are we going to help those who have served this Nation?

I believe sincerely, and I know that through history, Turkey has been a friend of this Nation and maybe it is now and maybe it will be in the future, but I agree with my colleagues, this $1 billion is unnecessary. The gentleman that spoke before me just said that Turkey has not even asked for the $1 billion. I am saying to this Congress that this is going to be a tough budget year, there are going to be a lot of tight decisions that we have to make, and let us take this money and let us spend this money on the American people.

□ 1545

Let us spend the money on the people of this country who have served this great Nation, like the gentleman from California (Mr. CUNNINGHAM); and God bless all who are veterans and retired military.

I hope that, as we vote on this amendment today, we will support the gentleman from California and that we will remember that those who have served this Nation, whether they be retired military or retired veterans, that they have a right. This government made a promise, we will help you if you serve this Nation. If Turkey does not want the $1 billion, let us take it back and spend it on to those who serve this great Nation.

Mr. Chairman, God bless America, and God bless our men and women in uniform.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. KIRK), and I hope that everyone would pay close attention to someone who has a real-life experience on this issue.

Mr. KIRK. Mr. Chairman, I rise in strong opposition to this amendment and stand not so much out of concern for foreign policy, but out of concern for the 3,000 American men and women of the 173rd Airborne Brigade whose supplies are today delivered from Turkey.

To the proponents of this amendment, what would the soldiers of the 173rd do in northern Iraq if the diplomatic incident we cause leads to a cutoff in their supplies? The 173rd needs supplies in northern Iraq. Therefore, the United States needs Turkey.

Prior to my election, I served as a Navy air crewman who flew out of Incirlik Air Base in Turkey against Iraq. For 12 years, Turkey supported Operation Northern Watch and the thousands of Americans like me who flew into Iraq to protect the Kurds in the north.

Under the U.S.-Turkey alliance, the Kurds built two powerful armies in northern Iraq. It is those armies who rushed the Ansar al-Islam and other al Qaeda forces with U.S. special operations this week. Tonight, U.S. airborne and special operations forces are moving with the Kurds against Saddam. Their beans and bullets to fight Saddam are now rolling through Turkey on the way to the front.

Look at the past. Turkey sent troops to fight alongside us in Korea. Turkey sent troops to stand with us in Bosnia and in Kosovo, with me. Turkey replaced us in Somalia and stands with us in Afghanistan. We should not question our Commander in Chief on the eve of victory. We should not cause a diplomatic incident now. Think of the Americans in the 173rd, think of their supply lines, and vote ''no'' as the President, the Commander in Chief, the Secretary of State, the Secretary of Defense, my chairman, and the ranking Democrat member of this committee have urged. Vote ''no'' on this amendment.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I rise in strong opposition to the Cunningham amendment. Condoleezza Rice, the Assistant to the President for National Security Affairs, wrote us a letter:

''Secretary Powell addressed important military, political, and economic issues when he met this week with the Turkish leadership. Both sides agreed to an unimpeded flow of humanitarian aid to north Iraq, and access by American forces to supplies sent through Turkey. Turkey continues to grant overflight rights, and is committed to enhance cooperation on terrorist threats and possible refugee flows into the region, without moving additional Turkish military forces into Iraq. These are very positive steps.''

The President of the United States has requested this $1 billion. We will be acting like the Turkish Parliament acted if we cut this money out. It will be a mistake. This is not the way to rebuild and treat a NATO ally. Let us defeat the Cunningham amendment and move this bill forward.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, if anyone has a right to be upset at the Turks, it is me. I represent Fort Hood, where the 4th Infantry Division is located, the division that was supposed to come down through Turkey. I had met with 50 of the spouses several weeks ago, and have been watching them live under the uncertainty of not knowing what will happen and where their husbands will be deployed.

But this is a well-intentioned but dangerous amendment. While not intended, it could put at greater risk thousands of military soldiers, sailors, airmen, and Marines in Iraq, including the 4th Infantry Division that was involved in this Turkish decision.

Let us support the President, and let us trust the President on this decision in time of war. Oppose the Cunningham amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. OTTER).

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

Mr. OTTER. Mr. Chairman, I join my colleague, the gentleman from California (Mr. CUNNINGHAM), on the floor today, as I joined him on the floor not too long ago when all of us sat in this Chamber and listened to these words: ''If they are not with us, they are against us.''

I think that acid test that was asked for, not too long ago, we asked that question of our friends in Turkey. That question was asked and they failed that test.

True democracies are joined irreversibly at the heart and soul with one great and unyielding truth, that is, their belief in freedom. This surely was

a test of the love of our freedom for this entire world and this entire effort we are engaged in; freedom, I might add, that swears perpetual hostility over any form of tyranny.

I believe this country should have understood, if they had lived that long with that close of a neighbor, that if they did not understand the tyranny that such a tyrant as their neighbor in Iraq was leading that country with, surely they understood that.

I would just close by asking my good friend and colleague, the gentleman from California (Mr. CUNNINGHAM), what would be the price that would have been paid when the wingman left the gentleman's wing the first time?

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Chairman, I hope this amendment passes. If it does not, I will be offering an amendment that goes just half as far as this one and still allows Turkey to obtain substantial benefits for its limited aid to us at this time.

Keep in mind, Turkey will get tremendous benefits during the Iraqi rebuilding program. Her contractors are well positioned to obtain billions of dollars in contracts. Keep in mind that we are controlling the exuberance of the Kurds, who otherwise would be waging war against Saddam's forces more effectively; but we are restraining them because of the request of Turkey.

Therefore, we have already done a lot for our friends in Turkey. We do not need to provide aid that they have not asked for.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Chairman, I rise in strong support of the Cunningham amendment.

Mr. Chairman, this is a difficult decision. As a member of the Committee on International Relations, and coming from a State that has produced not only the current chairman of the Senate Foreign Relations Committee, but also a former chairman of the House Committee on International Relations, Indiana has a great tradition of engagement on international affairs. Hoosiers believe in economic and in cultural engagement.

I am very much aware, Mr. Chairman, of the relationship that we enjoy with Turkey. I am also very much aware that in a matter of weeks we will appropriate another quarter of a billion dollars in assistance to Turkey. I will be first among those on this floor at that time to support that funding, to strengthen that relationship.

This is, however, a different question today. The Cunningham amendment is all about whether or not this part of the national government, which is truly the heart of the national government, should resonate with the hearts of the American people who are disappointed in our friend, the nation of Turkey. It is not that they are no longer our friend, but it is that we are disappointed in recent decisions that have endangered American lives and cost us in our effectiveness in Operation Iraqi Freedom.

I will vote for the Cunningham amendment to stand with the American people, who choose at this time to send this message to that friend.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this is indeed a sobering day as we sit on the floor and debate this important issue while our young men and women in the military are outside the city of Baghdad as we speak.

It is my privilege to represent the 101st Airborne Division, which is present in Baghdad today. When I was first elected to Congress, the military leaders at Fort Campbell reiterated to me the importance of Turkey as a military ally. As a result of those discussions repeatedly over many occasions, I joined with others in the Congress, and we established the Congressional Caucus on Turkey and Turkish Americans a couple of years ago.

With the gentleman from Florida (Mr. WEXLER) and the gentleman from Michigan (Mr. ROGERS) I went to Turkey about 3 weeks ago. We met with not the Prime Minister, Mr. Erdogan, he subsequently became the Prime Minister; and we urged him to allow our troops to use Turkish soil to come into northern Iraq. The Parliament, even though they voted more to do it than they voted against it, they did not get the necessary votes, and they did not pass it. We were disappointed.

I think it has been said repeatedly today, and everyone recognizes, we all agree, Turkey is a valuable military ally. But on another note, I would like to point out today that the real tension in the world today, I think all of us would agree, is between Christians and Muslims and the Jewish faith. Everywhere we look we see this tension.

Turkey has been a perfect example of a Muslim country with a secular government that has good relationships with the United States, with democracies, with the State of Israel. It is the type of model that I think is vitally important for the long term. I think that is one of the reasons that we see that President Bush has requested this money. Therefore, I would urge the Members today to defeat this amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, maybe some of us that have seen our friends killed in action do have a different view. I have personally witnessed the actions of other countries that caused the loss of many of my friends. Perhaps someone that is responsible for killing my friends, American soldiers, I just do not feel that they should be rewarded.

I do not think anyone disputes on this floor that Turkey's action damaged our ability to project force into Iraq, specifically from the north. Turkey's action contributed to the loss of American lives when our paratroopers had to parachute into northern Iraq lightly armed, instead of with a major force.

NOTICE

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 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, THURSDAY, APRIL 3, 2003 No. 54

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Frank Cirone of Ravencrest Chalet at the Torchbearer Bible School, Estes Park, CO.

PRAYER

The guest Chaplain offered the following prayer:

Hear my cry, O God;
Give heed to my prayer.
From the end of the earth I call to You when my heart is faint;
Lead me to the rock that is higher than I.
For You have been a refuge for me,
A tower of strength against the enemy.
Let me dwell in Your tent forever;
Let me take refuge in the shelter of Your wings.—(Psalm 61:1–4)
Know that the Lord Himself is God;
It is He who has made us, and not we ourselves;
We are His people and the sheep of His pasture.—(Psalm 100:3)

Heavenly Father, Almighty God, we come before You today acknowledging You as Creator of this universe and Sovereign Lord over all. We have so much to be thankful for. We bless You for the privilege of living in this land of freedom. We bless You for the wonderful salvation we can have through the shed blood of Your Son, Jesus Christ and life eternal by His resurrection. We praise You, Lord, for the wisdom and peace You give as we call upon Your name.

Sovereign Lord, we pause for a moment . . . to pray for the men and women of our Armed Forces that are fighting for the freedom of Iraq. May they know of Your constant strength, wisdom, and protection through this conflict. May they be reminded of our love, prayers, and support. Please, Lord, comfort the families and friends of lost loved ones in their time of sorrow.

Dear God, empower these men and women of this Senate with Your courage and understanding as they are faced with the challenges of today. Thank You, Lord, for placing them in their positions of leadership as Senators of this great Nation.

As we live in these challenging times nationally and internationally, may we learn to slow down, step up, and stand out in Your strength, allowing Your life and love to shine through our lives publicly and privately so that Your name, O God, will be exalted. Use us today, O Gracious Lord, for Your purpose and praise! We pray all of this in the name of Jesus Christ, Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID, a Senator from the State of Nevada, 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SUNUNU). The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning the Senate will be in a period of morning business until 10 a.m. to allow Members to continue to make statements honoring and supporting our fighting men and women overseas.

At 10 a.m., the Senate will resume consideration of the supplemental appropriations bill. As I announced last night, the chairman has developed a lineup of amendments. Senator BOXER will go first with an antimissile amendment. Then we will try to reach a 30-minute time limitation on her language. I understand following that amendment, Senator BAYH will be prepared with an amendment regarding bioterrorism, and Senator GRAHAM of Florida will have an amendment regarding VA health.

Votes will be stacked in the early afternoon to accommodate the schedules of a number of Senators. The Senate will complete action on the supplemental bill today. If Members continue to cooperate and allow for short debate limitations on their amendments, it may be possible to finish at a reasonable hour today. That is my hope. In any event, we all are prepared to stay as late as necessary in order to finish the bill this evening.

The PRESIDING OFFICER. The Senator from Colorado.

WELCOMING REVEREND CIRONE

Mr. ALLARD. Mr. President, I take a moment to welcome our Chaplain for the day.

Frank and Krista Cirone, with their four children: Andrew, Benjamin, Isaak, and Anikka, live and minister at Ravencrest Chalet of the Torchbearer International Missionary Fellowship. Ravencrest Chalet is a Bible school and Christian conference center in Estes Park, CO. The Cirones enjoy hiking, mountain biking, and snowboarding in the Colorado Rockies.

Frank graduated from Philadelphia Biblical University in 1989 prior to joining the staff at Ravencrest Chalet. Frank is pursuing his master's degree in leadership from Denver Seminary. At Ravencrest, he serves as principal of the Bible school, resident instructor and coordinator of the second year leadership program.

Besides his responsibilities at Ravencrest, Frank spends time traveling and speaking at various conferences and retreats both in North America and overseas. He very much enjoys motivating people to a deeper love for Christ that influences all aspects of daily living through dynamic communication and interaction. I want to thank Mr. Cirone and his family for

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

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making the trip to Washington, DC and participating today in the opening prayer of the Senate.

SUPPORTING OUR TROOPS

Mr. FRIST. Mr. President, I have a short statement to make on our troops.

Very briefly, we have taken a period of time each morning to comment on the wonderful work and tremendous commitment and dedication our troops are displaying overseas for us, and we have had the opportunity to comment on the families at home, offering prayers and support for their children, and in many cases for their spouses and their parents as well. They know the men and women are fighting for liberty, democracy, and peace.

This morning, my thoughts and prayers are with the family of the soldier who died during Operation Iraqi Freedom, SP Brandon J. Rowe, Company C, 1–502nd Infantry, 101st Airborne Division, Air Assault, Fort Campbell, KY.

Two sentences caught my eye from the Army news release:

> Specialist Rowe epitomizes the best of our country—a brave soldier—who exhibited courage, selfless service, and honor in abundance. His ultimate sacrifice has contributed immeasurably to the freedom and security of both Iraq and the world.

While liberating Najaf, the 101st Airborne has been met over the last 48 hours by grateful people waving and clapping hands and saying, ''Good job.''

Quoted yesterday in the Washington Post, LTC Chris Hughes, a battalion commander in the 1st Brigade:

> We waited about an hour and a half, and the hair on the back of my neck began to stand up. The crowd got bigger and bigger, so we pulled back out. But it was like the liberation of Paris.

Our newspaper in Nashville, the Tennessean, reported yesterday that a soldier in the 101st will soon learn he is a new father—again showing the many dimensions of this war and its impact on families and the feelings families are expressing and sharing among themselves. SGT Chris Schornak's wife Robyn gave birth to Tristan James Schornak at 2:01 p.m. on Tuesday. He was born at NorthCrest Medical Center in Springfield. The mom and young Tristan are doing well and will soon be living with relatives in Franklin, KY.

Again, these are faces of our families and our troops, and to all of them our thoughts and prayers continue to go out.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with the time equally divided between the Senator from Texas, Mrs. HUTCHISON, and the Democrat leader, or their designee.

The Senator from Colorado is recognized.

HONORING OUR ARMED FORCES

Mr. ALLARD. Mr. President, Members of the Congress have been receiving reports on a daily basis on the conflict in Iraq. At these briefings, I report back to Members of the Congress and America that things have been going well, much better than many expected, in the war in Iraq.

What we have been getting out of these briefings is just how highly trained are our men and women in the Armed Forces and how the technological developments of this country have helped make their job easier on the battlefield. We have learned to appreciate their courage and commitment to protecting America's freedom.

Today marks the 14th day of Operation Iraqi Freedom, and the fight for freedom continues in the Middle East. Our brave members of the U.S. military have shown the entire world how truly committed the United States is to ending the dangerous regime in Iraq. By sacrificing their lives so those in Iraq can finally be allowed peace, coalition forces continue to courageously march toward Baghdad.

During the last 2 weeks, I, along with many of my colleagues, have continued to come down to the Senate floor daily to honor our troops and praise their valor. While we stand in the safety of the Capitol Building, our words will not be heard by those who are directly in harm's way, but the words are still needed.

It is important for us to continue to honor these men and women, some of whom will not come home, who fight for freedom and the safety and security of the United States of America. I would like at this time to honor some of those brave men and women from my home State of Colorado who this very day are being moved into the Persian Gulf.

The 3rd Armored Calvary Regiment as well as the 3rd Brigade Combat Team have been deployed from Fort Carson over the 3 weeks and continue to do so today. Many of these individuals have been waiting for the chance to stand shoulder to shoulder with their comrades already participating in Operation Iraqi Freedom. I salute them for their bravery.

It is clear that after all of the deployments from Fort Carson are completed, it will mark the biggest mobilization from the base since World War II. I sincerely hoped that the course of events that have led to the mobilization of soldiers not only from Colorado but those stationed all over the world would not have happened. But it was apparent from the beginning that our Armed Forces would need to be involved in the manner that they are now. And they have performed admirably. I pray for a safe return for our troops and that this conflict can end as soon as possible.

I would be remiss if I did not mention the names of our military personnel who will not be returning home. I offer my condolences to those families whose sons and daughters have already been lost. To the families of LCpl Thomas Slocum and Cpl Randal Kent, I give my deepest and most sincere sympathies for the loss of their sons. In their passing, they have continued the valued Marine Corps tradition of esprit de corps, and I will continue to pray for you as you mourn your loss.

Our thoughts and prayers are with our Armed Forces both at home and overseas. Our thoughts and prayers are with the families and friends. God bless America.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. REID. Mr. President, it is my understanding that the time is equally divided this morning; is that true?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. We have a lot of speakers here. How much time does the minority have?

The PRESIDING OFFICER. The minority has 10 minutes.

Mr. REID. And how long does the majority have?

The PRESIDING OFFICER. Approximately 5 minutes.

Mr. REID. We have a problem right here to begin with.

Mrs. HUTCHISON. Mr. President, if I can just assure that we are covered.

Mr. REID. OK.

Mrs. HUTCHISON. We have Senator DAYTON and Senator CORNYN, and if there is any time left I will take it.

Mr. REID. I will yield whatever time needed to the Senator from Minnesota.

Mr. DAYTON. Mr. President, I rise also to pay tribute today to the heroic men and women of our Armed Forces who are performing so well on behalf of our country in Iraq. Their courage, their patriotism, and their valor represent the finest traditions and the best values of the American military and of the country which they serve. They have fought brilliantly, they have fought bravely, and they have fought successfully. They have now advanced to within 10 miles of Baghdad. They have been victorious thus far. They will be victorious from now on. And they will be victorious in the end.

To the brave women and men who gave their lives in the service of their Nation, to their families and friends, the people they love and the people who love them, we express our heartfelt gratitude and our deepest sorrow and condolences. We are in awe of your courage, your heroism. As the families and friends of those fallen heroes who are your friends and neighbors, your coworkers and church members, we know that you have suffered the most grievous losses and must be suffering inestimable pain. Our hearts go out to

you. Our prayers are with you. We stand beside you ready to help in any way we can.

We say also to the families and friends of American soldiers wounded or captured or missing or still fighting or still deployed in Iraq, please let us know how we can support you and assist you during these difficult times. Our prayers are with you also for the swift recovery and safe return of all of our troops back to their country, their fellow citizens who are so proud and so grateful of them.

I also want to pay my respects to the military command responsible for the planning and execution of this engagement. Secretary Rumsfeld, Chairman Myers, the Chiefs, you have served our country and you continue to serve our country with great honor and distinction in carrying out your duties, your oaths of office to the best of your abilities. You are succeeding. You are winning this war. Some may not agree with everything you are doing. I don't agree myself on everything. But you have earned my utmost respect and admiration for your dedication and patriotic service to our country. You do not deserve the backstabbing, the second guessing, the carping, the Monday morning quarterbacking which has dogged your every decision. Former President Dwight Eisenhower once said:

> Any high school kid can do better with a presidential decision with 20/20 hindsight than a president can at the time when he only has partial information and is operating by his wits.

It is all too easy for someone with a military background to sit in judgment in hindsight. I do not disagree with their constitutional right to do so. I dispute their judgment in doing so. I question their motives for doing so, as some appear to be vying to become the next network analyst or the next Geraldo.

As the saying goes, actions speak louder than words, and the actions of these brave men and women fighting on our behalf, winning on our behalf, speak loudly. They drown out, they overwhelm any naysayers of their conduct and decisions they are carrying out, which, as I say, will be victorious for our Nation and we owe them our inestimable gratitude.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. COLEMAN. Mr. President, it is an honor to join my friend and distinguished colleague from Minnesota, on behalf of the people of Minnesota, to express our support for the courage and skill of our troops fighting at this hour in Iraq. As the majority leader noted when we began this session this morning, my prayers also are with those who have died and their families. May God watch over them. Folks who are out there should know, and their families should know, there are a lot of prayers in the Senate and a lot of prayers in America now for our fighting men and women and those who have fallen.

I had a chance to talk to the family of PVT David Mahlke, a 19-year-old kid from Winona, MN. He graduated Winona High School in 2001. He was wounded, with the 3rd Infantry Division. He is recuperating, doing well. I was talking with his mom. She was waiting for a call from him. She said: If the call comes through, I am going to cut you off. And I said: Go right ahead, ma'am.

I want the Mahlkes and all the other families in Minnesota to know we are praying for them, we are behind them. As my distinguished colleague from Minnesota noted, this is not a partisan thing anymore. We are there. We are with them and so thankful they are there.

Over 100 years ago, Alexis de Toqueville said:

> The strength of America is not in its government or even its economy, but the quality of its average citizens.

Never has this been more true than for the struggle for the freedom of Iraq. Every single American soldier, sailor, airman or woman in this conflict is a volunteer. How astounding that is. They stepped forward to risk their lives on behalf of the ideals and safety of the American people, and they are willingly, enthusiastically, and boldly laying down their lives for us.

In that we are grateful. They are not just willing to die for their principles and our principles, they are living for them. The skill and compassion and care being demonstrated by the troops in the field is America at its best. It is far from the scenario we all feared: that war would demonize America in the eyes of many.

I, too, have been frustrated and angered by the second-guessing and sniping by some members of the news media. I am reminded of the story of President Lincoln, who received a series of letters from a God-fearing woman who told him: Mr. President, God has told me we should move troops here and there, during the Civil War, and hire this general and fire this one.

Lincoln responded very briefly saying: Ma'am, I find it amazing, indeed, that the Lord Almighty has given you all the answers but has given me the job.

There is a time for legitimate debate in public and among our Nation's leaders. We had that. Resolutions approving the use of force were approved by decisive, bipartisan margins in the House and Senate. Legitimate protests in favor of diplomatic solutions continued. But in my mind, that all changed when the Commander in Chief sent young American men and women into battle.

I want to say a word to the rest of our citizens. In a previous war, there was the expression, ''They also serve who only stand and wait.'' In my view, that does not apply now to those who simply sit and watch. It is good to be informed but we have to do our jobs as Americans. Let's at times shut off the TV; let's go out there, roll up our sleeves, and make this a greater nation for the troops to come home to.

Ordinary citizens are winning this war and ordinary citizens in towns across Minnesota and America need to sacrifice and work hard, to use all their skills to get things done for America, right now, today.

I am also hopeful these events will have an effect on our work here in the Senate. We don't have Democrat units and we don't have Republican units. We don't have conservative or liberal generals. The political labels would seem silly and irrelevant in comparison to the importance of the task.

Maybe we could catch some of that spirit around here. The American people want solutions, not a partisan rugby match, and we should give them what they want.

Finally, let me close on a different note. Those of us in our Nation's Capitol these days are experiencing a stark irony. On one hand, there is a somber mood about the war, as we receive the reports of danger and sacrifice. But at the same time, the city of Washington is bursting with the beauty and hopefulness of spring. The cherry blossoms are in full bloom. They are famous all over the world. But these cherry blossoms have a tale of hope for us all in these times, and I will tell it very quickly.

The Washington cherry trees were a gift to the American people from the Emperor of Japan in the 1890s as an expression of friendship. In World War II, allied bombing of Tokyo resulted in the death of most of the cherry trees around the Emperor's palace. After the war ended, a group of Washingtonians took a set of cuttings from our trees here and brought them back to Japan to restore their trees. If you travel to Japan, you will see the trees which grew from Washington's tree which came here as a gift.

We are not fighting in Iraq for oil or territorial ambition. We are fighting to protect our own people in a world that has brought threats to our doorstep. We are fighting as the only hope for the freedom of the people of Iraq against their tyrant. Justice is being done. But what the world is about to see will have an even greater impact.

As we move to rebuild Iraq, the people of the world will see American generosity and ingenuity and values at their best. A dark cloud on the future is being removed and a new light is about to shine.

Let's do our part, my fellow Americans, and make this a better country today before we go to bed tonight, as a tribute to our brave men and women who are fighting for us around the clock. Our prayers are with them. Our support is with them. May God bless them all.

May God bless the United States of America.

The PRESIDING OFFICER (Ms. MURKOWSKI). The time on the majority side has expired.

The Senator from Nevada.

Mr. REID. I am happy to yield time to the distinguished Senator from Montana, who represents, among other things, the Marine Corps.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. I thank my good friend from Nevada. I am having a little trouble getting organized today. I will try to pick it up a little bit to the likings of the assistant minority leader.

I am glad my good friend from Minnesota, who is newly elected to this body—and, I will tell you right now, he is a contributor, and I think he has a great future here—did bring us back to reality. The city of Washington does have quite a lot of beauty. As the cherry blossoms are out and the blossoms start to open here, I always think: Every spring, no matter what the conditions are in the world, or the problems and trials of serving in a legislative body, or an economy that continues to struggle and is on the minds of all of us as is this situation we find ourselves in, in Iraq—every spring, as we look around this city, I just think it is God's picturesque way of reminding us of the Earth's renewal. It comes every spring just as a reminder that that is one institution that we haven't been able to change.

I have a resident of Montana who is at Walter Reed Army Hospital, Army SGT Charles Horgan. I haven't been able to get out and visit him yet. He is from Helena, MT. He is recovering out there from wounds received in Iraq. I am sure the hearts of everybody who shares our concerns about one life, one human, go out to him and his folks today.

Back in 1991 I had a chance to visit a Marine unit out in the desert. It was my old Marine outfit in which I served, F–212, 3rd Marine Division. But I served back in the stone age. These are the new warriors with new equipment, new technologies. I did that back in 1991.

The mindset and the American institution of the military and their enormous ability to withstand hardships for a principle and a way of life is almost above human imagination. As we were flying out in that desert, the commanding officer, Walt Boomer, General Boomer, called me. He said: Senator, they may complain a little bit that they are not getting mail.

I said: We will try and handle that. But if you figure we had 400,000 to 500,000 people in the Middle East, if everybody wrote a letter to every soldier, sailor, marine, coastguardsman, or airman over there, that is a lot of mail to handle per day, to try to get it out to the right people in a timely fashion.

But I found out that was not what their complaint was. They were out of tobacco. We finally helped that situation.

There is a long tradition of writing letters and sending care packages to the troops stationed away from home, but the general public is urged not to send unsolicited mail, care packages, or donations to the service members now deployed in Iraq. The Department of Defense has set a strict policy of only family members sending mail and packages to their service members. So if you want to write to a person over there and he is not in your immediate family, we ask that not be done.

So this leaves many people at a loss when they want to help support the troops, to say thank you, but have no direct point of contact. We see that they are finding ways, through American imagination, to take care of that. Even without those care packages, there are many other efforts that can be made to support our troops in the field and also their families at home.

I have put together an information pamphlet, which is available in all my offices in the State of Montana, that includes national programs and local Montana programs set up to allow people to extend a helping hand to our soldiers but, more importantly, I think to provide support for their families at home. I call it Operation: Homefront. It is a program I have set up to easily and efficiently inform people about how they can help or contribute to this operation.

There is nothing better for the morale of our troops. We understand the sacrifices they are making. We understand where they find themselves. And they also understand us who are trying to support them and their families any way that we can.

It is also comforting for those in the field to know their loved ones back home are being taken care of when push comes to shove.

I think Operation: Homefront will be an excellent tool for getting information out to people. Supporting our troops is something we think about every day. We appreciate their risks and the sacrifices they are making.

There is also one other reminder to my colleagues. If you are concerned about what the war is going to cost, and you want to participate and help us out in just a little way, there is a way. Back in 1991, we offered a brand new bond on the market. We called it the Patriot Bond. And if you want to buy a bond for your child or your grandchild, or whomever, I think you can go to wherever they sell these bonds—I don't know where they sell them; I have a couple of them—and buy your grandchild a bond and help us out.

Just because there is combat today, the mission will not be over until the Iraqi people are liberated and an interim government is set up so freedom can be established to allow the Iraqi people to grow and to taste the fruits of freedom and to improve their quality of life. Every life in the world is deserving of that.

So if you are inclined to do so, go inquire about a Patriot Bond. I think it would sure help us out, and it also would, I think, maybe help you out also.

Madam President, I yield the floor.

Mr. WARNER. Mr. President, I seek recognition to honor two Virginia Marines: Staff Sgt. Donald C. May of Richmond and Sgt. Michael Vernon Lalush of Troutville, who were among the first of our servicemen killed in action in Operation Iraqi Freedom; and to express gratitude, on behalf of the Senate, for their service to our Nation. The American people, I am certain, join in expressing their prayers and compassion to the families they leave behind.

The media in Virginia have given the following important coverage:

Staff Sergeant Donald C. May, Jr. was so inspired by the military service given in past years by his father and mother that he followed in their footsteps and began to chart a course for himself with military training. He was fulfilling that dream when he was tragically killed on Tuesday when his tank went off a bridge into the Euphrates River.

He leaves behind: his mother, Brenda May; his wife, Deborah; son, Jack; stepdaughter, Mariah; and another son yet to be born.

He was a member of the U.S. Naval Sea Cadets from age 12 to 18 and was also a police explorer.

Upon graduation from Meadowbrook High School in 1990, he joined the United States Marine Corps, and served 4 years in the military police. He finished boot camp just in time to serve in the last few months of the first Gulf War in 1991, involving security over Iraqi prisoners.

After the first Gulf War, Staff Sergeant May left the Marines for 2 years, serving as a reservist, after which time he returned to active duty as a tank commander, just like his dad, who is now deceased.

During his second deployment to Iraq, Staff Sergeant May was in the 1st Tank Battalion, 1st Marine Division, based at Marine Corps Air-Ground Combat Center in Twentynine Palms, CA.

Sergeant Michael Lalush always seemed to have a knack for fixing things. He always worked with his hands on equipment, tinkering with lawnmowers and cars. As a teenager, he brought home to his own garage a pink 1965 Volkswagen Beetle, rebuilt it and in no time was driving it around the neighborhood.

Sergeant Lalush was challenged in the military and had a great longing to serve his country. After graduating from Lord Botetourt High School, he left for boot camp.

Tragically, Sgt. Lalush's short military career ended on Sunday when he was killed in a Huey helicopter crash while serving in a Marine Light Attack Helicopter Squadron in southern Iraq. He had been deployed from the Marine Corps Air Station at Camp Pendleton, CA.

Reportedly, in his final e-mail message that the family received last Wednesday, Sergeant Lalush said he

was finally discovering his dream in Iraq. He told his parents that he was finally using his skills to help people.

Sgt. Michael Lalush leaves behind his parents, David and Rebecca Lalush.

Mr. President, we have lost two exceptional sons of Virginia. Their courage and unwavering service to our great country will not be forgotten. As we think of their families in mourning, let us not forget that these fine young men gave the ultimate sacrifice so that every American could continue to live in freedom.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

SUPPLEMENTAL APPROPRIATIONS ACT TO SUPPORT DEPARTMENT OF DEFENSE OPERATIONS IN IRAQ FOR FISCAL YEAR 2003

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 762, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 762) making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, and for other purposes.

Pending:

Stevens amendment No. 435, to increase the National Debt Ceiling of the United States.

Reid amendment No. 440, to provide critical funding to safeguard nuclear weapons and nuclear material in the United States and around the world.

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.

Mrs. BOXER. Madam 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. 472

(Purpose: To set aside $30,000,000 for the Department of Homeland Security for research and development and deployment of technology to protect commercial aircraft from the threat posed by man-portable air defense systems)

Mrs. BOXER. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself and Mr. SCHUMER, proposes an amendment numbered 472:

In chapter 6 of title I, add at the end the following:

GENERAL PROVISIONS, THIS CHAPTER

SEC. 601. Of the amounts appropriated by this chapter under the heading ''DEPARTMENTAL MANAGEMENT'' under the heading ''COUNTERTERRORISM FUND'', $30,000,000 shall be available for the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Federal Aviation Administration, for research and development on, and for the initial deployment of, technology to protect commercial aircraft from the threat posed by man-portable air defense systems in order to reduce the costs of such technology and to provide for the adaptation of military countermeasure systems to commercial aircraft.

Mrs. BOXER. Madam President, I thank the clerk.

If my colleague would like to make a statement at this time, I would be happy to yield, without losing my right to the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I thank the Senator from California. My only reason for standing right now is to inquire of the Senator from California if it is possible to have a time limit on her amendment.

Mrs. BOXER. I absolutely will agree. I am waiting for my coauthor, CHUCK SCHUMER. As soon as we get word as to how much time he would need, yes, we would definitely want to do that.

Mr. STEVENS. Madam President, I do thank the Senator from California. It is our hope that we will be able to get all of the amendments that are in line now completed in time to start voting by 11:50, following the Democratic caucus. So I appreciate her courtesy. And whatever is possible to enter into a time agreement, I would like to explore that. I thank her for her courtesy.

Mrs. BOXER. I thank my friend. And, yes, as soon as we get word, I will ask for a quorum call, and then we will make an agreement on the time.

Whether we speak about this for a half hour or 2 days, this is a very important amendment. I think one of the things we learned after 9/11, tragically, is that we have to take warnings very seriously—our intelligence agencies, we, as a Congress, the administration, all of us working together.

We know now that there is a threat out there that is very real. We have constructed an amendment that does not add any money to this bill but merely says that out of the funds that have been allotted for homeland defense, that $30 million be made available immediately for research and development of countermeasures that could be taken should a shoulder-fired missile be aimed at a commercial aircraft.

I want to read to you the latest statement of the FBI. This is the FBI warning, which really must not go unheeded if we are to do our job:

. . . given al-Qaeda's demonstrated objective to target the U.S. airline industry, its access to U.S. and Russian-made MANPAD systems—

MANPAD stands for shoulder fired missiles—

and recent apparent targeting of U.S.-led military forces in Saudi Arabia, law enforcement agencies in the United States should remain alert to the potential use of MANPADs against U.S. aircraft.

How clear could this be? If this body turns its back on a threat that our commercial aircraft are facing right now, it would be a very sad day, indeed.

I see Senator SCHUMER has approached the floor. What I will do is ask that a quorum call be put in place so I might discuss with him a timeframe he will need on this amendment we have worked so hard on together.

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. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. STEVENS. After conferring with the Senator from California, I ask unanimous consent that the Senator from California control the time until 10 minutes of 11 and that I control the time thereafter until 5 minutes after 11.

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

The Senator from California.

Mrs. BOXER. I will take it from the top because this is such a crucial amendment. The amendment I am offering with Senator SCHUMER will provide $30 million that is already in the bill—we are not adding new money—for the Department of Homeland Security to research and develop and to initially deploy countermeasure systems for commercial aircraft to combat the threat of manned portable shoulder-launched missile systems.

I have held one of these missiles. I am a little person. They are very lightweight. They can be easily used. They have been used in the past. As I say, this $30 million is not new money. I hope, therefore, it will not be opposed on the other side of the aisle.

The chairman of the House Aviation Subcommittee, a Republican, said just yesterday that the threat of these shoulder-fired missiles being aimed at a commercial aircraft in the United States or one of our assets abroad ''keeps me up at night.'' This is a Republican chairman of the House Aviation Subcommittee who came into this debate, in his own words, not convinced that we needed to move on this threat. But after a secret briefing—and I was there—said this threat ''keeps me up at night.''

Shoulder-fired missiles, such as the SA–7 and stinger missile, are available on the black market for $25,000 to $80,000 each. Most can be used with very little training and they take just minutes to fire. As I said, I have held one of these missiles in my hand. Almost anybody could do the same and fire one.

Nearly 30 guerrilla and terrorist groups are in possession of these weapons, including al-Qaida. We will show a chart of the terrorist groups, the guerrilla groups we believe have these

weapons or have access to these weapons: al-Qaida, Hezbollah, Kurdistan Workers Party, the Palestinian Authority, the Popular Front for the Liberation of Palestine, the Taliban. It goes all the way down the line. These are the groups that have these missiles and could use them against a commercial aircraft.

Al-Qaida has shown it is willing to use these weapons as weapons of terror. They are suspected of targeting U.S. military aircraft in Saudi Arabia last May with an SA–7 missile.

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

Mrs. BOXER. Yes.

Mr. BAYH. Is the Senator aware many of these countermeasures are made in the State of Indiana at Crane Naval Depot? I thought the Senator might be interested. I had occasion to be there several weeks ago. They reported to me that these countermeasures the Senator quite rightly hopes to fund in this supplemental have been used in Afghanistan, and there have been more than 200 incidents of attacks on our military aircraft, but not one successful attack because the countermeasures are so effective in preventing the downing of our aircraft. The point the Senator makes is a good one since we have been so successful in protecting our military men and women. We have the technology. Why not make it available to the civil aviation sector as well.

Mrs. BOXER. I am so pleased my friend would come over and engage in a colloquy with me. I was not aware of where these countermeasures were made. I know there are corporations working on them.

He is right. Our military planes are protected—thank God—because these are heat-seeking missiles. They are attracted to these engines. Our military aircraft are protected. It is interesting because if you look at El Al, although they will not confirm or deny that their planes are so equipped, we believe they are. We don't have any specific information, but we believe they are.

The point is, we need to now take this technology that is used on military aircraft and do a little more work so these technologies can work on commercial aircraft. That is what the amendment does.

I say to the Senator, who I know is a fiscally responsible Member, we don't add any new funds because the first stage, $30 million, we can take out of existing money for research and development and begin to deploy a few airplanes with this system so we can make sure it works before we make a bigger investment.

Mr. BAYH. My colleague is quite right. I compliment her for this amendment. The technology is more than theoretical. It exists in large part today. We are talking about saving lives with this kind of investment. I can't think of a better use of our tax dollars. I make the point not only as a matter of State pride but that the technology is there. We are saving lives. Another way to put it, we are saving lives in Afghanistan today using these pyrotechnic technologies. Why not arm our civil aviation aircraft to save lives domestically as well. I strongly support her amendment. It is a very wise investment.

Mrs. BOXER. Before my friend leaves the floor, I want to put up the FBI warning we have been given. It is not as if we haven't been warned. That is why I want to make the case to my friends on both sides of the aisle as to how important they are.

> Given al-Qaida's demonstrated objective to target the U.S. airline industry, its access to U.S. and Russian-made systems and recent apparent targeting of U.S.-led military forces in Saudi Arabia, law enforcement agencies in the U.S. should remain alert to the potential use of the MANPAD'S against U.S. aircraft.

When you put that together with the list of terrorist groups that have the weapons, you are so right. The Taliban is at the top. That is why now in Afghanistan we face threats from these shoulder-fired missiles, because they have them.

Mr. BAYH. In addition, my colleague is aware that I serve on the Intelligence Committee. Without getting into detail on the floor, which would be inappropriate, this is a growing concern in the intelligence world, particularly following the attack in Kenya on the Israeli airlines. These attacks have been carried out on civil aviation aircraft. These missiles are widely available, as you pointed out, and it is a matter of growing concern to our law enforcement and intelligence officials that this is perhaps a future area for threat—the civil aviation in the United States.

We have the ability to protect the aircraft, so why not take the step before it is too late? We should not wait until after a tragedy has occurred. We have been down that road before.

Mrs. BOXER. My friend is so much on point. It is true that the attempt to down an Israel airliner in Kenya failed. However, it is estimated that over the last 25 years, more than 550 people have been killed in incidents involving shoulder-fired missiles and commercial aircraft.

I want to show my friend a statement made by a member of the travel industry, as we look at more funding for the airlines, which I think is essential right now given what they have gone through, because we have a war and we had terrorism and we have a recession. This is what Ed Adams, chairman of a big tourism industry group, said:

> The travel industry is painfully aware of what a successful attack of using a shoulder-fired missile on a commercial airliner could do to the confidence of the traveling public. It is a situation we would prefer not to even imagine, but we must understand the reality of such an event if we intend to prevent it. The blow to the economy, in general, and the travel and tourism sector, in particular, combined with the loss of human lives would be staggering. These costs would certainly outweigh the expense of the precautionary measures you are recommending today to make sure our commercial planes are safe from such a terrorist attack.

Mr. BAYH. My colleague pointed out that I pride myself as being fiscally responsible. I view her amendment in that spirit. We are in the process of appropriating, I believe, $3 billion for the civil aviation industry in this supplemental. Previously, following the 9/11 attacks, there were other billions of dollars. If that industry is going to recover and be viable economically again, it is going to have to be in part because people feel safe getting on planes and traveling across the country. So the Senator's efforts to secure the traveling public are very much in the spirit of stabilizing an industry and, in fact, being fiscally responsible so that further efforts to provide largess from the Federal Treasury won't be necessary.

Mrs. BOXER. My friend is right. We know that, right now—before we have even seen research and development in a robust fashion to bring down the cost of these countermeasures—they are about a million dollars per plane. I say to my friend that $1 million on a $120 million aircraft is not too much to ask.

We had a big breakthrough because Chairman MICA on the House side, yesterday, came on board on this amendment and is working on the other side. I have spoken to the leadership. I think if the Senate today can come together—I know we are voting so much on party lines now, and I can see that, but if we can come together on this amendment, which doesn't add any money at all, but simply says this is a priority—by the way, it is not only the Senator from Indiana, or the Senator from California, or the Senator from New York saying it is a priority; it is the FBI saying it is a priority. Who knows better what threats we face than the FBI?

The TSA is saying it is a priority, too. On Sunday, there was a report in the New York Times saying that the Bush administration has ordered major security improvements at several of the Nation's largest airports after inspections showed that passenger planes taking off or landing at those airports could be vulnerable to attack by a terrorist using a shoulder-fired missile.

So the fact is we see—I know at Los Angeles Airport dozens of National Guard troops are deployed. It is a good thing to patrol the perimeter and at road checkpoints, in part, because of concerns about shoulder-fired missiles.

So the administration now takes this very seriously. We all know that while the National Guard is going to be very helpful in this regard, and more troops are going to help in this regard—and I support these measures—we know these missiles can reach commercial aircraft up to 12,000 feet. We know that stepped-up patrols of the perimeters are only part of the solution because you can have one of these shoulder-fired missiles pretty far away from the

airport—in an apartment building, or anywhere else, or in the middle of a park, and it would be very difficult.

Mr. BAYH. Or possibly from the sunroof of an SUV. It is difficult to secure the perimeter around an airport to the extent that we need it. These countermeasures would be very warranted. I apologize for interrupting the Senator's remarks. But this threat is real. We have done a great deal of good work in the military sphere combating just this kind of threat.

Why not make it available to the civil population as well? We are spending billions of dollars to bail out an industry, but if people don't feel safe flying in planes, the industry will never recover. I am in support of my colleague's amendment. Again, I apologize for interrupting the flow of her argument.

Mrs. BOXER. The Senator hasn't interrupted my argument; he has made it stronger and better. Also, we know that military transport and refueling aircraft—and you have mentioned this—such as the C–17, C–130, KC–135, and the KC–10 are some of the models that employ these countermeasure systems that we believe can be and must be used for commercial aircraft.

Just going to the Senator's point about the military, they are conducting thousands of hours of training on countermeasures. So to underscore what my friend has stated, we know these systems work. We also know there is a threat.

I think if you look at this amendment and all the parts of it, No. 1, it is a modest step because we are not adding new funding; we are simply taking out—there is more than a billion dollars in that particular section—it is $1.135 billion—and we are saying $30 million of that should go to support the research and development and getting these prototypes ready, so we know they can be put on aircraft.

Chairman MICA and I have spent time talking about this, as well as Senator SCHUMER. We have come to understand that as we do this research and development, and the price comes down, when the airlines in the future order new commercial aircraft—and they are spending up to $150 million a copy—to spend an extra million dollars on that is not going to be very much.

So we think this is a very responsible amendment. We think it would be foolish and foolhardy not to begin this work right now, because I can tell you, God forbid, if a terrorist were successful, or even unsuccessful but came close to hitting one of our commercial aircraft, everybody in this body would say: Oh, my God, we had our chance and we blew it. We didn't do what we should have done.

Whether you look at the fact that these technologies are working on military planes, whether you look at the fact that we have enormous warning from the FBI, and we have seen this administration begin to move forward, if you put this all together, it speaks loudly and clearly in favor of this amendment.

This is a chart of recent incidents of attacks. In November 2002, an Israeli jetliner was fired upon seconds after takeoff in Mombasa, Kenya, and al-Qaida is suspected.

In May of 2002, an empty shoulder-launched missile tube was found outside Prince Sultan airbase in Saudi Arabia, and our military thinks that was from a shoulder-fired missile.

In October 1998, we had rebels down a civilian Boeing 727 over the Democratic Republic of the Congo in which 40 were killed. This is just recent incidents, but if we go back 25 years, we see this occurred.

I expect Senator SCHUMER is going to be coming to the Chamber. Until he does, I am going to continue to go over these charts. If we look at any of these charts, we get the picture.

This chart shows the groups we believe have access to shoulder-fired missiles. This would make anybody shudder because we know these groups are well funded and active, and we know many of them view the United States of America as their target:

Al-Qaida, Hezbollah, Kurdistan Workers Party, Palestinian Authority, Popular Front for Liberation of Palestine, Taliban, Armed Islamic Group, Huta Militiamen, UNITA, Oromo Liberation Front, Somali National Alliance, United Somali Congress, Hark at ull-Ansar, Hizbul Majahideen, Khmer Rouge, Liberation Tigers of Tamil, United State Wa Army, Kosovo Liberation Army, National Liberation Army, and the IRA. We know these groups have access to shoulder-fired missiles. We know some groups, particularly some on the top part of this chart, would like to go after United States interests, given the past and given the present situation.

I want to read what Chairman MICA said after he came out of an intelligence briefing on this issue:

> I went into the meeting somewhat skeptical. I came out convinced that this is probably one of the most serious challenges we face in combating terrorism. I think that's important.

Then he said:

> Since that hearing, I've lost some sleep and have great concern.

We are saying this is very important.

HONORING OUR ARMED FORCES

Madam President, until Senator SCHUMER comes to speak on my amendment, I wish to pay tribute to five additional young Americans who were killed in the Iraqi war who were either from California or based in California. Sadly, these numbers are growing, and I have tried in every case to read their names on the floor.

LCpl Patrick T. O'Day, age 20, was from Sonoma, CA, which is not very far from where I live. He was assigned to the 1st Tank Battalion, 1st Marine Division, Marine Corps Air-Ground Combat Center, Twenty-nine Palms, CA. He was killed in a tank accident in Iraq on March 25.

His family moved to the United States from Scotland in 1987. He was captain of the wrestling team at Santa Rosa Middle School. He enlisted in the Marines after graduating from Santa Rosa High School in 2001. He is survived by his wife, his parents, his three brothers, and his wife is expecting their first child in September.

PFC Francisco A. Martinez Flores, age 21, from Los Angeles, CA, was assigned to the 1st Tank Battalion, 1st Marine Division, Marine Corps Air-Ground Combat Center, Twenty-nine Palms, CA. He was killed in a tank accident in Iraq on March 25. He moved to California with his family when he was 3 years old. He was expecting to become a U.S. citizen in 2 weeks.

CPT Aaron J. Contreras was assigned to the Marine Light Attack Helicopter Squadron, Marine Aircraft Group-39, Marine Corps Air Station in Camp Pendleton, CA. He was 31 years old. He was killed on March 30 in a helicopter crash in southern Iraq.

He was born on the Fourth of July in 1971. His family moved from San Jose, CA, to Sherwood, OR, in the late seventies, and he was a graduate of Sherwood High School. He joined the Marines in 1997. He is survived by his wife and three children, his parents, and four brothers.

SSgt Donald C. May was assigned to the 1st Tank Battalion, 1st Marine Division, Marine Corps Air-Ground Combat Center, Twenty-nine Palms, CA. He was from Richmond, VA. He was 31 years old. He died March 25 in a tank accident in Iraq. He is survived by his wife and two children.

Cpl Robert M. Rodriguez, age 21, was assigned to the 1st Tank Battalion, 1st Marine Division, Air-Ground Combat Center, Twenty-nine Palms, CA. He was killed in a tank accident in Iraq on March 25. He was from Queens, NY. He was born in Brooklyn and grew up in the Maspeth section of Queens. He was known to treasure his Puerto Rican heritage. He is survived by his parents, four siblings, and 17 nieces and nephews.

I have come to this Chamber to honor our fallen military personnel before. We now have 20 men who have died in the Iraqi war who were either from California or who were based in my home State. My State mourns their loss. May these beautiful young Americans rest in peace. May we have a short war. And may we also pray for the wisdom of those who sent our young men and women into their mission.

When we speak about the realities of war and how families will never be the same, as we take this bill up to make sure we have the best equipped military in the world and they have everything they need to protect them from harm, we also need to protect civilians from harm, which gets me back to the amendment that is before the body today.

We have been warned by the FBI that the chance of a shoulder-fired missile being fired at one of our civilian aircraft is real. We have been warned by

the Transportation Security Agency that the threat is real. The administration has deployed National Guard to various airports in our country to try to spot one of these individuals with a shoulder-fired missile. We know there are skeptics who have now come to the conclusion that this is, in fact, a very real threat to our people. We have heard from the travel industry that such an attack would be more than catastrophic, and as we vote more and more funding for our airline industry because we do not want to lose our airline industry, we need to take steps to protect it from further harm as well.

We have an amendment that ought to get bipartisan support. We have an amendment that is fiscally responsible. We are not adding more money. We are saying this is a high priority and it ought to happen because if we can get the cost of these systems down below $1 million—right now they are about $1 million a plane. Even that is a small amount when one considers an aircraft costs $100 million to $150 million a copy. If we can get it even lower than that, it becomes less and less of a burden to both retrofit the older planes, the 6,800 planes we have flying now, and make this a mandated safety measure on all future commercial aircraft.

There is a lot of support for this amendment. I just hope the Senate will put it in place. I think all of us will be able to sleep a little bit better at night because there are folks out there who want to hurt us. We know that. They look at civilians in a way we have never seen before. On 9/11 we saw that just because you are a civilian does not protect you from terrorists. It is our job to make sure we protect our people from terrorists.

I am hopeful Senator SCHUMER will join us shortly. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Madam President, Senator SCHUMER is working hard on a major amendment dealing with first responders. I thank the Senator from the bottom of my heart for all his work on this issue and this amendment. Senator SCHUMER and Senator CLINTON had an experience that no other Senator had. Yes, we had horrific pain in this area with the Pentagon being hit. The Senators from this region dealt with the pain and suffering and grief, but Senators SCHUMER and CLINTON saw something they will never forget—none of us will, they particularly—and they deal with the fallout of this every day.

When we talked about trying to get ahead of terrorists and listening to the FBI warnings, the TSA warnings, Senator SCHUMER said: I want to work closely with you on this. God forbid something like this should happen and a shoulder-fired missile would bring down a commercial aircraft. We would all say, my God, why didn't we do something? We have the technology.

I yield to my friend for as much time as he has remaining before Senator STEVENS takes time to respond.

Mr. SCHUMER. I thank my colleague.

The PRESIDING OFFICER. The Senator has 6½ minutes.

Mr. SCHUMER. I ask unanimous consent that I be given an additional 5 minutes, or 3½ minutes, so I may speak for 10 minutes, with the consent of the Senator from Alaska.

Mr. STEVENS. Reserving the right to object—I would not object—I consent that Senator BOXER control the time until 5 minutes of 11 a.m., and if we extend that time, we would then control the time until 11:15.

Mr. KENNEDY. Reserving the right to object—because I understand my friend just came from the Judiciary Committee and some of us want to get over to the Judiciary Committee, and I understand Senator BAYH was set to go on at 11:05—now we are asking consent to move Senator BAYH's amendment to a later time.

Mr. STEVENS. We do not have a time agreement on Senator BAYH's amendment. He is next in order. The Senator asked to extend the time by 5 minutes, and I asked to extend by 5 minutes. That does extend the time when another amendment would be taken up until 11:15; that is correct.

Mr. REID. Madam President, I say to the Senator from Massachusetts, it is not Senator STEVENS asking for additional time, it is Senator SCHUMER.

Mr. SCHUMER. I will be brief. I withdraw my request to accommodate my colleague from Massachusetts.

The PRESIDING OFFICER. Does the Senator withdraw the request?

Mr. SCHUMER. I withdraw the request.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I commend my colleague from California. We all know she is a fighter. She finds issues, focuses on them with passion, is able to persuade so many others. The American people are lucky that Senator BOXER has taken such a leadership role in defending the homeland. I know the citizens of California thank her, but so do the Senators of New York. This is a real danger.

If we had to make a list of how terrorists would go after us, unfortunately, shoulder-held missiles would be at the top of the list. As my colleague from California has demonstrated, we know they have them. We know al-Qaida, the most sinister right now of the terrorist organizations, has tried to use them. And there is an FBI statement that says just that.

God forbid this should happen. God forbid the loss of life, the anguished families. Would anyone fly for 3 months, 6 months, 9 months? The economy is squishy now. If one of these shoulder-held missiles were used by terrorists to bring down one of our commercial airliners, it would send the economy due south; we would have huge problems.

The good news is we can stop this. Yes, it will cost some dollars. But I cannot understand the attitude that we should not spend dollars to deal with something such as this. The Senator from California is not asking for much. I, for one, would like to see more money. I know if we do this, it will eventually cost more money, but she is being extremely modest in the amendment.

To say, against one of the greatest dangers held for our wonderful people in America, that we should not do anything defies imagination, defies belief. We have the technology on our military planes, on Air Force One, El Al Airlines. I have dealt with the former top of security of El Al Airlines. They have them. They unfortunately know what terrorists can do. Yet we are saying we should fiddle while terrorism burns. I don't get it.

The Senator from California and I carefully crafted this amendment, along with Congressman MICA from Florida, a Republican Member, to make it as modest as possible. I hope we accept this amendment. No one wants this to be a partisan amendment. Obviously, it is not. However, one of our jobs is to defend the troops. We are doing that by supporting the President's request. One of our jobs is to protect this homeland from the new scourge of terrorism.

I mourn every day for the families lost on September 11. I wear this flag on my lapel every day in their memory; God willing, I will wear it every day for the rest of my life. I don't want it to happen again in any way. Spend a few dollars to make sure that does not happen.

If we ask the American people to line up the priorities of all Federal spending, does anyone think this is at the bottom?

They say there is no more money or maybe it will come out of some existing funds. We know what that means around here. That means forget it. If you cannot earmark it, it does not happen. I cannot believe we are not going to do this. I can't believe there is opposition to this. I can't believe, on something so vital to our security, where we have spent billions of dollars to protect our military planes, that we would not apply it to commercial airliners because in the post-September 11 world, those commercial airliners are just as much targets as our F–18s and F–16s and B–1s and B–2s.

Please, colleagues, let's not be in the ''what if'' situation.

Let's not wake up one morning after this has occurred and say, What if we had done this? I would plead with my colleagues to support this very important amendment.

I yield the floor.

The PRESIDING OFFICER. The time yielded the Senator from California has expired. The Senator from Alaska controls the next 15 minutes.

Mr. STEVENS. The Senator from Alaska controls time at 5 minutes of 11.

Mr. REID. Madam President, parliamentary inquiry: Has the time for the Senator from California been exhausted?

The PRESIDING OFFICER. Yes, it has.

The Senator from Alaska.

Mr. STEVENS. I yield 8 minutes to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise to oppose this amendment because it is premature. The amendment is premature not only in my view but in the view that was held by the Senator from California on March 13 in the Commerce Committee when we marked up the cargo security bill. At that time, the Senator from California said, and I quote from the record of the hearing of the markup:

> I have a bill which I am not moving today because I think that would require a hearing. But what I thought would be good is that since the TSA has said they are studying the best way to combat this—

Speaking of protection of the airliners from missile attack—

> but yet we haven't seen the study, what I would say in this amendment is to ask them to please give us a report on their study to this committee within 90 days on the best way to defend turbo and jet passenger aircraft from these shoulder-fired missiles.

So we adopted the amendment of the Senator from California on the cargo security bill that is before the Senate which will be passed by the Senate without any doubt whatsoever.

I do not know of any living American who does not want to protect our airliners. I do not know of any living American who does not want to protect all of America, including our borders.

The fact is that it is proposed to spend $30 million on R&D and deployment of technology on commercial airliners. I can assure my colleagues that it is not that easy. It is not that easy to transfer technology which is adopted for military aircraft and then immediately transfer it to civilian aircraft. Obviously, we need some time for the TSA to look at the threat and put the threat in the scale of the threats that we face in an order of priority, and the best way may not be installing this equipment on airliners. It probably is. But we do not know for sure. All we know is that there is a threat, as there are myriad threats out there to our lives and our security, whether they be at reservoirs or nuclear powerplants or along our borders, or wherever they may be. And we do have the ability perhaps to adopt military technology. But that has to be studied, as the amendment of hers on the bill after discussion in the markup.

What type of technology is it? How can we deploy technology immediately when we do not know what technology it is that is best executed if we believe that airliners needed this protection immediately.

I am not going to take the entire 8 minutes the Senator from——

Mrs. BOXER. Will my colleague yield?

Mr. MCCAIN. That the Senator from Alaska yielded, but I just say this is a premature amendment. This is an amendment that is going to spend $30 million for deployment of technology when we do not even know if that technology exists, and if it does, if that is the best technology. So that is why I am in opposition to the amendment.

Mrs. BOXER. Will the Senator yield?

Mr. MCCAIN. I will be glad to respond to a question from the Senator from California.

Mrs. BOXER. I thank the Senator. I think the Senator makes a very important point that I absolutely supported a study in the committee. Since that has occurred, however, two things have happened. Chairman MICA on the other side invited me to a secret meeting.

Mr. MCCAIN. Does the Senator have a question or does she want to use her own time?

Mrs. BOXER. I was hoping—I don't have any time left.

Mr. MCCAIN. If the Senator has a question, I would be glad to respond. Otherwise, I do not want to use the time of the Senator from Alaska.

Mrs. BOXER. I do have a question. I was just going to let the Senator know what had happened and then I was going to ask the question.

What happened at that time was this threat had been rising and the administration took action since the time of the study that said to all the big airports around the country, national guardsmen will protect against this threat. Chairman MICA changed his mind after those hearings and I became more concerned. That is the reason why I drafted this to be both a study and a deployment on just a couple of planes.

Mr. STEVENS. Regular order.

Mrs. BOXER. I just wanted to know if my rationale made any sense.

Mr. MCCAIN. I thank the Senator for her question, and I appreciate the Senator from Alaska allowing that time. It is still premature and I think that to order a study of the background within a period of a couple months would be most appropriate.

I yield back the remainder of my time to the Senator from Alaska.

Mr. STEVENS. Madam President, I say to the Senate that as a pilot, almost every pilot I know shudders over the thought of weapons that are heat-seeking missiles. I commend the Senator from Arizona for what he has done already on the commitment of trying to get a study. I do not want to leave the impression here—it is classified, but there are some commercial planes that are outfitted for some defenses against some weapons. But all you have to do is think of ''Blackhawk Down'' to know it is not that simple.

The Air Force has been working in research and development on a system. It is being tested on one plane so far. As a matter of fact, it is too large for most of our commercial aircraft. We don't know how soon it will be before we can get technology that can be fielded for civil aviation. There are several systems available that can detect the shoulder-fired weapons. However, they are not effective on all of them, and the problem is, if we are going to say that our civilian airlines are safe, to find a system that is safe.

Currently, we have some. As I said, one of these systems is deployed on commercial aircraft to try to see how effective it might be. These systems currently that are being deployed cost about a million dollars a plane. I just do not see many commercial airlines that are ready to put out $1.5 million for each plane to try to defend it with a system that is not deemed to be effective by the Air Force so far.

The Boxer amendment earmarks $30 million from within the counterterrorism fund for this project to equip our commercial airlines with a system to defeat heat-seeking missiles.

This will reduce the fund; the counterterrorism fund has been assumed to provide additional dollars for agencies within that department. One hundred and twenty million dollars is assumed in this bill to pay for the passenger screeners and other costs incurred at additionally secured airports.

We have tried to be very discrete about this fund. This is not a bill to deal with the problems of commercial airliners. This is a bill to deal with funding the war. Again, I want to say we have three wars going on, and this is not part of the war. We already have taken this up in Commerce. We have a study coming because of it. I hope that bill will pass.

I share the absolute fear that Senator BOXER reflects in terms of the problem of passenger aircraft having some defense against shoulder-fired missiles. Again, I wish we could all take a look at ''Blackhawk Down.'' There is no question they are out there and they are very much a fear in terms of terrorism. But that is what the Department of Homeland Security is for and that is why the research and development money that is in the defense bill that has already been passed this year, and that research is going on.

Madam President, I regret deeply that this is not the way to solve the problem. The problem is going to be solved with a study that we have asked for of what can be done and the funding that would follow that study. I hope it gets here in time to deal with it on the 2004 bill.

Again, I do not know anyone else who fears these as much as pilots. Passengers to a great extent understand the problem but you have to be a pilot to understand total consequences of having something that you cannot control from within the cockpit.

It is true we have these systems on high-performance airplanes. They are extremely heavy. As I said, they cost more than $1.5 million apiece.

Madam President, $1.5 million added to the cost of a high-performance airplane we are buying for war purposes, that is one thing. This does not affect that. Those systems have already been perfected under the Department of Defense, and they are adequate for our needs in defense.

I point out in the 12 years we have flown over Iraq on the so-called CAPs Program, we have not lost one plane to a heat-seeking missile to my knowledge.

That is military. We are trying to say can we put them into civilian airlines? Can we put them into commuters? What size do we need?

It is a research program. I don't know how long it would take. I was told at one time it would take up to 2 years to develop this system. But we should approach this action from the point of view of research and development first and not a mandate, and particularly not take money out of the bill as it is right now.

We do have, by the way, some of them that are applicable to the commercial system. It is dealing with a laser system. That system will be available for installation in commercial airlines by fiscal year 2006, under the current system. As I said, we are trying to accelerate research and development and ability to defend small aircraft and helicopters. There just is none available today that can do that, that are affordable.

I reluctantly agree with the chairman of our committee. I believe the language in the Cargo Security Act that was the product of Senator BOXER's efforts on the Commerce Committee should be allowed to go forward. We should study this important issue. But we should not be taking money from other homeland security efforts and directing it be spent on pilot projects for systems that have not yet been demonstrated to be effective.

We are monitoring this. I say in all sincerity, I think the Commerce Committee has Senators on both sides of the aisle who are committed to following this through, to finding the best way to defend passenger aircraft from shoulder-fired missiles.

This is not the way to do it. Reluctantly, I do move to table the amendment.

I ask unanimous consent the Boxer amendment, amendment No. 472, be set aside until the hour of 1:50, and at that time the Senate proceed to a vote in relation to the amendment with no second-degree amendments in order to the amendment prior to the vote. I further ask unanimous consent there be 2 minutes of debate equally divided immediately prior to that vote.

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

Mr. STEVENS. I want to announce that will be the first vote in a sequence that will start at 1:50 p.m. this afternoon.

I now ask, if it is appropriate, and I believe it is, unanimous consent with regard to the amendment Senator BAYH will offer, that there be 20 minutes of debate under the control of the proponent, 10 minutes under control of myself, and no second-degree amendments in order prior to the vote. I further ask this amendment, when we are finished, and I shall make—I may not make a motion to table this—but a vote in relation to this amendment to be taken, if required, at the hour of 1:50, following the Boxer amendment.

Mr. REID. Mr. President, I failed to tell the manager of the bill that Senator KENNEDY wants 10 minutes. So it would be 30 minutes and whatever time you want to respond to that.

Mr. STEVENS. I have no objection. The Senator has been waiting to speak. I am pleased to amend my request that there be 30 minutes under the control of the proponents and 10 minutes under my control.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? Hearing none, it is so ordered.

AMENDMENT NO. 474

Mr. BAYH. Mr. President, I have an amendment at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Indiana [Mr. BAYH], for himself, Mr. NELSON of Nebraska, Mr. SCHUMER, Ms. STABENOW, Mrs. CLINTON, and Ms. MIKULSKI, proposes an amendment numbered 474.

Mr. BAYH. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide funding for grants to States for smallpox and other bioterrorism inoculation activities)

On page 38, after line 24 add the following:

SMALLPOX AND OTHER BIOTERRORISM INOCULATION ACTIVITIES

For additional expenses necessary to support grants to States for smallpox and other bioterrorism inoculation activities, $340,000,000, to remain available until September 30, 2004: *Provided*, That this amount is transferred to the Centers for Disease Control and Prevention.

Mr. BAYH. Mr. President, I offer this amendment on behalf of myself, Senator NELSON of Nebraska, Senator SCHUMER, Senator STABENOW, and my distinguished colleague, Senator MIKULSKI.

I offer this amendment because of my conviction that just as we spare no expense ensuring our military men and women in the field have the tools with which to defend themselves, have the tools with which to disarm rogue regimes that possess weapons of mass destruction so we can protect the American people, we also need to give those tools to the brave men and women working here at home who will defend the American people against biological attack. That is because it is the same fight. It is the same war.

Disarming rogue regimes of weapons of mass death, protecting American citizens who might be killed by those weapons of mass death, is the same fight. We need to make sure that both overseas in the military and here at home, in terms of civilian defense, we do what it takes to defend America's national security interests.

Simply put, in the war we are fighting today, the war against global terrorism, rogue regimes, and failed states, the distance between the front lines and the home front is not that great. We must recognize this fact and aggressively defend both; otherwise, the American people may suffer.

We are now involved in a great conflict in Iraq. This conflict has, as its genesis, our desire to avoid another tragedy like September 11, only this time involving weapons of mass destruction and casualties and loss that could be far greater.

We suffered 3,000 fatalities on September 11, worse than the attack on Pearl Harbor, the greatest loss of life in our country since the Civil War.

But I rise today to say that, unfortunately, much worse can happen. Weapons of mass death—let us call them what they are because they seek to destroy not buildings or physical property but people—weapons of mass death capable of inflicting losses of catastrophic, even Biblical proportion, now roam the international landscape. Biological weapons in particular can unleash pathogens capable of slaughtering millions, rending civil society itself and spreading terror and fear, and perhaps starting a new Dark Age.

I do not overstate the case. Not so long ago, I tell my colleagues, there was something called Operation Dark Winter that was conducted by a variety of entities, including the Center for Strategic and International Studies. Operation Dark Winter sought to anticipate what might happen if smallpox were introduced into the ventilation systems of three shopping malls in different States across our country.

Within 13 days, the disease had spread to 25 States. After 60 days, 3 million cases of smallpox had been diagnosed and more than 1 million American citizens—1 million were anticipated to die from the outbreak. That is just how bad it can get.

Colleagues, the threat is not theoretical. As we saw in this very Chamber with the anthrax outbreak of a year ago, the threat of biological weapons is all too real, all too tangible. Our intelligence services estimate the chances of a nation such as Iraq possessing smallpox are about 50–50. Other nations have it, too.

Terrorist groups such as al-Qaida and Ansal al-Islam and others are working feverishly to obtain chemical and biological weapons. Since smallpox is the worst case scenario when it comes to a

biological outbreak, we have to assume that smallpox would be near the top of their list when it comes to obtaining a biological capability to attack the United States here at home or abroad.

The administration itself has recognized the threat. The President himself was inoculated against smallpox to great fanfare. The recommendation last December by the administration was to inoculate up to 10 million first responders—10 million—to ensure that our country was in a position to minimize this threat, God forbid, should it reach our shores. Unfortunately, while the rhetoric has been right on, the resources and the actual response have been left wanting.

The response to date ignores the fact that there are many other pressing needs when it comes to protecting the American people against a biological attack. Smallpox is only one of the potential risks. Inoculating our people against smallpox is only one of the steps that must be taken. We simultaneously must move forward with expanding our lab capacity so we can analyze the cases as they come in so we know what we are dealing with. Is it a plague? Is it smallpox? Is it botulism? What is the pathogen that is killing Americans? How do we treat it? What should be our next steps?

Having a lab capacity is critically important. We have to improve the communications systems between the Federal level, the CDC, State laboratories, and local hospitals because if there is not an effective communication system, the response will break down and people will die as a result.

Finally, we need better health monitoring at the local level so we can judge the ebb and flow of systems and analyze exactly what it is we are dealing with so we know how to respond and save people's lives.

The response to date ignores all these other pressing needs competing for scarce resources, leaving the very real possibility that either protecting the Nation against smallpox will be left wanting or that these other critical needs will be left wanting. That is a choice we should not be forced to make.

The response also ignores the very language of the emergency supplemental, which states explicitly that the funds can only be used for equipment and training, that they cannot be used for inoculation—they cannot be used for inoculation. So even if enough money had been provided to help defend against smallpox, by the very wording of the supplemental, the funds cannot be used for the most pressing need, to ensure that first responders, who might be infected, are inoculated against smallpox, protecting both them and others with whom they might have contact.

Third, the response to date ignores the very real, pressing fiscal crises confronting our States. I just came from a meeting with my own Governor. Indiana, as other States, is facing a deficit. It is strapped for money. So States simply are not in a position to step in and provide resources to fill in the gaps.

If this need is going to be met, if this threat is going to be met, if our people are going to be protected at this hour of national crisis, at this hour of State fiscal crisis, it is the Federal Government that must step up and protect the national security interests, the health and well-being of the American people, because we are the only level of government that is in a position to do so.

Next, the response proposed by the administration falls short of past responses in similar cases. My colleagues might be interested to know that in 1947, responding to a single outbreak of smallpox in New York City, 6,350,000 citizens were inoculated, including 500,000 in a single day—in a single day. Yet there is nothing for smallpox inoculation in this bill. Clearly, based upon past response, the current steps are inadequate and, hence, the amendment is necessary to supplement our efforts.

Finally, along these lines, the House of Representatives—not known for responding overzealously to concerns such as this, known to want to keep a firm grip on the purse strings—has recognized that the emergency supplemental is inadequate and has proposed an additional $94 million to help address this need. While $94 million is itself inadequate—the $340 million we propose in our amendment is the correct response to inoculate 4 million people who the States have said are necessary to inoculate—at least the House of Representatives has taken a tentative initial step in recognizing the very real need.

If we are going to meet this threat, the response to date proposed by the administration, however well intended, is simply inadequate to meeting the very real potential threat, the disastrous potential threat facing the American people. That is why we have proposed action.

I will spend a couple of moments addressing what the potential arguments against our amendment might be. I know some might suggest this is simply more social spending. That is simply not the case. This money will save lives. We have been attacked, as we all know. As we all know, terrorists are planning further attacks. We know they are desperately seeking weapons of mass death, including biological weapons. We know that smallpox is the worst case scenario, and that in all likelihood they are attempting to get it.

This money is needed. It is not simply just more social spending. It is needed to save lives, and to save lives now. It would be irresponsible not to ensure that we are protecting against this threat because we know how real it can be.

Secondly, the argument that enough resources have already been provided is simply not accurate. Enough resources have not been provided to meet this threat, as the House of Representatives has recognized, as the Governors of the 50 States have recognized in their State plans, saying that inoculating 4 million first responders is what is necessary to truly protect the American people.

The administration has done precious little along these lines. Not enough in the way of resources has been provided. Regrettably, responding to this need is not inexpensive. The National Association of County & City Health Officials estimates that, at a bare minimum, it takes $85—and, in fact, recent experience suggests far more—it takes $85 per case to screen, inoculate, and monitor the results of the inoculation per individual inoculated. That is the least case scenario. So taking the lowest cost estimate, multiplying by the 4 million first responders that the Governors and States, regardless of party, indicated need to be inoculated, that is how we reached our estimate of $340 million being the bare minimum needed to help protect the American people against this threat.

Finally, 58 percent of local officials indicate that smallpox inoculations are now hurting their other bioterrorism efforts. I would ask my colleagues, What do we leave the American people vulnerable to? If we emphasize smallpox, do we choose to leave them vulnerable to anthrax? Do we choose to leave them vulnerable to another pathogen that is capable of killing millions of people? That is simply not the responsible course of action. Yet it is the course we are on if we do not adopt this amendment.

In closing, let me say that my position in this amendment, offered by myself, Senator MIKULSKI, and others, is not a partisan position. I have with me an article from the Washington Post of 2 days ago, indicating the very pressing needs that States face in this arena.

It quotes several Governors, including Governor Pataki of New York, Governor Huckabee of Arkansas, and others, to the effect that States and cities are simply not being provided with the resources they need from the Federal Government. I quote:

> [G]overnors and mayors of both parties declared [the funding is] inadequate.

Our States and cities deserve better from us than that.

Finally, I have letters that I will have printed in the RECORD from city and local health officials, including the American Nurses Association, who indicate that our exposure to the West Nile virus and the recently discovered SARS respiratory problem will be much, much worse because of their efforts to fight smallpox, if we don't provide the additional funding so they don't have to confront the dilemma they are confronting: Do they protect against smallpox or some other cause of death? We should not leave them in that lurch.

In conclusion, this is a pressing problem. It is a single war: The war abroad

to disarm rogue nations, to protect us from weapons of mass death, and the war here to protect America from those same sources of threats. They both deserve our attention and funding. That is the purpose of this amendment. I am pleased to offer it on behalf of myself and my colleagues today.

Mr. President, I ask unanimous consent to have relevant material printed in the RECORD.

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

NATIONAL ASSOCIATION OF COUNTY & CITY HEALTH OFFICIALS,
Washington DC, April 2, 2003.

Refunding for smallpox vaccination.

Hon. EVAN BAYH
U.S. Senate,
Washington, DC.

DEAR SENATOR BAYH: The National Association of County and City Health Officials (NACCHO) is committed to preparing the nation to respond to an outbreak of smallpox, should such a terrible event ever occur. Therefore, we strongly support additional funding for the large, unanticipated costs that state and local public health agencies are incurring to implement the President's smallpox vaccination program. Nearly 80% of local public health agencies already report that they are diverting resources from overall bioterrorism preparedness to work on smallpox vaccination. This situation is unsustainable and threatens to undermine our nation's ability to improve public health preparedness for other acts of biological, chemical, or nuclear terrorism.

Existing federal funds for bioterrorism preparedness are neither available nor sufficient to pay for both smallpox vaccination and other bioterrorism planning and preparedness work that is already underway. Congress appropriated $940 million in FY2002 and $940 for FY2003 to help states and localities improve their capacities to respond to public health threats and emergencies. The Department of Health and Human Services made the first $918 million available to the states in June 2002. This disbursement of federal funds occurred in a timely and responsible fashion and states were directed to spend these funds in five different areas of public health preparedness. Neither HHS nor states and localities contemplated undertaking smallpox vaccination at that time and funds have been programmed and obligated to improve overall preparedness in multiple ways, pursuant to HHS' guidance to the states.

The Administration announced a smallpox vaccination program six months later and has expected states and localities to pay the costs of this program from the FY 2002 bioterrorism funds they had received. This expectation is unrealistic for two reasons. First, as is the case with any federal program, the sums that states have spent according to HHS records do not reflect plans and obligations that have already been undertaken and cannot be reversed either for legal or practical reasons. Second, the costs of smallpox vaccination are proving to be far greater than had been anticipated. Smallpox vaccination is not like giving flu shots in the local mall. Extensive advance planning, training, and consultation in the community are necessary. Delivering the vaccine requires careful screening and counseling. Follow-up to assure a proper ''take'' and to prevent secondary transmission of vaccinia is essential, as are design and implementation of systems to track adverse reactions. NACCHO has found that costs for smallpox vaccination being incurred now by local public health agencies smallpox vaccination range from $154 to $284 per person, with an average of $204 per person. These do not include costs to states or to other entities, such as hospitals or police or fire departments.

NACCHO is deeply concerned that it is dangerously short-sighted to devote our resources for public health preparedness to a single potential agent. We cannot anticipate what agents might be used by a bioterrorist. Moreover, we remain highly vulnerable to natural disease outbreaks, including West Nile virus and the newly-discovered Severe Acute Respiratory Syndrome, that have a potential to cause more illness and death than would occur in many bioterrorism scenarios. We believe that we must build our public health systems so that they are well-staffed, effective and adaptable. We should avoid building separate systems for specific diseases; they will tax our resources, and unless we use them day in and day out, they won't work well when they are really needed. We must also achieve preparedness specifically for smallpox, which has the unique feature of requiring vaccination of a number of public health and medical personnel, but we cannot afford to sacrifice other improvement in that process.

We appreciate your leadership and concern for public health protection and look forward to working with you to ensure that the public health system is able to improve preparedness for all public health threats and emergencies, in addition to smallpox.

Sincerely,

PATRICK M. LIBBEY,
Exeuctive Director.

AMERICAN NURSES ASSOCIATION,
April 2, 2003.

DEAR SENATOR: On behalf of the American Nurses Association (ANA), I am writing to urge you to support the amendment offered by Senator Bayh to the supplemental appropriations bill. This amendment will provide resources so that state and local health departments can safely implement the smallpox vaccination program.

The ANA is the only full-service association representing the nation's RNs through our 54 state and territorial constituent member associations. Our members are well represented in the Administration's plan to vaccinate 10.5 million health care workers and first responders.

Sufficient funds must be appropriated to the states to support robust education, prescreening and surveillance of the potential recipients of the vaccine. The recent death of a Maryland nurse, a Florida nurse aide and a National Guardsman only underscore the need for aggressive medical screening, monitoring and treatment. Nurses and other first responders will continue to feel uncomfortable about the vaccine until they receive the reliable information needed to make an informed decision.

Members of the armed services have received personalized education and free and confidential prescreening prior to the administration of the vaccine. This process properly screened out one-third of the potential recipients. Unfortunately, existing Federal funds for states to conduct a proper vaccination program have been exhausted. The National Association of County and City Health Officials (NACCHO) estimates that state and local health offices are incurring a cost of $204 per person vaccinated. These expenditures are diverting needed health resources away from other important bioterrorism and public health activities.

Once again, the ANA urges you to support the Bayh amendment to the supplemental appropriations bill. These funds are critical to ensure state and local officials can actually implement the crucial education, prescreening and surveillance programs.

Sincerely,

ROSE GONZALEZ, MPS, RN,
Director, Government Affairs.

AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL–CIO,
Washington, DC, April 1, 2003.

DEAR SENATOR: On behalf of the 1.3 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am willing to urge you to support amendments to the supplemental appropriations bill that will increase funding for homeland security. In particular, we urge you to support an amendment to add $4.3 billion for funding the ''first responders'' that will be offered by Senators Schumer, Clinton and Mikulski. We also urge you to support an amendment for $340 million for combating bioterrorism to be offered by Senator Bayh.

The cost of shoring up the nation's security needs has placed an enormous burden on state and local governments, particularly New York City, Los Angeles and other jurisdictions that face the greatest security threat. Reduced revenues from a slow economy, increased human needs and increased security needs have stretched state and local governments beyond their capacity. Today, states face their gravest fiscal crisis since World War II. If the nation is to be secure, it is imperative that the Congress help state and local governments improve security by providing more federal resources for first responders.

The amendment to be offered by Senator Bayh will provide resources so that state and local health departments can implement the President's smallpox vaccination program safely. Public health officials have estimated that the cost of each vaccination will average $204. New resources are needed to carry out the smallpox program without diverting resources away from other bioterrorism preparedness and core public health activities.

Since September 11, the nation has come to realize that it has numerous vulnerabilities to terrorist attack. These vulnerabilities must be addressed through a national commitment to improve homeland security. Accordingly, we urge you to support amendments to increase funding for homeland security, and in particular the two amendments to be offered by Senators Schumer, Clinton and Mikulski and by Senator Bayh.

Sincerely,

CHARLES M. LOVELESS,
Director of Legislation.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, how much time do we have on our side?

The PRESIDING OFFICER. Sixteen and a half minutes.

Mr. KENNEDY. Sixteen and a half minutes.

The PRESIDING OFFICER. Sixteen and a half minutes.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have that divided between myself and the Senator from Maryland.

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

Mr. KENNEDY. Mr. President, I would like to retain a minute of my time, if the Chair would inform me.

This country has given focus to the battle on the war on terrorism in a variety of different ways, but one area which is enormously important is the threat we are facing from bioterrorism.

We enacted legislation even prior to 9/11 that was very helpful and important at that time. We have enacted legislation subsequently, and next week we are going to be enacting legislation which will support the President's commitment for some $6 billion that will be used to develop vaccinations in anticipation of the threat we will be having overseas by these very dangerous pathogens that are being developed.

Now we have smallpox and anthrax that are dangerous to this country. People in this city have certainly witnessed the dangers. Families have been impacted and affected because loved ones have lost their lives because of the dangers of anthrax.

This amendment is meant to provide help to local communities to make sure they have an effective vaccination program, period. There are a number of different features in the war dealing with bioterrorism. One is to make sure we have the people on the ground who are trained, supported, who have the ability to screen, have the vaccines, and will do the followup work if we expect this program to take off.

Secondly, we have to have a compensation program that will be available to provide help to these individuals if there is an adverse reaction. Why this is so important is these first responders, when they signed up for their job, didn't think they were taking on the additional responsibility of dealing with terrorism. Now we are asking them to do that. We are asking them to do something in addition.

In some instances, with some vaccines, they will be risking their lives, because we know a certain number of them are going to die and a certain amount of them will have serious disabilities as a result of taking the vaccine. That is the vaccination compensation program. That is not on this bill.

What we are talking about here is making sure individuals in local communities are going to have the resources to resist any bioterrorism that comes their way in the form of anthrax and smallpox. To do it, you have to give support to local communities. This legislation before us does not do it. There is no funding whatsoever. There are billions for our soldiers and our sailors, and all of us are for that, but it does not provide any resources.

I say that against this following background. Last year we cut support for our hospitals by $1.9 billion. Those were cuts in the Medicaid program and also in what we call graduate medical education. We provided $500 million for them under the battle of bioterrorism, but they still lost $1.4 billion in cuts to the hospitals. We say we have already provided sufficient funding for these hospitals. I will not take the time now, because it is short, to read into the record what the hospitals are saying, not just in my State but all over the country, the pressure they are under to try to get the programs started.

My friend and colleague from Indiana has indicated it costs about $80. Actually, according to better estimates, it is about $200. I will put that in the RECORD. I thank him for offering this amendment. The President's program is asking 10 million people in phase 2 of the immunization program, 10 million people. Under the Bayh program you get coverage for about 4 million. It is a very modest program. That is $85. It is done cheaper in the military because they have the trained personnel to do it.

By and large, public health officials believe if we are going to have a monitoring program—and we have seen in this past week how important that monitoring program can be, because if you have these kinds of vaccinations going to individuals who have some kind of heart complication and difficulty, it can cause death. That is why the monitoring is so important. We want to make sure we have a program that will be put in place.

Today it is suspended by 10 States. Ten States are not doing it because they don't think the program itself has been set up in a way which can provide adequate protection to the individuals who need it.

I hope our friend and colleague on the Appropriations Committee will be willing to accept this amendment. It is a bare-bones amendment. I remind the Senate what happened yesterday in the Human Resources Committee when we were dealing with the compensation program. Our friend and colleague, Senator MIKULSKI, made an impassioned statement about what happened to a particular individual in her State with this vaccination program. It was accepted unanimously, by Republican and Democrat, that there should be additional resources to make sure if we go ahead with this immunization program—I am strongly committed that we do—it is done wisely and right.

The amendment offered by Senator BAYH and Senator MIKULSKI and others—I ask unanimous consent to be added as a cosponsor, if I am not—is an absolutely essential part on the war on terrorism.

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

Mr. KENNEDY. Fighting against the dangers of bioterrorism is a key aspect on the war on terrorism. To do that, you need to have two components: One, you need a compensation program; secondly, you need to be able to get that program of vaccinations out there. It is not getting out there now. It is putting too great a strain on local public health officials. We should give them assistance to make sure we have the very best. We want the best for our service men and women fighting in Iraq, and we want the best for our first responders whose lives are at risk. This amendment will ensure they will receive the best in terms of support in local communities.

I withhold the remainder of my time.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise as a proud cosponsor of this amendment that would provide $340 million to State governments to do important education, screening, and monitoring in the delivery of the smallpox vaccine program.

I would like to share with my colleagues a story. One of my constituents, who lives on the Eastern Shore of Maryland, died last week from a heart attack 5 days after she received the smallpox vaccine. I am not drawing a conclusion that the two are linked. We will leave that to the appropriate medical and public health officials to decide. But let me tell you the story. She was 55 years old. She just got her nursing degree after having another degree. She wanted to get her nursing degree because the lower Eastern Shore of Maryland is an underserved health community in terms of doctors and nurses.

She is a Native American. She is a proud descendant of the Assateague tribe. Her name is Andrea Deerheart Cornitcher. She wanted to volunteer for the smallpox vaccine so she could serve her community, serve her country in the event of a smallpox attack. She was ready to do anything she needed to when she was called.

When I spoke to her husband, filled with grief and melancholy, I asked him what he wanted to tell me and, if he could come to the floor of the Senate, what would he tell us. He said: Senator, tell your colleagues, and if you have a chance to talk to the President, tell him, people are ready to volunteer, but they have to have a right to know what they are getting into. They have the right to know how safe the vaccine is. They have to know how safe they will be if they get the vaccine. We need education. We need screening. I might add, we need monitoring and surveillance, so that if you sign up to be part of the bioshield warriors, you will have ongoing monitoring and biosurveillance to make sure there are no physical or other repercussions from this.

That is what Mr. Glenn Standing Bear Mayo asked. He said, the way I want to honor my wife, the way we ought to protect America, is to make sure we protect the volunteers. The way to protect the volunteers is through education, better and more amplified screening, and ongoing monitoring and surveillance.

You cannot do this on the cheap. Public health departments are already stretched to the breaking point.

They are now foraging for funds to be able to meet a Federal mandate to recruit, screen, and do smallpox vaccinations for our first responders who are volunteering. This takes $85 per screening. They don't have it. They are taking money from other funds—from maternal and child health, West Nile virus, or being prepared in case SARS comes to the United States.

This is a very modest amount to put into the Federal checkbook. It doesn't

even deal with the larger issue of compensation that we will debate at another time, an appropriate time.

I salute the Senator from Indiana for advocating this. I advocated it in the authorizing committee just yesterday. It was accepted by the committee. The committee knows this is important. Now is the time to make it a reality by putting screening, testing, and monitoring into the Federal checkbook.

So I really ask my colleagues: If the volunteers are going to have enough confidence to participate in the program, they need to know what they are getting into, and they need to be properly screened. They need to know that they will be monitored and that there will be surveillance to protect them as they line up to protect America. They also need to know that there is a safety net for an adequate and responsible compensation program. This amendment does not deal with compensation, but it deals with funding the usual and customary public health protections. It says that people have a right to know, they have a right to be heard about their concerns, and they have a right to be protected.

On behalf of Andrea Deerheart Cornitcher, I offer this amendment with my colleagues to the Senate.

I yield the floor.

Mr. NELSON of Nebraska. Mr. President, I rise today in support of the amendment of my good friend from Indiana that will help State and local health departments pay for the cost of administering the smallpox vaccine.

The threat of terrorism, both foreign and domestic, is real and should not be taken lightly. We prepare for these threats by preparing our first responders—including our health care professionals. Whenever and wherever disasters have struck, health care professionals have responded selflessly by lending their skills, time, and expertise to help victims and their families. Now we are asking them to safeguard the health care infrastructure by being vaccinated against smallpox. The least we can do is make sure that the funds are available to provide the vaccinations.

The vaccinations are more expensive than anticipated. Vaccinating against smallpox is not like giving flu shots. Preparation and training is needed to administer the vaccine by trained professionals who must be able to carefully screen vaccine recipients for potential adverse reactions. Followup is also needed to check on health status. All of this takes time and resources. My State of Nebraska has already vaccinated 2500 workers at a cost of about $140 per person for a total of $350,000.

The resources to pay for and administer these vaccinations have been diverted from other important bioterrorism preparedness activities. The financial assistance provided in this amendment will allow States to dually safeguard against smallpox without diverting funds ''from other important bioterrorism preparation efforts. Without this additional funding, vaccinating against smallpox is essentially an unfunded mandate to the States.

As any biological attack would certainly be a Federal priority, it is both unfair and ineffective not to provide Federal funds to prepare for the possibility. A virus will not stop at State lines. Our efforts to prevent the spread of a devastating illness should be national in scope, as should be the funding to pay for it.

I commend the Senator from Indiana for introducing the amendment.

The PRESIDING OFFICER. Who yields time? There are 3 minutes 45 seconds remaining on the Democratic side.

Mr. BAYH. Mr. President, I want to make two or three brief points in conclusion. The emergency supplemental contains funding for fatalities that might result from vaccination. But there is no funding specifically targeted to preventing those fatalities through screening. It seems to me this is an irony we should address and do address in this amendment—money for fatalities from vaccinations but not resources to prevent those fatalities.

Secondly, as my colleagues pointed out, money is being literally taken away from working against the West Nile virus, against SARS, and against other potential causes of fatalities. We could leave America vulnerable to other sources of sickness and death if this amendment is not adopted.

The goal here is to prevent fatalities abroad in our fighting men and women and here at home, directly or indirectly. Without the adoption of this amendment, fatalities will result either from smallpox or from other potential pathogens left wanting—West Nile, SARS, and others—because resources are being taken away from those for inoculations against smallpox because the resources are not available. That is why there is a pressing case for adopting this amendment.

I thank my colleagues for their support, and I urge its immediate adoption.

Thank you.

The PRESIDING OFFICER. Who yields time?

Mr. KENNEDY. How much time remains?

The PRESIDING OFFICER. You have 2 minutes.

Mr. KENNEDY. We will reserve our time.

Mr. STEVENS. Mr. President, I can yield to the Senator from Massachusetts or proceed now, at his request.

Mr. KENNEDY. Is the Senator prepared to yield back, or is the Senator going to talk? I would like to respond.

Mr. STEVENS. All right. I yield myself such time as I may use. I don't think I have a request from anybody else on this side.

I compliment the Senator from Indiana on this amendment. The House has $94 million in a smallpox vaccine fund. I have a little conflict of interest here because I am one of the few Members of the Senate who has taken the smallpox vaccination again. I have had it many times in my life. Going back, as a 19-year-old, I first got it when I was admitted to the Army.

There are some 4 million responders who could be vaccinated under this amendment, as I understand it. The figure that has been used by Senator BAYH is $85 per person. The current costs range somewhere from $20 to $284 a person, depending on who does the estimates. The administration's current estimate is that it would cost $13 per person to deal with 4 million responders. There are already funds allocated to health departments, and I believe we should take this up in the regular bill when we go to the 2004 bill.

I remind the Senate that this bill is for the period from now until September 30. We are not going to appropriate moneys beyond September 30 unless, on a bipartisan basis, we find it is necessary. So far, it has not been necessary. There are other health needs, such as TB, West Nile virus, and HIV. Now we have this terrible situation coming out of China.

There is no question that many people are interested in this subject, and I can state without any question that our leader, Dr. FRIST—Senator FRIST—is very interested in that subject. So I merely state that I wish to discuss the amount of this amendment with the Senator from Indiana. I do not believe we should put up more money than is necessary for this fiscal year. We should process the moneys for beyond this fiscal year in the normal bill. I will be very pleased to discuss that with him.

I have no request for Senators to speak on this side. I hope we will have a portion, at least, of Senator BAYH's amendment in this bill for fiscal year 2003, and I reserve a sufficient time to make a motion on or in relation to this amendment, if that is necessary. I hope it will not be necessary.

I am prepared to yield back the remainder of my time and listen to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. How much time remains?

The PRESIDING OFFICER. One minute 40 seconds.

Mr. KENNEDY. Mr. President, I have been briefed by the Department of Defense. The cost for the military is about $28 or $29. They have done a very effective program. The National Association of State and County Officials estimates it is $150 to $284. Senator BAYH is down to $85. There is zero in the bill at the present time.

The first responders we are talking about are at the cutting edge of defending the country against a bioterror attack. I don't believe we ought to make the case in Washington, DC, when we have seen Americans die as a result of anthrax. If you are going to have an effective program, you are going to have to support local communities to be

able to implement that program. That is what this amendment provides. It is a very modest amendment.

The President of the United States says he wants, initially, 400,000 immunized, and then he wants 10 million. There is zero money to accomplish that in the supplemental. We believe there is a sense of urgency and we ought to do it now. That is what the Bayh amendment does. That is why a very modest downpayment is called for in this amendment. I hope this will be accepted.

Mr. STEVENS. Mr. President, for fiscal year 2004, this provides $3.7 billion for biodefense, and $940 million is included for grants to States and local health departments. Those departments already have funds to implement a vaccination strategy. There is no need to add more money here for State and local health departments.

I am willing to discuss the amounts necessary for the vaccine. Again, I reserve my right to reserve sufficient time that I might make a motion on or in relation to the amendment, if necessary, when the voting starts at 1:50.

I yield back the remainder of whatever time I have. I believe the Senator from Florida is here to offer the next amendment, Mr. President.

Mr. REID. Mr. President, before the Senator from Florida takes the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. It is my understanding on this amendment there will be 30 minutes—20 minutes to the Senator from Florida and 10 minutes to the Senator from Alaska; is that right? Does Senator STEVENS want to look at the amendment first?

Mr. STEVENS. Mr. President, I agree to the time, but I have not seen the amendment.

Mr. REID. We will withhold the request until the Senator reviews the amendment.

Mr. STEVENS. I do not think there will be a problem.

Mr. REID. We can renew that request after Senator STEVENS has had a chance to look at the amendment.

Mr. STEVENS. If the Senator is prepared to renew his request, I am prepared to agree.

Mr. REID. I renew that request, Mr. President.

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

Mr. REID. Mr. President, I ask that the vote on or in relation to the amendment offered by the Senator from Florida occur third in line; that is, Boxer, Bayh, and Graham.

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

Mr. REID. As per the other agreements, there will be no second-degree amendments in order.

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

AMENDMENT NO. 459

Mr. GRAHAM of Florida. I call up amendment No. 459.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself, Mr. KERRY, Ms. MIKULSKI, Mrs. MURRAY, Mr. DORGAN, Mr. DAYTON, Mr. DASCHLE, Mr. JOHNSON, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. BINGAMAN, Mrs. CLINTON, Mr. BIDEN, Mr. EDWARDS, Mr. ROCKEFELLER, Mr. AKAKA, and Mr. NELSON of Florida, proposes an amendment numbered 459.

Mr. GRAHAM of Florida. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriate an additional $375,000,000 for the Department of Veterans Affairs for Medical Care for costs of medical care for certain veterans of the current conflict in Iraq)

At the appropriate place, insert the following:

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and for furnishing recreational facilities, supplies, and equipment incident to the provision of hospital care, medical services, and nursing home care authorized by section 1710(e)(1)(D) of title 38, United States Code, $375,000,000; *Provided*, That such amount shall remain available until expended.

Mr. GRAHAM of Florida. Mr. President, on behalf of a large number of our colleagues—Senators KERRY, MIKULSKI, MURRAY, DORGAN, DAYTON, DASCHLE, JOHNSON, LANDRIEU, LAUTENBERG, BINGAMAN, CLINTON, BIDEN, EDWARDS, ROCKEFELLER, AKAKA, and my colleague Senator NELSON of Florida—I offer an amendment today to address the cost of providing health care to troops serving in the war in Iraq.

This amendment would provide to the Veterans' Administration the additional funds it will require to meet the needs of returning service men and women.

There is a history behind this amendment. Following the 1991 gulf war, returning servicemembers began to report unexplained illnesses and ailments that many linked to their service. Under the law that existed and controlled at that time, only those who had been granted a claim for a service-connected disability or demonstrated financial need could turn to the VA for health care services. The effect was to leave many of the returning veterans without medical coverage. Reservists were particularly vulnerable as they lost their military health care benefits shortly after returning. In 1998, Congress acted to ensure that no combat veteran endures such a delay again.

This chart indicates the evolution of this process with the gaps that were identified after the first gulf war being filled by Public Law 105–368 which assured that combat veterans are eligible for VA care for 2 years after discharge or separation from active duty, and it also extended this coverage to include reservists and National Guard personnel, so that today any servicemember who participates in a theater of combat is eligible for free VA health care for 2 years after separation or release from active duty.

I emphasize, this is not discretionary. We are not talking about an item that we can decide to omit. These veterans have a congressionally sanctioned right, an entitlement to these VA health services.

On March 19, 2003, the United States committed itself and our sons and daughters to a second gulf war, this time in the country of Iraq. The Senate supported this second war. Now the Senate must provide support for them. We owe it to them to make certain they have the proper equipment to win the war, and we also must take care of these men and women when they have completed their duty to our Nation.

This is why I rise today to offer an amendment to provide to the Veterans' Administration $375 million in funding to provide for the care that we are obligated through the VA to make available to returning troops. This is a downpayment on the cost of paying for these returning servicemembers, a cost of war that has thus far been overlooked.

The estimated cost of $375 million is based on the percentage of veterans who sought VA health care and benefits following the 1991 gulf war multiplied by the current VA average per patient cost of care.

Briefly, to look at the math, in the 1991 gulf war, there were 582,136 persons who were subsequently separated from the military. That represents 82 percent of the force that was committed in the first gulf war. Of that number, 166,717 were able to establish that they had a service-connected disability, or 29 percent of the total of now veteran, former combat personnel in the first gulf war. In addition to that, 287,848, or half of those veterans who were combat service personnel in the first gulf war, used the VA for outpatient health care services.

We use these numbers times the $3,300 of estimated annual cost as the basis for the amendment we are offering. We assumed that the blend between those who had a service-connected disability and those who used the VA for nonservice disability would equal one-third of those who were deployed into the field. That would result in a number of 340,000 troops who would be eligible, including reservists and National Guard, times $3,300, or $375 million to meet this mandate and obligation of the VA.

No provision has been made for this responsibility of the VA in legislation today. Nearly one-third of the 582,000 veterans in the first gulf war have already been granted service-connected

disability claims, and we can assume there will be a minimum of a similar number of veterans who will come from this second gulf war.

I indicate to my colleagues that this is a downpayment because as additional service personnel, including reservists and National Guard, either by the end of their term or other voluntary action, are separated from service, they will become eligible for this 2 years of VA health care.

There is an issue raised: Can the VA absorb this cost within its current budget? It has been stated that it could because on January 17, 2003, the VA cut off the future enrollment into the VA Health Care System for moderate and higher income veterans. At that time, the VA cited rising costs, long waiting times, and focusing on core constituencies as the rationale for limiting services. There was no reference in January of 2003 that the Veterans Administration was doing this in order to prepare itself financially to meet the obligation it was going to have on returning troops.

In a press release on January 17, Secretary of the VA Principi said:

> VA is maintaining its focus on the health care needs of its core group of veterans, those with service-connected disabilities, the indigent, and those with special health care needs.

Again, no reference to the new obligation the VA was going to have as a result of a war which was still almost 2 months prior to commencement.

In the article in the Gainesville Sun on March 30, Secretary Principi tried to justify ending access to VA health care services for moderate and higher income veterans because of the war. He said at that time:

> It's very important at this time, when you've got men and women in combat, that we assure we have the capability to treat them, that we're not trying to care for everybody at the expense of those who take a bullet.

Some 10 weeks later, the rationale for the cutoff of moderate and high-income veterans was because of the war, whereas at the time it was done it was because the VA needed to be able to maintain its focus on its current responsibility.

I ask unanimous consent to have printed in the RECORD the Gainesville Sun article and the VA press release.

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

[DEPARTMENT OF VETERANS AFFAIRS NEWS RELEASE, JAN. 17, 2003]

VA ANNOUNCES RECORD BUDGET, HEALTH CARE CHANGES

WASHINGTON.—Secretary of Veterans Affairs Anthony J. Principi today announced a record increase in the budget for Department of Veterans Affairs (VA) medical care, the annual decision required by law (PL 104–262) on health care enrollment and a new plan between VA and the Department of Health and Human Services for a program that will allow eligible veterans to use their Medicare benefits for VA care.

The President's FY 2004 Budget includes a total of $63.6 billion for VA—$30.2 billion in discretionary funding (mostly for health care) and $33.4 billion for VA-administered entitlement programs (mostly disability compensation and pensions). The budget includes $225 million in new construction funding for VA's nationwide infrastructure initiative (CARES) to ensure that VA can put services where veterans live.

''VA is maintaining its focus on the health care needs of its core group of veterans—those with service-connected disabilities, the indigent and those with special health care needs,'' Principi said.

''We're able to do so because of the generous budget proposed by President Bush for fiscal year 2004 beginning Oct. 1, 2003. It will be 7.7 percent more for health care than the expected FY 2003 budget. This would be the largest requested increase in VA history,'' he said.

In order to ensure VA has capacity to care for veterans for whom our Nation has the greatest obligation—military-related disabilities, lower-income veterans or those needing specialized care like veterans who are blind or have spinal cord injuries—Principi has suspended additional enrollments for veterans with the lowest statutory priority. This category includes veterans who are not being compensated for a military-related disability and who have higher incomes.

The suspension of enrollment affects only veterans in Priority Group 8, the lowest group in VA's eight-level system for setting health care priorities, who have not enrolled in VA's health care system by January 17. Priority Group 8 veterans already enrolled will be ''grandfathered'' and allowed to continue in VA's health care system.

Work is underway with the Department of Health and Human Services to determine how to give Priority Group 8 veterans aged 65 or older who cannot enroll in VA's health care system access to the ''VA+Choice Medicare'' plan. The plan calls for VA to participate as a Medicare+Choice provider. Eligible veterans would be able to use their Medicare benefits to obtain care from VA.

In return, VA would receive payments from a private health plan contracting with Medicare that would cover costs. The ''VA+Choice Medicare'' plan would become effective later this year as details are finalized between VA and the Department of Health and Human Services.

''HHS is happy to join the Department of Veterans Affairs in developing this new option for veterans who might otherwise be unable to obtain health care through the VA,'' said HHS Secretary Tommy G. Thompson. ''This is a creative marriage of our federal health programs to serve our veterans efficiently and effectively.''

VA has been unable to provide all enrolled veterans with timely access to health care services because of the tremendous growth in the number of veterans seeking VA health care. More than half of all new enrollees have been in Priority Group 8. This demand for VA health care is expected to continue in the future.

Between October 2001 and September 2002, VA enrolled 830,000 additional veterans. Since 1996, VA enrollment has increased from 2.9 million to 6.8 million today. Nonservice disabled, higher income veterans accounted for the majority of the rapid enrollment growth, hindering the ability of VA to care for the service-disabled, the indigent and those with special needs. Even with the suspension of new enrollments for Priority Group 8 veterans, another 380,000 veterans in Priority Groups 1 through 7 are projected to enroll by the end of FY 2003.

''Last year, VA treated 1.4 million more veterans with 20,000 fewer employees than in 1996,'' said Principi. ''Nonetheless, VA leads the nation in many important areas like patient safety, computerized patient records, telemedicine, rehabilitation and research. I not only want to see this standard continue, I intend to see it get even better.''

Congress mandated in 1996 that VA established an enrollment system to manage hospital and outpatient care within budgetary limits and to provide quality care to those enrolled. By law, the VA secretary must decide annually whether to maintain enrollment for all veterans.

''With this record budget increase, I expect access to medical facilities for severely disabled veterans to improve, along with a reduction in waiting times for all veterans,'' Principi said.

[From the Gainesville Sun, Mar. 30, 2003]

VA: IRAQ WAR VETERANS WILL NEED CARE DENIED TO OTHERS

WASHINGTON.— As the world watched U.S. soldiers hunker down in sandstorms last week, Veterans Affairs Secretary Anthony Principi saw respiratory problems in the making.

Add lung damage from sand to the list of threats—including bombs, bullets and possibly poison gas—that could haunt soldiers now fighting in Iraq.

When soldiers return, many are likely to seek treatment and benefits from a strained VA system. Principi said recent decisions to exclude some veterans from health care will help his department cope.

''It's very important at this time, when you've got men and women in combat, that we ensure we have the capability to treat them, that we're not trying to care for everybody at the expense of those who take a bullet,'' Principi said last week.

The VA excluded from health care this year hundreds of thousands of higher income veterans who don't have service-connected disabilities. It also proposes new fees and higher drug co-payments designed to force 1.25 million others out of the system. Principi, who had argued the moves were intended to end long waiting lists at VA hospitals and clinics, said last week they also will make room for new combat veterans.

He told House members in a hearing last week that refocusing the VA's mission on low-income and combat veterans is especially important now. The new spin on a series of decisions that began in January tangles the politics of the Iraq war with recent disputes about the administration's treatment of veterans.

''If we have enough casualties that that's going to be the rationale for withholding services, this is going to be a hell of war,'' said Sen. Bob Graham, a presidential candidate from Florida who is the ranking Democrat on the Senate Veterans Affairs Committee. ''If there are, then there has really been an underestimate of the degree of resistance.''

Graham is a critic of Principi's plans to exclude veterans and of the administration's predictions of a quick victory in Iraq.

The debate is timely. The VA needs to tally its cost of the Iraq war. Tens of thousands of veterans of the 1991 Gulf War joined the VA health care system and sought disability benefits for everything from bullet wounds to chronic backaches.

Apart from Principi's proposals for rollbacks, that concern isn't reflected in the president's 2004 budget. Nor, several lawmakers complained, was it a factor in President Bush's request for an initial $75 billion to cover war costs.

If the 1991 Gulf War is any guide, the VA can expect soldiers to seek care. Indeed, Congress in 1998 authorized the VA to treat all combat veterans free for two years after they leave active duty. That alone could

prompt waves of new patients as active military, reservists and members of the National Guard return home..

The possibility that Saddam Hussein might use weapons of mass destruction has many people hedging their predictions.

''We don't know yet whether there's going to be chemical or biological warfare,'' said Rep. Cliff Stearns, a Florida Republican on the House Veterans Affairs Committee.

The VA so far has granted disability claims to about 164,000 of the 581,000 troops who fought in the first Persian Gulf War and have since left the services, or nearly 30 percent. About 250,000 Gulf War veterans received treatment at VA hospitals last year, part of an upward trend in which 10,000 to 20,000 more Persian Gulf veterans sought health care each year since 1993, according to VA data.

The force deployed to Iraq is smaller this time—about 250,000 with more on the way compared to 700,000 in 1991—but many lawmakers believe the impact on the VA could be significant.

Taxpayers for Common Sense, a budget watchdog group, estimated the war could require $5 billion to $20 billion in VA benefits and health care during the next 10 years. The wide range is based on the last Gulf War's aftermath but reflects the current uncertainties.

Bush's 2004 budget includes a $2.1 billion increase for VA health care, which is intended to deal with existing shortcomings. Principi said the Iraq war will bring additional costs as soldiers require care for physical and psychological wounds.

Mr. GRAHAM of Florida. Mr. President, there is no linkage between the January action of cutting off veterans from enrolling in VA health care services and the costs which the VA is legally obligated to assume for service personnel who will be returning from the second gulf war. We gave the VA the duty to care for service members after numerous troops returned from the first gulf war. This duty stretches not only to injuries in combat but also those who suffered mysterious illnesses, the cause of which, in many instances, still remains undetermined.

The cost of this war will not end with the war itself and will not be confined to the borders of Iraq. Veterans will continue to pay those costs for years to come. We must be prepared for thus far neglected costs of war by assuring the VA will be prepared when the newly created veterans of Operation Iraqi Freedom seek their health care. It is our responsibility to assure the VA has adequate resources to fulfill this promise. It is a promise which we, the Congress, made to our servicemen. The Senate, in 1998, unanimously passed the statutory right of veterans to have VA health care for 2 years after they separated from service for those veterans who were actually in combat in this and possibly future engagements.

I urge my colleagues to join me in this effort to see our veterans are provided the care they are currently earning by their service.

I seek unanimous consent to have printed in the RECORD several letters in support of my amendment from the American Legion, from Disabled American Veterans and Paralyzed Veterans of America, organizations which, together, represent more than 2 million Americans.

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

THE AMERICAN LEGION,
Washington, DC, April 1, 2003.

Hon. BOB GRAHAM,
Ranking Member, Committee on Veterans' Affairs, U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR GRAHAM: On behalf of the 2.8 million members of The American Legion, I would like to express full support for your amendment to provide $375 million to the Department of Veterans Affairs (VA) in the Wartime Supplemental bill.

The current conflict with Iraq will regrettably create a new generation of service-connected disabled veterans. Due to the experiences from the first Gulf War, President Clinton enacted of Public Law 105–368, the Veterans Programs Enhancement Act of 1998, which extended essential health care benefits for service members returning from combat duty. This law provides a two-year window for recently-separated, combat-veterans timely access to VA's quality health care.

Currently, VA is struggling to provide services for the current veterans' population and this supplemental funding will be essential to anticipate the needs of returning service members from Operation Iraqi Freedom. While this Nation gives its full support to the war fighters, it must equally match its support for those returning from war. The American Legion urges you and your colleagues to provide the necessary funding to meet the health care needs and benefits for veterans—past, present, and future.

The American Legion supports and applauds your efforts and your continued support of the men and women who serve and have served in uniform.

Sincerely,

STEVE ROBERTSON,
Director,
National Legislative Commission.

DISABLED AMERICAN VETERANS,
Washington, DC, April 3, 2003.

Hon. BOB GRAHAM,
Ranking Minority Member, Senate Veterans' Affairs Committee, Hart Senate Office Building, Washington, DC.

DEAR SENATOR GRAHAM: I would like to thank you for your proposed amendment to the Fiscal Year 2003 Supplemental Appropriations Bill that would increase Department of Veterans Affairs (VA) health care funding by $375 million.

As you know, sick and disabled veterans suffer because of insufficient funding in VA health care. This amendment would ensure that the government is capable of meeting the needs of not only veterans currently using the system, but also those returning from Iraq and the global War on Terror.

The Disabled American Veterans fully supports this effort. Thank you for your advocacy on behalf of our nation's sick and disabled veterans.

Sincerely,

EDWARD R. HEATH, SR.
National Commander.

PARALYZED VETERANS OF AMERICA,
Washington, DC, April 3, 2003.

Hon. BOB GRAHAM,
Ranking Member, Committee on Veterans' Affairs, U.S. Senate, Hart Senate Office Building, Washington DC.

DEAR SENATOR GRAHAM: On behalf of the members of Paralyzed Veterans of America I would like to express our strong support for your amendment to provide $375 million in funding for the Department of Veterans Affairs' (VA) health care system in the Wartime Supplemental Appropriations bill.

In approving legislation, now Public Law 105–368, the Congress extended essential health care benefits for service members returning from combat duty after the first Gulf War. This law provided access to VA health care for newly separated combat veterans for a two-year period following their return to civilian life. The Department of Veterans Affairs must be prepared and Adequately funded to meet the challenges placed upon it by a new generation of returning veterans as well as, undoubtedly, health care demand from increasing numbers of veterans with service-connected disabilities sustained as a result of this new war in Iraq.

Thank you for your continuing care and concern for those who serve and have served in defense of this Nation.

Sincerely,

RICHARD B. FULLER,
National Legislative Director.

Mr. NELSON of Florida. Will the Senator yield?

Mr. GRAHAM of Florida. I yield.

Mr. NELSON of Florida. I join my colleague from Florida in supporting his amendment. The Senator clearly has examples all over the country but we, especially, have examples in our State of Florida of backlogs of 6 months before a veteran can get an appointment. One of the clinics has enrollment backlogs of up to 2 years just to get in the system. There are 44,000 veterans in Florida who are backlogged, waiting 6 months for appointments. Nationwide, there are 230,000 veterans waiting to get an appointment and have to wait 6 months. That is unconscionable.

Then, the administration, in trying to deal with the shortage of money, has denied enrollment of what is called category 8 veterans which are not service connected and have an income of over $24,000 a year. They cannot even get into the system. Nationwide, that is 360,000 veterans.

I think my colleague from Florida has made the case most pointedly and I certainly will support the distinguished senior Senator from Florida.

Mr. GRAHAM of Florida. Mr. President, I express my appreciation for the comments by my good friend and colleague, Senator NELSON. What the VA seems to want to do is to use the money saved by denying services to hundreds of thousands of veterans. They want to use it twice.

In January, the rationale was they could not meet their core responsibilities, for instance, for veterans who had a service-connected disability. In March, they want to use the same $375 million to pay for the veterans who will be coming out of the gulf war and will, by statute enacted by this Congress in 1998, be eligible, be guaranteed, access for 2 years to VA health care services.

They cannot have it both ways. The responsible thing to do is to recognize this as a cost of war. But for the fact we have men and women, including reservists and National Guard personnel at risk in combat, we would not be

talking about an additional $375 million. However, the fact is, they are in combat and they at some point, like the 82 percent from the first gulf war, will be separated from the service and therefore become eligible.

We also have this issue of the large number of veterans who are otherwise eligible because of their previous service for VA benefits who have been cut off. We need to deal with both of these problems. At least by adopting this amendment we will deal with the most current issue which are the combat veterans from the war which is currently underway.

Mr. STEVENS. Mr. President, this amendment would provide an additional $375 million for VA medical care to address the medical needs of returning veterans from the war in Iraq.

This funding would be used to meet the funding requirements of the Veterans Programs Enhancement Act of 1998 which entitles, for 2 years following participation in combat, that any active duty service member is immediately eligible to receive VA health care upon release or separation from service.

These funds will be needed at some point in the future but this amendment does not meet the requirements of this supplemental as funding that is needed immediately to address concerns related to homeland security or the war in Iraq.

And while I agree with my colleagues that VA medical care is not meeting the medical needs of veterans in a timely manner and there is much to be improved, the problem is as much systemic as it is funding. However, this funding is not needed now on the heels of the fiscal year 2003 Omnibus Appropriations bill in which we appropriated some $23.9 billion for VA medical care. This funding level was an increase of some $2.6 billion over the fiscal year 2003 level and $1.15 billion over the fiscal year 2003 Budget Request. The VA medical system has all the funds that it can absorb this year and will be able to meet the medical needs of any returning veterans from the war in Iraq.

We will need additional funding for VA medical care in the future but that is the job of the fiscal year 2004 and fiscal year 2005 appropriations bills.

I also do not want to leave my colleagues with the false impression that VA medical care is broken. Yes, there are problems with patient backlog, but I can assure you that Secretary Principi has made a commitment to fix VA medical care and has made significant strides in addressing veteran concerns, reducing patient backlog and improving VA medical care.

Ms. MIKULSKI. Mr. President, I rise in strong support of the Graham amendment to increase funding for VA medical care.

I am proud to cosponsor the Graham amendment. Our men and women in uniform have my steadfast support. We must support the brave men and women who are fighting for our country. Our troops need to know that America is with them, and we owe them a debt of gratitude. We need to remember our troops in the Federal checkbook.

That is why I am proud to cosponsor the Graham amendment. The amendment is simple and straightforward. It would provide $375 million more for VA medical care, so that when our troops return from war, the VA can give them the medical care they deserve.

Under a law we passed after the Persian Gulf War, the VA must give priority to returning troops for immediate medical care. But the VA medical care system is strained. Nationally, there are 236,000 veterans waiting longer than 6 months to get their first appointment with a VA doctor. In January, the VA health care system stopped accepting Priority 8 veterans. These are veterans who are not service disabled, and whose income is higher than about $29,000 per year.

Our veterans didn't stand in waiting lines when they were called up or they volunteered to serve our country. So they shouldn't have to stand in line or pay toll charges to get the medical care they deserve.

As the ranking member on the VA–HUD Appropriations Subcommittee, my guiding principle for the VA budget is that we keep the promises we made to our veterans. In the last four years, the VA–HUD Subcommittee has provided large increases for medical care, including $1.7 billion in 2000, $1.3 billion in 2001, $1 billion in 2002, and $2.4 billion in 2003. We provided these increases because we know that the failure of private health insurance companies and high prescription drug costs are really straining our veterans on fixed incomes. At the same time, our veterans population is growing and getting older. Today, the VA treats 2 million more veterans than in 1996

I am very concerned that the administration's VA budget for next year does not keep promises to our veterans, and will not support the needs of our troops. The VA's budget puts new toll charges and means tests on our veterans. Specifically, the budget proposes four things. First, the budget proposes to keep the VA closed to Priority 8 veterans. Second, the budget proposes a new $250 entrance fee for veterans. Third, the budget proposes to increase outpatient primary care copayments from $15 to $20. Fourth, the budget proposes to increase prescription drug copayments from $7 to $15.

I raised my concerns about these proposals with Secretary Principi during the VA–HUD Subcommittee budget hearing last month. We have great respect for Secretary Principi. He is a Vietnam Veteran who continues to serve his country. Now he's battling OMB against a skimpy and spartan budget. But I am concerned that the budget OMB gave VA this year leaves the VA foraging for funding. It will leave our troops without access to the medical care they deserve.

I urge my colleagues to support our troops and our veterans in the Federal checkbook by supporting the Graham amendment.

Mr. DASCHLE. Mr. President, the full attention of the Senate is focused today on legislation to fund our ongoing military campaign in Iraq. The newspapers this morning were focused on our latest military feats, including the apparent destruction of two important Republican Guard divisions and advances that leave us very near the outskirts of Baghdad.

Senator BOB GRAHAM, the ranking member of our Veterans' Affairs Committee, has asked us to look ahead and begin planning for the future to ensure that our veterans receive the counseling, health care, and other services we know they will need after the last battles are fought.

The Graham amendment, of which I am a proud cosponsor, would provide $375 million to the Department of Veterans Affairs so the VA can provide adequate care for returning troops.

I cannot stress enough how vital this amendment is.

During my career, I have been involved in dealing with the aftermath of two major wars, Vietnam and Operation Desert Storm. In both cases, there was enormous confusion, frustration, and pain—much of it unnecessary, in my view—because our government assumed that veterans would come back and pick up their lives where they left off before the war.

It didn't work that way, and it probably never will. I learned this the hard way, from talking to hundreds of veterans about post-traumatic stress disorder, Agent Orange, readjustment counseling, and Gulf War illnesses. A fascinating literature review, published in 1996, found that war syndromes, many of them poorly understood, have been associated with armed conflicts at least since the Civil War.

Today's amendment would prepare us to assist veterans from day 1, hopefully allowing us to avoid repeating the mistakes of the past. It is not the complete answer, but it begins to move us in the right direction, by adjusting VA funding levels to reflect the number of veterans who will be returning from Iraq.

The funding level in this amendment has a very logical basis. We know that about one-third of veterans from the 1991 Gulf War have been granted service-connected disability claims, which makes them eligible for VA health care. We can expect, at a minimum, a similar number of veterans to turn to the VA after the conflict. The number may well be even higher than in 1991, since our troops so far are experiencing more ground combat and higher casualties than in Operation Desert Storm. So if one-third of our returning troops seek VA compensation or health care, we can multiply that figure by the VA's average per-patient cost and arrive at an approximate dollar figure: $375 million, the amount requested in this amendment.

Remarkably, the Administration claims the VA already has sufficient resources to accommodate returning veterans. To that surprising claim, I would respond that the VA's wait list in the upper Midwest now forces 23,000 veterans to wait at least 6 months for health treatment. For next year, the Administration has told us that it needs to charge veterans $250 million in new fees and higher copayments, not to raise money, but to drive away 1.2 million veterans from VA hospitals and clinics. Everyone except the White House is using the word ''crisis'' to describe the current state of affairs at the VA.

Senator GRAHAM has a recent newspaper article from Florida, in which VA Secretary Anthony Principi reportedly claims that the VA can take care of returning troops because it blocked access to VA health care for thousands of middle-income veterans. But in January, when the regrettable eligibility decision was announced, the Secretary said this move was necessary just to begin working down the atrocious backlogs at VA hospitals and clinics.

Sadly, this is all just another chapter of an old story with this administration. When it comes to the VA, their budget claims long ago ceased to be credible. The ranking member of the Veterans' Affairs Committee, Senator GRAHAM, deserves our thanks for stepping into the leadership void and proposing a constructive solution.

We are all proud of the spirit, valor, and selflessness exhibited by our troops. Now is the time to show our understanding, our recognition, of the personal cost associated with wartime service. I urge all senators to join this effort to prepare the VA to meet the needs of these men and women after they return home.

Mr. STEVENS. What is the time situation?

The PRESIDING OFFICER. The Senator from Florida has 4 minutes and the Senator from Alaska has 10 minutes.

Mr. GRAHAM of Florida. Mr. President, I do not believe there are any Senators requesting to speak under my time, so I reserve my time for final remarks until Senator STEVENS has completed his comments.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I have to agree with my colleague from Florida that additional funds will be needed in the VA medical care account in the future. That, again, is a job for the 2004/2005 bill. Those people are coming out of the service and are cared for a period of time after they leave the service and the VA picks them up at the end of that time. This $365 million is strictly for the medical needs of returning veterans from the war in Iraq.

I remind the Senate we appropriated $23.9 billion for VA medical care for fiscal year 2003. That was $2.6 billion over the amount made available in 2002 and $1.50 billion more than the President request. The VA medical system was adjusted for what we believe will be the demands on the VA for returning veterans during the period of this fiscal year.

Again, there is no question there will be additional funds to meet medical needs of returning veterans and they will be defined, I am sure, as we get into the fiscal year 2004 bill.

I do know that there are some problems in the VA, but they are not in funding. They are systemic problems that need to be addressed. I have every confidence in the current Secretary of the Veterans' Administration, Secretary Principi. He has visited with me personally. As a matter of fact, he worked here in the Senate. We know him well. He was a staff member to the Senate committee. I do believe he is sincere in telling us these funds are not needed at this juncture.

The funds that may be needed in the future must be addressed on the basis of the needs as the war in Iraq and the war in Afghanistan and the war on terrorism proceed.

I state categorically to the Senate I do not oppose additional funds to meet the medical needs for returning veterans. I will oppose putting them up now. Only 3 months ago we gave the VA $2.6 billion more than they asked.

The situation is a difficult one. When the Senator finishes his statement, I intend to move to table his amendment because it is not our proper process now to deal with returning veterans' needs from the VA that might exceed funds already available for fiscal year 2003.

I hope to work with the Senator from Florida. I assure him, obviously, there are many of us here on the floor of the Senate who are veterans. We would not in any way take action to deny the funds that are necessary to meet their needs, particularly these gallant people who are over there now.

No one on the floor of the Senate yet has mentioned the stories on the front pages of all papers in America today about the gallant young lady who fought the fight in Iraq, almost to her own death, and after the death of several of her colleagues. She was trained as a supply clerk. She is one of the veterans, now, that will have needs. I assure the Senate we are going to see those needs are met. Jessica Lynch is an example for all Americans, and particularly for young women. I have had several comments about her gallantry and we are all inspired by her gallantry. But the subject now is what is her need?

There is available, for this fiscal year, the balance of the $23.9 billion that this Department already has. When the time comes, I am confident that Secretary Principi will request additional funds for fiscal year 2004 as they are defined, but let's not precede that. Let's not put additional money up.

This will be money for 2003. I state categorically there is no evidence any additional money is needed in fiscal year 2003 for the Veterans' Administration.

As soon as the Senator has completed using his time, I will make a motion to table his amendment, regretfully.

The PRESIDING OFFICER. Who yields time?

Mr. GRAHAM of Florida. Mr. President, it seems the issue now is not whether we are going to meet this responsibility which we have taken on ourselves by a vote of this Senate and the House of Representatives to provide to returning combat veterans, men and women who actually were under fire, a 2-year period of access to the Veterans' Administration health care services. The issue seems to be when we should make this commitment. My answer to that question would be: Now.

The fact is, unless this war goes on much longer than the administration or any American prays that it will, there will be returning veterans, particularly reservists who, as soon as they complete their period of active duty, are going to be eligible for these health care costs. I hope we are not taking the position that this war is going to drag on so long that no reservist, no National Guard member will be eligible for these benefits prior to September 30 of this year.

There also will be regular duty combat soldiers who will be separating from service and therefore become eligible.

I believe, if we are concerned about the morale of our service men and women and wish to show American support for their gallant service, there is no better way to do it than to indicate that we are fully committed to meet our responsibilities to those men and women when they return home.

The issue is, is there enough money in the VA budget to accept this new responsibility? The VA, just 2 months ago, terminated the eligibility of several hundred thousand veterans because of the financial pressures that they were under at that time. The increase in the veterans budget, which is applauded, essentially represents the cost of medical inflation from one year to the next. There are no significant real dollar additional resources for the VA to carry this new responsibility.

I urge the Senate not table this amendment but, rather, to enthusiastically endorse it as a tangible statement of our commitment to the men and women of America who are, today, putting their lives at risk in order to achieve Iraqi freedom.

The PRESIDING OFFICER (Mr. TALENT.) Who yields time? The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I now move to table the amendment of the Senator from Florida. I ask unanimous consent that it be set aside to occur in the sequence that beings at 10 minutes of 2.

Mr. GRAHAM of Florida. Mr. President, I ask for the yeas and nays on the motion to table.

Mr. STEVENS. I am not prepared to agree to the yeas and nays at this time.

The PRESIDING OFFICER. The Chair needs to inform the Senator from Alaska the motion to table is not in order because time remains to the Senator from Florida.

Mr. STEVENS. I apologize. I thought the Senator used his time.

Mr. GRAHAM of Florida. The Senator from Alaska is correct. I have used my time and am prepared to yield it back. Let me make a parliamentary inquiry. The Senator from Alaska is now requesting a motion to table my amendment, which will be voted on later today. I want to be clear I am not foregoing my right to ask that there be a recorded rollcall vote on that motion to table.

Mr. STEVENS. Mr. President, I have no intention to deny that. I may wish to ask the Senator to modify his amendment at a later date, so I would like to not get the yeas and nays yet, but I will agree to them when the time comes, if necessary.

The PRESIDING OFFICER. The Senator has not lost the right to request the yeas and nays.

Mr. GRAHAM of Florida. I yield the remainder of my time.

Mr. STEVENS. I thank the Senator. I do make the motion to table and reserve the right to decide what to do.

Under our understanding, we will have Senators from our side of the aisle offer amendments now. I see the Senator from Nevada here. He has an amendment.

Before that, if he doesn't mind, I ask unanimous consent that we return to the amendment of Senator BAYH and have it put before the Senate.

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

AMENDMENT NO. 474, AS MODIFIED

Mr. STEVENS. I send to the desk a modification of that amendment on behalf of Senator BAYH and his cosponsors and myself.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment (No. 474), as modified, is as follows:

On page 38, after line 24 add the following:

SMALLPOX AND OTHER BIOTERRORISM INOCULATION ACTIVITIES

For additional expenses necessary to support grants to States for smallpox and other bioterrorism inoculation activities, $105,000,000, to remain available until September 30, 2004: *Provided*, That this amount is transferred to the Centers for Disease Control and Prevention.

Mr. STEVENS. The amendment has now been modified according to the submission I made?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I now urge the adoption of the amendment.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment, as modified.

The amendment (No. 474), as modified, was agreed to.

Mr. STEVENS. 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 Alaska.

Mr. STEVENS. Mr. President, the Senator from Nevada has an amendment, and I know he is willing to accept a short time agreement. But I would ask him to offer it, have it read, and then we will see how much time may be required.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

AMENDMENT NO. 488

(Purpose: To prohibit the use of funds in a manner that benefits citizens or businesses of France and Germany unless physically located in the United States)

Mr. ENSIGN. Mr. President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN] proposes an amendment numbered 488.

Mr. ENSIGN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

Mr. STEVENS. Mr. President, has it been read? Was the amendment read in full?

The PRESIDING OFFICER. The Senator asked consent to have the reading of the amendment called off.

Mr. ENSIGN. Mr. President, I ask unanimous consent that the amendment be read.

The PRESIDING OFFICER. Without objection, the clerk will read the amendment.

The legislative clerk read as follows:

At an appropriate place insert the following:

SEC . (a) No funds made available in this Act for purposes of reconstruction in Iraq may be provided, to a person who is a citizen of or is organized under the laws of France or Germany, unless such person is a resident of or organized under the laws of the United States.

Mr. STEVENS. Mr. President, I ask unanimous consent there be 30 minutes on each side for this amendment. I do not know how much time Senators might request, but I have been informed there may be several Senators who wish to discuss the matter, and 30 minutes on a side would be sufficient.

Does the Senator from Nevada wish to be recognized?

Mr. REID. Mr. President, I say to the manager of the bill, I am going to talk to Senator BIDEN. He has called the cloakroom. I will see how he feels about this. He is at a Foreign Relations matter.

Mr. STEVENS. Mr. President, I withdraw the request for the unanimous consent, but I do believe there is going to be substantial need for time on this one.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, I have a very simple amendment.

As we have seen leading up to this time of war, the United States and our President attempted many diplomatic means to try to make us not go to war. And many people, including myself, feel those diplomatic means were thwarted by some of our traditionally closest allies. And what I mean by thwarted is that the stronger of a hand our President would have had in the negotiations, I believe the better chance we would have had of not going to war.

Gerhard Schroeder, in his election bid, I believe, shamelessly used some anti-American sentiments to narrowly gain his reelection. Now, that may have been a shrewd political move for him to make, but it was certainly not statesmanlike. He started many in the world against the United States in this diplomatic effort that we were engaged in in trying to avoid war with Iraq by getting them to disarm.

After Germany started leading this battle, France joined the battle and has taken it to a new level, much to the dismay of, I believe, most Americans.

We now are engaged in a conflict to change the regime in Iraq. That regime, by all accounts, is a brutal regime and needs to be changed. And we need to disarm that country from weapons of mass destruction, which, as Americans—and I think the rest of the world looking on—we can see what a fabulous job our military is doing in accomplishing their mission.

My amendment today says when the conflict is over and we are going to rebuild Iraq, American taxpayer dollars are not to go, in the rebuilding of Iraq, to French or German companies, to French or German citizens, because of what their governments did in opposing the United States actively. It was not just that they voted against us at the United Nations. They led—especially France led—the world against the United States and, I believe, because of that, made it more difficult in Turkey. If we could have had our ground troops available in Turkey, we could end this war much sooner than when it will be ended.

So this amendment says American tax dollars, in the rebuilding of Iraq, are basically refused from going to any companies and/or citizens from the countries of France or Germany.

Now, if a company from France actually has a subsidiary in the United States that employs people, our amendment allows that company, that subsidiary to bid on the contracts. But in no case can the company that is located in France or located in Germany bid on these contracts and win the contracts from the United States.

Now, in the future, if the United Nations and other countries decide to put together a coalition and fund that coalition with international dollars or

their own dollars, our President, the State Department, and everybody else in the United Nations concerned can give the contracts to whomever they want. But I believe, as an American—and I believe the American people would support this amendment—I believe it would be wrong to have our tax dollars going to companies and individuals within France and within Germany because I believe their behavior leading up to this was really quite despicable.

So, Mr. President, I offer this amendment to the Senate today. I hope it is supported widely across this body. I believe it is the right thing to do. I believe it will send a strong message in the future that when countries are trying to do the right thing, and rid the world of a brutal dictator, they should be supported, and you should not expect a reward afterward, as we are seeing countries now around the world trying to jump on board as the war looks like it is going well. We should not reward those countries who, in the first place, had opposed us.

So, Mr. President, I reserve the remainder of my time and look forward to hearing other Senators speak on this amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to oppose this amendment. I very much respect the distinguished Senator from Nevada. However, I think this amendment is enormously destructive. If America is going to become an arrogant nation, do things only our way, this is a good way to begin. I believe it would be a tragic and a terrible mistake.

The amendment is couched in such words that no one would know exactly what it means. It reads:

> No funds made available in this Act for purposes of reconstruction in Iraq may be provided, to a person who is a citizen of or is organized under the laws of France or Germany, unless such person is a resident of or organized under the laws of the United States.

Just to know how this would affect an employee of a given company, an officer of a given company, or anyone else, I think creates a whole miasma of very real problems. I think to use the word ''despicable'' perhaps is hyperbole. I think there is a legitimate point of difference between European nations and the United States with respect to how to handle Iraq. Culturally there are differences. Diplomatically there are differences. But to pass a piece of legislation that puts America's No. 1 allies in a position of being an absolute enemy of this country, I think is a terrible thing to do. I would hope we would vote down this amendment.

The PRESIDING OFFICER (Mr. GRAHAM of South Carolina). The Senator from Nevada.

Mr. ENSIGN. Mr. President, I believe we will have relationships with France and Germany. We have had many good relationships with both of those countries in the past. I believe we need to have good relations with both of them in the future. But I just think it would be patently wrong for us to use money from this supplemental bill we are doing today in providing for the rebuilding of Iraq, it would be absolutely wrong to use that money for countries that actively tried to get the rest of the world to oppose us in doing what the United States believed was right in the world: To disarm a brutal dictator, to rid his own country of weapons of mass destruction which he has used against his neighbors. When a country stands up and tries to do what is right—not in an arrogant sort of a way but in a way in which it is trying to do something that is right—its closest allies should not lead some of the world opinion against it.

The United States during World War II was the leader with our allies in getting rid of a brutal dictator back then. Today the United States is attempting to do the same thing. Some countries tried to appease Adolf Hitler during World War II. We were hearing up until this a lot of the same arguments, especially from the French, about Saddam Hussein. Well, we will just deal with him. We could just appease him, just keep him going along.

I believe brutal dictators understand force. They understand countries that will stand up to them. The more you try to appease them, the more it emboldens them. I believe that is what France was trying to lead the rest of the world to do, to make Saddam Hussein more dangerous in the future.

President Bush is leading a coalition to disarm Saddam Hussein and to disarm him from weapons of mass destruction. It is the right thing to do. When we are done with it, when we rebuild that country, liberating the Iraqi people is going to take some reconstruction. It always has to happen. A beautiful thing about the United States is, we don't just go over, liberate people, and then walk away. We actually believe there is a responsibility. We want to help rebuild that country. But I think it would be absolutely wrong for American tax dollars to go to countries and companies in those countries that have tried to turn the world against us.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to respond. The fact is, there are dozens of countries in this world that disagreed with what the United States is doing. I am one who voted to authorize the President with the use of force. Most of the larger countries in the world disagree.

Additionally, the French and the Germans, in many ways in the war against terror, have been helpful to the United States. Those of us who serve on the Intelligence Committee know this. We know that intelligence comes from both of those nations which is instrumental in helping in the war on terror.

The unilateral approach of this country is subject to some concern by other countries. That is not necessarily a bad thing. This is the first time in America's history we have unilaterally, with Great Britain, with the help of a couple thousand Australians, and with some tacit support of other countries in different ways, some public, some not public, essentially invaded another sovereign nation. There is a difference of opinion as to whether we should have stayed at the United Nations. I happen to share that view. I believe we should have worked to have made this more multilateral. I believe we should have taken the time to do so. But we chose not to do that. The administration chose not to do it.

For the Senate to pass this amendment—you might as well include a whole host of other countries in this—sets us upon a very bad course of action. I would think we would want everyone's help in the rebuilding of Iraq. I would think we would want everyone's help in the establishment of a secure and stable and open and free and, perhaps one day, democratic, new Iraqi government. To place two of America's staunchest allies, France and Germany, that have shown their solidarity with us over the years from the time—certainly the French from the time our country was founded, the Germans certainly subsequent to World War II, and not to understand that there are strong antiwar feelings in both of these countries is shortsighted.

What this Senate should try to do is bring people together, bring our allies together, to reduce America's unilateral courses in the world, to work with our friends. This does not help.

I hope there will be an overwhelming vote against this amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, the bill actually reflects sort of the sentiments we are talking about here today, but it is only a sense of the Senate. We actually want to put it in legislative language. Section 506, page 35 says:

> It is the sense of the Senate that, to the maximum extent practicable, contracts (including subcontracts) and grants for relief and reconstruction in Iraq from funds appropriated under this chapter should be awarded to United States companies (particularly small and medium sized businesses) and organizations, to companies and organizations located in the Near East region, and to those from countries which have provided assistance to Operation Iraqi Freedom.

Our amendment narrows it. It was said there are countries that have been opposing America around the world, not just France and Germany. I agree. But it is France and Germany that have been leading the fight. That is the reason we targeted those two countries. In World War II, European security was threatened. America came to the rescue. In Kosovo, European security was threatened. America came to the rescue. With Iraq, American security is threatened and Germany and France are AWOL. It would be entirely

inappropriate for the money from an emergency supplemental bill to pay for the war and pay for reconstruction of Iraq, for those moneys to go to countries that have attempted to lead the world against us in protecting our own security, in liberating the Iraqi people, and in ridding the Middle East of one of the most brutal dictators it has ever seen.

It is highly appropriate to have this amendment. I hope we have a very strong vote from this body that shows the American people when countries come against us, we are not going to reward them. We will not reward them by giving them money to help rebuild something.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I have spoken to the ranking member of the Foreign Relations Committee, Senator BIDEN, and he is unable to be here right now. He will be here in the next 15 minutes or thereabout. He indicated he would take a relatively short period of time. He may have an amendment to offer and he can discuss that with the sponsor of the bill when he arrives. So we will stay on this amendment until Senator BIDEN arrives.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I would like to make a couple of points on this amendment. I ask the distinguished Senator two questions. The first is, is he aware that Germany has allowed over 60,000 U.S. troops to pass through U.S. Air Force bases in Germany—all troops bound for Iraq? Is he aware that the Germans have helped in many ways?

Second, is he aware that there are already contracts out from our Department of Defense with firms that would be nullified under this bill? Also, I would like to ask the question, if he does know, to what extent would those contracts be nullified by this legislation?

Mr. ENSIGN. Mr. President, I am very aware of the role that Germany is playing there. We defended Germany, with those bases, from the Soviet threat during the entire cold war. It is the reason that Germany hasn't had to spend hardly any money on their national defense—because America has been providing that umbrella of defense, and now we are using those bases, obviously, with their permission.

That is something we appreciate, but it doesn't take away the fact of the role they played in trying to turn world opinion against the United States. I still think it is inappropriate to have these funds going toward these other countries. If this nullifies those other contracts, as far as I am concerned, the purse strings are controlled by the U.S. House and the U.S. Senate. That is under the Constitution. We should be able to at least direct—when we feel strongly—where some of those funds could go. I think it would be highly inappropriate for those funds to be going toward companies and persons from Germany and from France.

Mrs. FEINSTEIN. Mr. President, if I might, I would like to read an editorial that was published in the Los Angeles Times. I think it is pertinent. It was published on the 30th of last month, a few days ago. It is entitled, ''Move Past the Grudges.''

> The United States should act to review tattered alliances that will be needed in the fight against terrorism.

It goes on to point out:

> Blair visited Bush at Camp David last week and readily acknowledged the bruises left by the rancorous United Nations debate before the war. When Bush was asked about the many nations that declined to join the Iraq war alliance, he replied only that the United States and Britain had plenty of Western allies that continue to stand with us. Blair, however, frankly conceded that many countries disagree with what we are doing. How that divide is handled now and after the war will affect global relationships for years to come.

Mr. President, I could not agree more. I don't know why we have any need to be small, to be rancorous, and to be bitter. Right now, we have our men and women in harm's way, and the battle is turning and it is favoring our side. The hope should be that we can put this conflict to an end, that we can mend the wounds, that we can rebuild the country, that we can show to the entire Muslim/Arab world that America is indeed an open, fair, democratic country, and we care about the Muslim people.

I don't believe any purpose is served by this amendment. I don't believe the world is going to be a better place because we pass this amendment. I don't believe we are going to be able to restore or bind any wounds with this amendment. I believe we will drive deeper the scars into the psyche of America with this amendment. I believe we will spread apart our alliances with this kind of amendment. I hope this amendment is not a harbinger of things to come on the floor of the U.S. Senate because I believe it does disrespect to a strong, able, competent, and compassionate United States of America. I urge its defeat.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. It has been asked, What should the United States do to repair our relationship with France? My question is, What should France do to repair its relationship with the United States? The United States is attempting to defend itself, to rid the world of a brutal dictator. September 11 changed everything. We all know that. America is vulnerable. America is the only superpower left in the world, which makes us a target.

France is taking advantage of the fact that we are the only superpower and, because of that, there are natural sentiments against one country having that much power—even though the United States doesn't go into countries to occupy them. We are going into Iraq to liberate it and rebuild it and then get out. We want to get out of there as soon as possible. We would love to be able to have a stable, democratically elected government there as quickly as possible; have infrastructure put in place and get out of there. We don't want our troops or our personnel, whatsoever, to be potentially in harm's way for any longer than they have to be.

So France, in its effort to continue to curry favor with the Saddam Hussein regime, and to continue the trade relations they have, I believe has done something that is very wrong. So I believe France has an obligation to America to try to repair the relationship they have with us. I believe it is up to them to make the first step, and they certainly have not done that—at least up to this point.

Are we open to having them do that? Absolutely. But they have not done it up to this point. At least Germany is making some strides, but France hasn't even made strides toward that. If you look at this historically, over the last many years, France has done just the opposite. France didn't even want Turkey to be able to defend itself against weapons or missiles coming in and use NATO to defend Turkey from missiles coming in from Iraq. That is how much France has wanted to keep favorable relations with Saddam Hussein and his brutal regime.

What is the motivation for this? I don't know. Maybe because France and Jacques Chirac helped them build a nuclear reactor that would lead to nuclear bombs, and then once Israel took out their nuclear reactor, he offered to rebuild it. There seems to be some interest that France has with Saddam Hussein that leads to ulterior motives and this whole idea of getting the world against the United States.

So for France to have taken this idea that the United States is a superpower, and if you want to be against the only superpower, come over here and join us, I think to take advantage of those kinds of natural sentiments in the world has been very wrong, when the U.S. is trying to do something that I believe is on the moral high ground. All you have to do is look at how this brutal regime treats prisoners of war—they torture them—or how they treat their own people, who either are afraid to fight—I mean, if you had bombs coming in night after night after night and you see people around you getting blown up in their tanks, you would think that that might be a little unnerving.

When those people try to go back to their homes, they say: You know what. This regime is not worth giving my life for. What do they do? They have checkpoints, and as those people try to leave, they are shooting them. That is the kind of regime with which we are dealing, and that is the kind of regime France was trying to prop up.

Do I want to see our relations in the future improve with Germany and improve with France? Yes, but they have

to come to the table with something for those relations to improve. The United States gives and gives and gives, and it is time for the United States to hold countries accountable that come against us. That is all I believe this is doing. It is saying taxpayer dollars that are earned by the American people and sent to Washington, DC, are not going to be sent to companies and citizens of France and Germany.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. Mr. President, I ask unanimous consent that the Ensign amendment be temporarily set aside so we might consider an amendment offered by the Senator from Arizona.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, as I have explained to the managers of the bill, we have been waiting now for some time for the Senator from Delaware. He will be here and he will now speak after the Senator from Arizona. It is my understanding on the Ensign amendment there are others who wish to speak so Senator BIDEN would not be the last.

I have no objection.

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

Mr. STEVENS. Mr. President, I understand there may be several Senators who wish to speak on the amendment of Senator ENSIGN. It would be my desire that we accommodate those people but then go back to the McCain amendment until he has finished. The Ensign amendment will be with us for a little while this afternoon.

Does the Senator from Arizona wish to enter into a time agreement?

Mr. MCCAIN. I am sure it will not be long, but since my colleague Senator KYL wants to speak on it, I would like to wait before entering a time agreement.

Mr. STEVENS. For the interest of Senators, could we have some timeframe?

Mr. MCCAIN. It should not be more than 15 or 20 minutes.

Mr. STEVENS. I thank the Senator.

AMENDMENT NO. 481

Mr. MCCAIN. I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself and Mr. KYL proposes an amendment numbered 481.

The amendment is as follows:

(Purpose: To remove unauthorized and earmarked appropriations)

At the end of the bill, add the following:

LIMITATIONS ON OTHER PROVISIONS

Notwithstanding any other provision of this Act:

(1) Amounts made available under sections 310, 312, and 313 of title I shall not be made available for the purposes stated in those sections.

(2) Amounts made available for each of the following items elsewhere in this Act for fiscal year 2003 shall not be made available as provided in this Act:

(A) $500,000 for the Great Lakes Fishery Commission to be used for sea lamprey control in Lake Champlain within the Procurement, Acquisition and Construction Account of the National Oceanic and Atmospheric Administration of the Department of Commerce as provided for under chapter 2 of title II.

(B) $225,000 for the Mental Health Association of Tarrant County, Ft. Worth, Texas, to provide school-based mental health education to schools in Tarrant County; $200,000 for the AIDS Research Institute at the University of California, San Francisco, for Developing County Medical Program to facilitate clinician exchange between the United States and developing countries; and $1,000,000 for the Geisinger Health System, Harrisburg, Pennsylvania, to establish centers of excellence for the treatment of autism, as provided for under paragraph (5) under the amendments to Public Law 108–7 for matter under the heading ''Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services, under the Department of Labor as provided for under chapter 5 of title II.

(3) Amounts appropriated for each of the following items for fiscal year 2003 shall be zero instead of the following amounts appropriated elsewhere in this Act:

(A) $98,000,000 for Buildings and Facilities under the Agricultural Research Service of the Agricultural Department as provided for under chapter 1 of title 1.

(B) $50,000,000 for the cost of guaranteed loans under the Maritime Guaranteed Loan (title XI) Program Account of the Maritime Administration of the Department of Transportation as provided for under chapter 10 of title 1.

(C) $1,000,000 for the Jobs for America's Graduates (JAG) school-to-work program for at-risk young people for Training and Employment Services under the Employment and Training Administration of the Department of Labor as provided for under chapter 5 of title II.

Mr. MCCAIN. Mr. President, as I said yesterday during the debate on the supplemental, I hope we can consider the bill that did not include a host of add-ons and provisions not requested by the administration. Today, with many of our young men and women in harm's way, we should be considering a measure to support the ongoing war efforts and our Nation's homeland security needs free of earmarked or unauthorized provisions. Unfortunately, that is not the case with the bill before the Senate.

I wonder why we could not once—especially with a war going on—bring forward a bill that was free of unnecessary provisions in wasteful earmarks. I hoped we could do it just once.

The amendment offered by Senator KYL and myself is intended to improve the bill to achieve that goal. This amendment would not provide funding for a number of items in the bill that are not associated with the stated purpose of the bill. If there is discussion by other Members, I make it fully understood this amendment is proposed in the framework of the title of the bill which I may repeat several times, which is: Making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and related efforts for the fiscal year ending September 20, 2003, and for other purposes.

Clearly, this legislation is to pay for the war in Iraq and other homeland security needs. It is not here to pay for agricultural facilities, for loan guarantees, for sea lamprey control in Lake Champlain, for the Mental Health Association in Tarrant County, Forth Worth, TX, or AIDS research at the University of California, for the study of treatment of autism at the Geisinger Health System, Harrisburg, PA. None of those, even in one's wildest imagination, relates to the title of this legislation.

What Senator KYL and I have done is propose an amendment, rather than drag the Senate through each individual measure and forcing votes on it—which we could have done—but lump them all together and find out whether the Senate is going to continue its porkbarreling ways, which has become, to me, a national scandal, or we are going to draw the line somewhere.

Let me go specifically through what our amendment would not fund. It would not fund $98 million for buildings and facilities under the Agricultural Research Service to continue construction for USDA research facilities. Of course, it is designated in Ames, IA.

The very first lines in the emergency supplemental bill include $98 million in funds that are intended to be used to continue modernization work on the animal and inspection services facility near Ames, IA. I note this facility received favorable attention from the appropriators previously when a $50 million earmark for the same facility was included in last year's supplemental bill that was intended to fight the war against terrorism. An additional $33 million was also earmarked in the fiscal year 2003 omnibus appropriations bill.

The administration has previously stated additional funding as suggested in last year's supplemental bill was not an essential priority at that time. As a further demonstration of the nonemergency nature of this project, the administration's 2004 budget does not request any funding to supplement this effort.

Certainly, the study of farm animal diseases and controlling known and unknown animal diseases are clearly important to national public health

issues. As part of the Government's effort to improve its knowledge of disease agents and mechanisms, this research facility and other related facilities do serve an important purpose. However, this work is already underway. Adding an additional $98 million as part of this essential war spending measure is simply not required or necessary.

Finally, this ongoing project will clearly be the subject of additional appropriations in future years through the routine appropriations process. These particular renovations are not scheduled to be completed for at least a few more years. I find it difficult to believe removing this $98 million earmark at a time when it is not needed will jeopardize its continued planning and construction.

We will not fund $50 million for the Maritime Administration's title XI loan guarantee program. Chapter 10 of title I provides $50 million in funding to the Maritime Administration's title XI guaranteed loan program for shipbuilders and shipyards. As I said yesterday, this funding is not justified as part of an emergency supplemental to fund the ongoing war. Not only is the program riddled with problems, but the administration did not propose funding it, either in its 2004 or 2003 budget. The Title XI program does not serve any defense or homeland security purpose. It should not receive funding under the guise of a wartime need.

The title XI program is without question one of the most wasteful and mismanaged guarantee programs in the Federal Government. Since 1998, loan defaults have totaled $490 million. On Monday of this week, the Department of Transportation's Office of Inspector General released a report that details the multiple problems with the program's administration. Moreover, how can this provision be aimed at supporting the current war when vessels take years to be built? It simply cannot.

I take a moment to respond to some of the comments made by my colleagues yesterday on the floor in defense of the title XI Maritime Loan Guarantee Program that warrant clarification to ensure there is no misconception about the program.

First, it was asserted that this program is a critical need for the auxiliary maritime capacity during time of war. Yet based on information provided by the Maritime Administration, nothing could be further from the truth. The fact is, as I indicated in my statement yesterday, out of the 51 vessels currently being used in support of Operation Iraqi Freedom, only 1 was built using a title XI maritime loan guarantee. Furthermore, when the Maritime Administration reviews such loan applications, it does not evaluate them to determine if the proposed vessels have any military applicability.

Second, the proponents of this funding claim that the program strengthens our shipbuilding industrial base in support of our defense needs. This argument has been used time and time and time and time again in an attempt to justify this porkbarrel program. Appropriators have claimed for years that commercial ship construction keeps shipyards open and reduces the costs associated with defense ship construction.

I cannot argue against the claim that providing subsidies helps to keep shipyards open. There is little, if any, evidence that commercial ship construction reduces the costs associated with defense ship construction. In fact, recent evidence shows just the opposite.

In February, the Department of Justice filed suit against Newport News Shipbuilding for knowingly mischarging the U.S. Navy for more than $72 million of costs related to the design and development of commercial tankers which were passed through as overhead on major Navy shipbuilding contracts. This is one case, but clearly more investigation is needed to determine how other yards are doing their work.

I point out again, $490 million in defaults over the last 5 years is a lot of money. Speaking of a lot of money, I point out the $98 million for building facilities under the Agricultural Research Service and $50 million for the Maritime administration is about $150 million that is being added. So we are not talking about small amounts of money.

Mr. President, $500,000 for another program that will not be funded is $500,000 for the Great Lakes Fishery Commission. Title 11, Chapter 2 of the bill earmarks $500,000 for the Great Lakes Fishery Commission to be used for sea lamprey control in Lake Champlain. This funding was not requested by the administration and the sea lamprey does not, in my opinion, pose a clear and present danger to our national security. I hope my colleagues will agree that a wartime supplemental is not an appropriate vehicle to fund an earmark of this nature, which has absolutely nothing to do with fighting the war in Iraq or meeting our homeland security needs.

One million dollars for the Jobs for America's Graduates (JAG) school-to-work program for at-risk young people for Training and Employment Services under the Employment and Training Administration of the Department of Labor.

The supplemental appropriations bill provides $1 million for the Department of Labor's Jobs for America's Graduates school-to-work program for at-risk youth people. This program is a school-to-career program implemented in 1,000 high schools, alternative schools, community colleges, and middle schools across the country and United Kingdom. Its mission is to keep young people in school through graduation and provide work-based learning experiences that will lead to career advancement opportunities or to enroll in a post-secondary institution that leads to a rewarding career.

No one disputes that the goals of this program are worthwhile and that this may be a valuable and effective program. But what is it doing in a appropriations bill whose purpose, by its stated title, is to ''support Department of Defense Operations in Iraq, Department of Homeland Security, and Related Efforts . . .''? Can someone tell me how this program is so related to our war effort and homeland security that we must provide funding for it today in this bill? If it is so urgent, then why was it not included in the President's supplemental appropriations request?

When we consider the Labor/HHS appropriations bill for the next fiscal year, we should debate funding for this program at that time. The Labor/HHS appropriations bill is the proper legislative vehicle for debate about this program—not this war supplemental. We are doing a disservice to our young men and women fighting the war in Iraq by attaching this unrelated program to a bill designed to support their efforts.

Mr. President, there is $225,000 for the Mental Health Association of Tarrant County, Ft. Worth, TX to provide school-based mental health education to schools in Tarrant County; $200,000 for the IDS Research Institute at the University of California, San Francisco for Developing County Medical Program to facilitate clinician exchange between the United States and developing countries; and $1,000,000 for the Geisinger Health System, Harrisburg, PA to establish centers for excellence for the treatment of autism.

The Department of Health and Human Services (HHS) portion of the emergency supplemental spending bill to fund the war in Iraq contains several earmarks. Such funding may be for worthy health endeavors. However, these provisions are earmarks and they do not belong within the text of an emergency bill devoted to funding the war. These earmarks are funded from monies allocated by the fiscal year 2003 omnibus appropriations bill which I understand were earmarked in the accompanying report. But now, the appropriators are seeking to earmark them in statute.

There is directive language that would allow West Point cadets to receive flight training during the summer at The University of North Dakota.

Last year's appropriations Senate Report—I emphasize ''report,'' which does not have the effect of law—earmarked $2 million in Army Operation and Maintenance account for the University of North Dakota ROTC program, known as ''Air Battle Captain.'' On this supplemental bill, there is directive language which would authorize—for the first time—a new program to teach flight training to West Point cadets during summer training at the University of North Dakota. This sounds like a good program, but

shouldn't this aviation training program be competitively bid? Perhaps cadets could be better trained at the Army aviation school at Fort Rucker in Alabama. Arizona also has a very good aviation school in Prescott, AZ—Emory Riddle University. These schools should be afforded the same opportunity to train West Point cadets. At the very least, there should be competition, to determine the most cost-effective means to provide this type of initial pilot training to West Point cadets. I don't know. However, I do know the appropriations bill should not direct the West Point Superintendent to send his cadets only to The University of North Dakota, without consideration of other pilot training capabilities. That is wrong. That is wrong.

In the Senate report—not in bill language—there is an earmark for $12 million from Defense-Wide Research, Development, Testing and Evaluation for airfield improvements in Alaska that may be associated with the ground-based mid-course missile defense program. Because this is report language, I can not strike it in my amendment, however it is equally as appalling.

According to the Congressional Budget Office and the Office of Management and Budget: ''Research, Development, Testing, and Evaluation covers the costs of developing and testing new systems and subsystems.'' My staff advises me that, this may have been included in previous appropriations tables in some form—but I could not find it. However, I question the merit of this earmark. If this was a valid program, why would we take critical dollars from research, development, testing, and evaluation funding—which Republicans and Democrats alike, understand is underfunded according to defense budget experts—to pay for airfield improvement in Alaska? Why are we robbing critical defense Research, Development, Testing, and Evaluation funds to pour concrete? Why not use Military Construction money? Mr. President, $12 million is a lot money for airfield improvements.

The Commerce, Science, and Transportation Committee provides Airport Improvement Program funding for airports in the United States for planned maintenance and construction. This is a lot of money to refurbish the airfield. Because it is report language—it is a Senate Appropriations Committee recommendation only—the Department of Defense does not need to apply the $12 million in this way, so it could simply ignore the Committee recommendation as it does not have the force of law.

Similarly, there are two other earmarks—that my colleagues will explain are not new earmarks. In fact, they were included in the Senate Appropriations Report language last year.

We have a new kind of routine that is going on here by the appropriators that certainly is a testimony to imagination, but I think it is something that is a new opening for porkbarrel spending. In an appropriations bill, you put in money for a general fund and it is in the report language, not having the force of law, so, therefore, those of us who want to eliminate it cannot do so because it is in the report language. Then in the following appropriations bill, they earmark from that report language in the law the porkbarrel project. It is wrong. It is wrong.

In any case, there is no doubt this year—the war supplemental to support Department of Defense operations in Iraq—includes directive bill language specifically to provide $6.8 million from Air Force Operation and Maintenance accounts to build and install fiber optic and power upgrades at the 11th Air Force Range in Elmendorf Air Force Base in Alaska. Furthermore, there is $3 million earmarked in the Operation and Maintenance accounts directing the Army to build a rifle range for the South Carolina National Guard. Why not use Military Construction funding, if this was a worth-while project. Why hide it in Operation and Maintenance funding?

For the benefit of my colleagues, operations and maintenance money is used to train people. This is what we could use to provide spare parts. This is the heart and soul of the movement and readiness of our military. So we are, in report language, saying they should take money from operation and maintenance accounts to build fiberoptic and power upgrades at Elmendorf Air Force Base and to build a rifle range for the South Carolina National Guard.

The one thing many of us have worried about, and worried about for years and years, is operation and maintenance. We always shortchange them because they are nonsexy items. There is no contract let, generally speaking, for operation and maintenance—to provide the spare parts, the maintenance of the high-tech equipment, the fuel, all of those things. Now, where is this directed money coming from for fiberoptic upgrades, for building a rifle range? Out of operation and maintenance.

Again, according to the Congressional Budget Office and the Office of Management and Budget: ''Operation and Maintenance (O&M) includes spending on fuel, spare parts, and overhauls of military equipment. O&M also includes spending on such items as health care, environmental programs, the maintenance and repair of buildings, roadways, runways, and base operating support including telephone systems and computers.''

Report language does not have the force of law. The war supplemental bill language does however. There will now be no doubt in any Pentagon general counsel's mind because the Iraqi war supplemental says: Spend the money or you will be breaking the law.

Mr. President, let me also express my deep concern about a pattern that seems to be developing. It seems to becoming a practice in which funding is provided in one appropriations bill, and then earmarked, under the guise as technical corrections, in a subsequent measure. In fact, this is the very situation that is taking place with the above mentioned earmarks under the Department of Health and Human Services. Funding was authorized and now we are expected to not even question the fact that the pending bill proposes a number of provisions to earmark the previously authorized funds.

Again, I will never underestimate the imagination and creativity of the Appropriations Committee. This is one pattern that must be halted.

I hope we can vote in favor of this amendment. It is not a huge amount of money when we are talking about the size of this overall bill. I believe all of these provisions from which we are trying to eliminate the money would probably be restored in a normal appropriations process—whether I happen to agree with it or not. But how do we tell our constituents, who are paying their taxes—and understanding they have difficult times now with unemployment high, with cutbacks, and people being laid off—that we are going to take their tax dollars, in the name of funding the war on Iraq and homeland security, and spend it on these projects? I do not think we should be doing this.

I hope my colleagues will consider voting in favor of the amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, if I could direct a question to the Senator from Arizona, it is my understanding there are others who wish to speak on your amendment. The reason I mention that is because what we would like to do is arrange a vote on your amendment in the order that has been set to begin at 1:50.

Prior to that, the ranking member of the Foreign Relations Committee is here to speak on the preceding amendment. As the Senator from Arizona knows, we took the Senator from Arizona out of order.

How long does the Senator from Idaho wish to speak?

Mr. CRAIG. No more than 5 minutes.

Mr. MCCAIN. I mention to my colleague, I tried to get a handle on it. My colleague from Arizona, Senator KYL, I know wants to speak on it, but I am not sure there is a lot of other significant debate on the amendment.

Mr. REID. I ask unanimous consent that when the Senator from Idaho finishes his remarks, the Senator from Delaware be recognized and we would return temporarily back to the Ensign amendment.

Mr. MCCAIN. I object.

Mr. REID. The Senator from Delaware.

Mr. MCCAIN. After that, return to the Ensign amendment or return to the McCain amendment?

Mr. REID. He is going to speak on the Ensign amendment. Then we would immediately go back to the McCain amendment.

The PRESIDING OFFICER. Would the Senator repeat the request?

Mr. REID. I am happy to. I ask unanimous consent that the Senator from Idaho, Mr. CRAIG, be allowed to speak for up to 10 minutes on the pending amendment, the McCain amendment, and that following his statement, the Senator from Delaware, Mr. BIDEN, be recognized to speak on the Ensign amendment; and that following the statement of the Senator from Delaware, we will go back to the McCain amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Idaho.

Mr. CRAIG. Mr. President, I come to the floor to speak in support of S. 762, but in doing so, I have been seated here for the last few minutes listening to the senior Senator from Arizona. I must tell you, what he speaks about in relation to this appropriations bill makes a good deal of sense.

I think all of us are looking at debt and deficit at this moment and recognizing the tremendous importance of supporting our men and women in uniform and our President's request for supplemental spending for the operations in Iraq, knowing full well we will fully fund all they need in that area.

We also recognize this may well be a time for some belt tightening. We are creative around here as it relates to our ability to associate certain activities in our State with other activities in a national sense, to build a slightly different image or character of them.

I think we need, at this point in time, to be much more careful than we have been in the past, and deal with our debt and our deficit and recognize that money is very tight, and that we are struggling at this moment as a Senate, as a Congress, working with our President, to do a variety of things that, in the near future, are going to be very critical—not only the operations ongoing in Iraq but the economy itself, and being able to build a stimulus package for this economy that gets it rolling, gets investment back into the marketplace, and builds job opportunities for the men and women in America who are currently out of work. It is certainly true in my home State. It is true across the Nation at this moment.

Our economy is flat. We struggled mightily to put a budget resolution out. That budget resolution is now working its will with the House in a conference to try to resolve our differences, to set the spending trend and limits for the coming fiscal year, and, as importantly, to build a stimulus package to get this economy moving.

This is not a time for extra spending. This is not a time for that extraordinary opportunity, if you will, that clearly has value, certainly in the minds of the Senator and the home State that he or she represents but in the whole of things may not be as important in this moment in time as is funding defense, funding our war effort, making sure we hold our spending down so the deficit does not become unmanageable, getting this economy turned on, and getting the men and women of America back to work. That is really what we all ought to be about at this moment. Certainly this supplemental appropriations bill ought to address just that.

I must tell you, there is a part of this bill I am struggling with: $3.5 billion to benefit the airline industry. I do not question the value of the airline industry. I do question whether it has reorganized, restructured, asked its employees, asked its executives, asked its pilots to reshape their salaries to get them in line with other industries in our country, and, as a result of that, get their act back together instead of asking the American taxpayers to continually bail them out.

I do not, in any way, underestimate the value of the flow of commerce and industry in this country, of tourism and recreation, and business men and women flying around our country, and certainly the average person who just wishes to travel for whatever purpose. I understand the importance of the airline industry.

I will vote for this legislation, but I am struggling mightily at this moment in an industry that just has not faced the reality of the day, the reality of years and years of building a commitment to its employees that it may now not well be able to finance and, therefore, to ask the American taxpayer to bail them out in absence of significant reform.

Some airlines are doing that. Some have already announced major cutbacks, major adjustments in salary, and they are struggling to hang on. Others have not done so. I hope they will follow suit. We have put some provisions in the legislation that I trust will allow for that.

Lastly, let me say, because I have not had the opportunity in the last several days—busy in briefings on the war, busy in committees—to come to the floor and, as one of Idaho's Senators, and 1 of 100 Senators here, tell the men and women in uniform who are currently in harm's way in Iraq how proud I am of them, how proud I am of their leadership and the tremendous work they are doing there on behalf of human freedom, on behalf of the civilian population of Iraq, who for decades have only known the iron fist, the bullet, or the poison of a dictator who has brought that country to phenomenal despair—a country that has lost almost a quarter of a million people in the last decade through starvation or from fleeing their homeland just for the sake of their families and themselves and their well-being.

We are there for a purpose. Yes, it is self-serving in the sense of the stability of our country and the wiping out of terrorism around the world and those who might feed it and those who might cause it to flourish, but it says something about this great country when we are willing to put ourselves, our men and women and our resources, at risk to save others, to free others, to provide them with a better opportunity. That is what we are doing in the nation of Iraq at this moment.

The war, on the whole, goes well, and I am extremely proud of those who execute it and those brave souls who stand in harm's way on behalf of our country and on behalf of the citizens of Iraq.

The supplemental appropriations is about that. And it should be about that and not about a lot of other things that can appropriately come before the Appropriations Committee, on which I serve, and/or the authorizing committees that should be setting the necessary budgets, holding the necessary hearings as it relates to how the public resources of this country get allocated.

So I trust that my colleagues will review this critically, can, in the whole, support S. 762, and recognize its importance as we fight our deficits, work to turn on an economy, work to put the men and women of America back to work, and at the same time assure those who stand in harm's way in Iraq at this very moment that they have the support of a country, an appreciative country, and they have the resources of this country to assure them the material necessary to not only execute their mission but to keep them safe.

With that, I yield the floor.

Mr. SHELBY. Mr. President, I rise in support of the amendment by the Senator from Arizona, an amendment of which I am a cosponsor.

This amendment, if accepted, will require the Department of State to produce a report within 60 days following the termination of offensive military operations in Iraq detailing everything that is known about that country's weapons of mass destruction programs, as well as about its ability to field conventional forces after a decade of sanctions. Most importantly, it will require that the report in question provide a thorough description of the means by which Iraq acquired the designs, technologies, components, and systems with which to develop and construct weapons of mass destruction and their means of delivery.

Finally, the report required by this amendment will include a discussion of the effectiveness of the unilateral and multilateral agreements designed to prevent Iraq's acquisition of weapons of mass destruction and their means of delivery. This is not intended as an indictment of these agreements. On the contrary, they were an essential component of the structure needed to try to contain Iraqi aggression and impede its ability to acquire such weapons. Rather, it is intended to educate us as to the ways in which rogue governments seek to manipulate and undermine sanctions regimes and, in some instances, exploit the somewhat mercantilist tendencies of some nations to look the other way when logic otherwise dictates caution.

American blood is being shed in the deserts and in the towns and villages of Iraq for the principal purpose of ensuring that a brutal dictator is denied the ability to use chemical, biological or nuclear weapons against his neighbors, against U.S. interests, and against the American homeland. The reasons that we arrived at this point in time are many and are varied. Suffice to say, however, that vitally important lessons will be drawn from this conflict, and from the period leading up to it. Among those lessons will be ways in which Iraq was able to amass the capabilities that it possessed at the time of Operation Desert Storm, and that it was able to retain and accumulate in the decade since. We know, for instance, that it succeeded in exploiting oil-for-food income for illicit purposes. What we need to better understand and to illuminate for the public, however, is the extent to which others facilitated such transactions.

As the remains of Americans killed in combat and in combat-related accidents return home for burial, and as the images of innocent Iraqi victims fills the world's television screens, a reckoning will increasingly be in order. This war is a terrible necessity. I fully support the President of the United States in his decision to bring a decade-long problem that threatens our national interest to a definitive conclusion. As the elected representatives of the American public, however, it is incumbent upon us to prepare to focus our attention on the history that brought us to where we are today. Only through a thorough examination of the ways in which Saddam Hussein was able to reach the stage where we were compelled to bring the full weight of our national power to bear upon him can we hope to prevent a recurrence elsewhere in the world.

I urge support for this amendment. It is about knowledge. It is about learning from the past. It is about helping to avoid traveling the road to war again in the future because we failed to keep our moral bearings in the present. Vote yes on the Kyl amendment.

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

AMENDMENT NO. 488

Mr. BIDEN. Mr. President, I rise to speak against the amendment of a good friend of mine, Senator ENSIGN from Nevada. He introduced an amendment that maybe I should have been aware of but was unaware of until just a few minutes ago that reads:

> No funds appropriated or otherwise made available in this Act for purposes of reconstruction of Iraq may be obligated or expended to pay any person who is a citizen of a country named in a subsection.

It goes on to name in the subsection France and Germany.

I don't want to speak for the Senator, but that view is an expression of the frustration of an awful lot of Americans and some anger at the failure of the Germans and the French to support our effort to disarm Saddam Hussein.

I begin by saying, I have just spoken with the White House and the State Department. They are adamantly opposed to this amendment. France and Germany are providing support for our effort to disarm Saddam that exceeds that of many countries who were formally members of the coalition. There are overflight and basing rights, and many of our wounded are being flown first to Germany before they come here, not to mention their absolutely critical support in the war on terrorism.

Again, I understand the motivation and the frustration and the anger that may be behind some who want to support the amendment. Our decision to use force in Iraq has created deep divisions within the Security Council. Nonetheless, America need not and cannot take sole responsibility for the challenges of postwar Iraq. That is exactly what this would produce. We can't allow the Security Council and our Atlantic alliances to become casualties of this war.

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

Mr. BIDEN. I am happy to.

Mr. MCCAIN. The Senator is aware there are German military and civilians working right now, helping in the reconstruction and peacekeeping in Bosnia, Kosovo, and Afghanistan?

Mr. BIDEN. I am.

Mr. MCCAIN. And have these Germans perhaps been associated with some firm that may also be in the work of reconstruction and peacekeeping in Bosnia and Kosovo and Afghanistan? Does my friend from Delaware believe somehow we should prevent any company, corporation, or individual who may have a contract in those three parts of the world from doing so?

Mr. BIDEN. Absolutely not. Any more than they should be in Iraq. This amendment is a disaster. I understand the frustration. But this is a case where, as my dear mother would say—and my friend from Arizona has met my mom—she would look at me when we were both young—neither the Senator from Arizona nor I have a temper any longer, but when we were young we were alleged to have tempers. My mother, every time I would lose my temper, would look at me and say: JOEY, don't bite your nose off to spite your face.

We are about to, in the colloquial phrase, bite our nose off to spite our face if, in fact, we were to ever allow this amendment to become law.

Mr. MCCAIN. One more question: As the ranking member and senior and former chairman of the Foreign Relations Committee, suppose in the case of Kosovo, where Germany contributed enormously in the force of peacekeeping, medical care, other provisions of sustenance, particularly in Kosovo and Bosnia, where there was enormous devastation, suppose we had passed a law like this with regard to Bosnia or Kosovo: Do you think we would have gotten the kind of assistance from the German government and the people we have received to date, including leadership of the peacekeeping forces?

Mr. BIDEN. Absolutely, positively not. Because of the, as some view them, arcane rules of the Senate, the Senator has to make his point by asking me questions. I would be delighted to yield him some time to speak to this directly as well.

What we are both saying is, this is a fool's errand. This is a foolish undertaking. Let me lay it out, if I may. And then I will be delighted to save some time for my friend from Arizona, who is not only a good personal friend, but a person for whom I have great respect on all matters, particularly foreign policy.

The first reason this would be such a profound mistake is that rebuilding Iraq an Iraq that is secure and self-sufficient, whole and free is going to require tens of billions of dollars over many years. While Iraq's long-term economic promise is good, its short-term prospects are bleak.

This is something we don't focus on. Iraq's annual oil revenues in the first 5 years after Saddam is out—God willing—are projected to be no more than $15 billion. Iraq is saddled, as they should be, with U.N. sanctions, an estimated $61 billion in foreign debt, and $200 billion in reparation claims through the U.N. Compensation Committee. So the idea that we can thumb our nose at the rest of the world and say, we don't need you in there helping us, is profoundly mistaken.

Many Senators think that what happens once Saddam is down, once the war is over, is that the oil is going to flow and there will be plenty of money for the Iraqis to move toward democracy, reconstruct their country, all from their oil revenues.

The fact is, the estimates are, if all goes well, there will be no more than $15 billion a year, and they sit now with obligations that exceed $61 billion in foreign debt and $200 billion in claims.

Experts who have testified before the Foreign Relations Committee put the price tag at post-conflict security—a fancy phrase for saying after the war is over—humanitarian assistance and reconstruction to be between $20 and $25 billion per year for the next 10 years.

My point is, the United States should not take on that obligation alone. Yet if we bar the companies of friendly countries who did not support us in the war from taking part in the peace, what incentive will there be for their governments to help pick up the tab? I respectfully suggest it would be zero.

Secondly, as pointed out to me by the State Department and my staff—and it is self-evident when you think about it—this is going to require the so-called ''iffies,'' the World Bank, the International Monetary Fund, and other international banking institutions, to be part of this reconstruction. We are taking a country that has been decimated by a guy named Saddam for

the past several decades, and we are going to try to make it a member of the family of nations on the road to democracy. We know how hard that is, even where there has been no war. We know how important it is to have international institutions part of the process of helping fledgling democracies come into being.

Now, what prospect do you think there is that the World Bank will get involved, or the IMF, if in fact the two leading members who make decisions on those boards are German and French and they are prohibited, in an almost spiteful way, from having any German or French individuals, let alone any companies, participating in anything having to do with the reconstruction of Iraq?

Third, we need military forces of those countries to be in on the peace. That is what the Secretary of State is doing right now. He is meeting with NATO. The Associated Press published an article today entitled: ''Powell Says U.S. Will Lead Postwar Effort in Iraq.'' And I quote:

> Powell and the Europeans did reach a tentative agreement, however, that NATO should consider deploying peacekeepers to Iraq.

I want someone else in the deal besides the United States. I don't want it merely to be for the next year or 2, 3, 4 or 5 years that there is a young American woman or man standing at every checkpoint, guarding every border crossing, guarding every oil field, and becoming the target of every malcontent and terrorist in the world.

I want the world to take on this responsibility with us. That is what the Secretary of State is trying to do. A military occupation, even temporary, that includes only Americans and British soldiers could fuel resentment throughout the Middle East, bolster al-Qaida's recruitment, make America the target for terrorists and malcontents everywhere. If the military mission stretches beyond several months or years, as is predicted, the failure to include other countries would compound these problems and, I predict, if history is any teacher, turn us from liberators into occupiers.

We need to make peace in Iraq the world's responsibility, not just our own. If we bar their companies from the peace, we may as well forget about their help on the security side. Let's not undermine our diplomacy here by passing such an ill-conceived amendment.

Four, if the United States alone selects a new Iraqi government—even an interim one—that will call into question the government's legitimacy in the eyes of the Iraqi people, the region, and the world. Iraqis who have lived through the brutality of Saddam Hussein's rule should be given the time, the space, and the support to choose their own leaders and to develop the institutions of a stable representative government. We should work with the international community to help achieve that. Who is going to be involved with us if, in fact, we take these punitive measures because they disagreed about the course of action to begin with?

Fifth, many around the world, even long-time allies, question our motives in Iraq. They believe, wrongly, that the President was driven by a quest for oil, driven by commercial interests, or imperial designs. They are dead wrong. But barring foreign companies in the industrialized world—particularly from France and Germany—from taking part in the peace, would only go a step further to confirm the misconception that we are in this for economic gain. We are not. That is not why the President moved. If we allow that to happen, I believe we risk further erosion of those alliances and institutions that have been essential to American security and global cooperation for more than 50 years. It would undermine our interests because we cannot contend with all the threats around the world, including the unfinished war on terrorism, the dangerous nuclear programs in North Korea and Iran, and the spread of infectious diseases, such as SARS, without the cooperation of others in the world. Making friends and allies who oppose the war our partners in Iraq's peace can go a long way to repair the hard feelings that have been emerging in recent months.

Six, if we start blackballing foreign companies, we better be prepared for retaliation against the many American companies operating in France, Germany, and other countries. These American companies bring in billions of dollars that support tens of thousands of jobs in the United States of America. If we were to blackball those who disagreed with us, including France and Germany, from participating in any way in the reconstruction of Iraq, I believe you would see retribution from that which will have impacts beyond anything I am sure my friend from Nevada, Mr. ENSIGN, intended. This amendment would put a lot in jeopardy.

Let me conclude—because I see the chairman on the floor—by reiterating what I said at the outset, which is that the Ensign amendment is opposed by the White House. I spoke to Dr. Rice, and I am authorized to say the White House opposes this amendment because it would deny the President of the United States the flexibility he needs. I spoke to the State Department, the Deputy Secretary of State, who pointed out that this would significantly undermine the other projects, the other issues we are trying to negotiate with our allies.

The last point I will make is this: Some will say, why do we have to reconstruct Iraq at all? If we fail to secure the peace in Iraq, then we will fail to honor those young marines and soldiers and airmen and Navy pilots who have been killed in Iraq. The purpose of this endeavor is not only to deny Saddam Hussein those weapons of mass destruction, but to begin the process of stabilizing in that region so we don't have to send, in the future, our children—young American men and women—to Iraq to give their lives to secure our freedom.

I am not in any way suggesting the motive of my friend from Nevada, Senator ENSIGN, is not a pure one. I am suggesting that it is dangerously misguided.

I am prepared to yield the floor. I am looking to the leadership here to determine whether I should suggest the absence of a quorum.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue with the call of the roll.

The senior assistant bill clerk continued to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, I wish to speak against the McCain amendment. I assume that is in order.

The PRESIDING OFFICER. The Senator may proceed.

AMENDMENT NO. 481

Mr. GRASSLEY. Mr. President, I urge my colleagues to support funding for the construction of the Ames, IA, animal health facilities laboratory. That is the National Animal Disease Laboratory—a national facility, not an Iowa facility—in Ames, IA. I heard my colleagues question the relevance of this provision. I am here now to explain to all my colleagues the importance of this facility to America's national security.

In the event of an animal disease outbreak, this facility in Iowa will play a very crucial role. Whether the issue is bioterrorism or a new or emerging disease, this facility will be centrally involved. Modernization of this facility that was built three or four decades ago is a paramount priority to ensure America's agricultural biosecurity and the safeguard of our food supply. Both the Department of Agriculture in Washington, as well as this Congress, have recognized the importance of moving forward with this modernization project as quickly as possible.

I quote from a May 2001 report which was issued by the Secretary of Agriculture:

> The Agricultural Research Service and Animal Plant and Health Inspection Service partnership in Ames represents an unmatched team of scientific and response personnel providing expertise and skill to address known and emerging domestic animal disease threats.

Our current national threat level demonstrates that we need to be aware of our environment and prepared for realistic threats. Animal disease is a realistic threat to all Americans because it affects our food safety and supply.

Even without bioterrorism, we know what mad cow disease, for instance, has done to agriculture and to the people of England, as one example; and that carried over to Europe a year later and it has recently scared the consumers of Japan. That is not even bioterrorism; that is just a natural course of animal disease and, in fact, how that in turn impacts upon whether humans live.

The Ames lab is very important as we talk about the safety of our food. This lab is the best large research and diagnostic facility in the United States. Unfortunately, after all these decades, it is obsolete. It does not even meet international standards. Nearly every other livestock trading nation has superior facilities. They understand the importance of effective and expedient diagnostic competency. The Ames lab is a surveillance hub for animal disease in the United States. It is the closest thing we have for agriculture and livestock health to human health with the Centers for Disease Control in Atlanta, GA. Doesn't it seem unbelievable that the Ames facility does not have the electrical capacity to handle new computers necessary to update the facility, let alone a complex array of essential electronic diagnostic equipment? This is more than an embarrassment for our Government. It is a national security risk.

We have worked through many different scenarios to improve this facility. We have evaluated leaving the current facility in place and renovating the existing facility to bring it in to the 21st century. We found in the interest of the taxpayers that the most cost-effective method to bring this facility up to speed is to start over from the ground up.

Let me be clear. This $98 million is not full funding for the U.S. Department of Agriculture master plan. This amendment only affords us the opportunity to build the laboratory. The laboratory is clearly critical for research, diagnosis, and prevention of all animal disease threats. We cannot afford to delay construction. We need to be prepared, and this is the only way to reach an optimum level of security.

Remember, we have already appropriated some money for other aspects of this renovation, and this still will not complete the renovation of the animal disease laboratory to what is planned by the Department of Agriculture.

The fact is, the Ames laboratory is the cornerstone of the planned National Animal Health Laboratory Network. The Ames facility is a fundamental element required to protect American agriculture and to improve food safety.

For these reasons, I urge my colleagues not to support this amendment to delete but instead vote for continuing the process that is already in place, that has expended tens of millions of dollars of the taxpayers' money in partial renovation. To move one step closer toward that renovation for the safety of our food supply means to vote against the McCain amendment. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I will not waste the time of this body responding to the statement of the Senator from Iowa except to say I agree with him. It is more than an embarrassment. It is more than an embarrassment that we would be putting $98 million into a project that already received $50 million before an additional $33 million in the 2003 omnibus appropriations bill and for which there was not any additional funding requested by the administration.

There is a reason there was not any request for this money by the administration when they asked for this funding which is supposed to be for the war.

As I say, I will not waste time except to say it is more than an embarrassment to me to tell my constituents that when we are supposed to be funding a war that is going on right now when young Americans are fighting and dying and badly need the equipment and materiel and the help that is in this bill that we are going to try to stuff in a $98 million porkbarrel project for an agricultural research facility which is already more than adequately funded, rather than put it into an emergency supplemental. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have a great deal of respect for Senator MCCAIN. He is very consistent. I want to only argue with one point. This is a national facility. It was located decades ago in my State for reasons that I believe are closely related to Iowa State University being a very good land grant and research institution.

Second, the issue of whether this is legitimate at this point is best justified by the fact that this renovation has already been reauthorized, and this is just one more step by the Congress in carrying out a decision that Congress previously made that this facility that is now decades old should be renovated for the good of the safety of food in the United States.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I support the McCain amendment.

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

Mr. KYL. Certainly.

Mr. REID. If the senior Senator from Arizona said the junior Senator wanted to speak, we would have no objection. He wants 2 minutes.

Mr. KYL. Mr. President, I was about to say there is no more honest Member of this body than the Senator from Iowa, who spoke a moment ago. When he lays out the case for this particular facility in Ames, IA, I do not think any of us can quibble with that. That is not the point.

The point of this amendment is literally to help the chairman of the Appropriations Committee resist the very persuasive cases that every one of us can make that some great project that needs to be completed or started needs to be part of this very special supplemental appropriations bill. We are hoping to make his job a little easier in the future so he can say: No, these bills are going to be clean.

This is a bill to fund the war. It is not to complete a research facility and do other activities that may be good ideas but have no place in this bill to fund the war. Let them go the regular process. I can make the case there is something that relates to our ability as first responders to deal with an emergency from a terrorist threat in the State of Arizona. We are trying to get some money to prevent our hospital emergency rooms from closing down because we are having to treat illegal immigrants with health care under a Federal mandate, a Federal law, which we are happy to comply with, but which costs our hospitals hundreds of millions of dollars every year. We would like reimbursement for that so those emergency rooms will not close down, as they had to, but can stay open. We will not ask for that in this bill.

Instead, we think the best approach is to go through the regular process. That is why I hope my colleagues will support the amendment.

Mr. STEVENS. Parliamentary inquiry. It is my understanding there are two amendments that will be voted on consecutively now, is that correct?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. I ask unanimous consent the McCain amendment be added as the third amendment to be voted on in that queue.

Mr. REID. And that there be no second degree amendments in order.

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

Mrs. BOXER. Parliamentary inquiry. Is my friend intending to move to table my amendment or will it be a straight up-or-down vote?

Mr. STEVENS. Mr. President, it is my understanding I have already moved to table the amendment of the Senator from California.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. I am trying to work out the sequence. What is the second amendment in the queue?

The PRESIDING OFFICER. The Graham amendment.

AMENDMENT NO. 472

Mr. STEVENS. I ask for the yeas and nays on the Boxer amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There are now two minutes equally divided on the Boxer amendment.

The Senator from California.

Mrs. BOXER. Mr. President, we have worked hard to protect aircraft by making sure pilots are equipped to defend the airplane. We need to go an extra step today. The FBI warned us that terrorists with shoulder-fired missiles are a threat to our commercial aircraft. The administration has determined airports are vulnerable to shoulder-fired missiles and they have deployed the National Guard. But we need to do more. We need to adapt countermeasures now installed in our military aircraft for commercial use. It is possible to do this. El Al is doing this.

Opponents argue, and we will hear this, we should wait until a study provision I wrote into another bill becomes law. We should not wait because things have moved on since that study.

This amendment is not even inconsistent with it. It will, in fact, make the money available for that study. This is about fighting a war on terrorism. I hope we will vote in favor of my amendment and not to table this amendment

Mr. STEVENS. Mr. President, this amendment takes money from the Transportation Security Administration allocation for passenger screening and other costs to be incurred for additional security at airports. There is no current technology that can fulfill this need. The systems are too heavy for most commercial aircraft. We do have underway research and development in the Department of Defense and the Department of Homeland Security to try to develop the kind of devices that provide this protection.

This is not a wartime request. This bill is a wartime request. We do not want to see the Senate vote amendments that would earmark the homeland security moneys in this bill. I have opposed them before and the Senate has voted against this action before. I have previously made a motion to table.

Mr. MCCAIN. I ask unanimous consent for 30 seconds.

Mrs. BOXER. Reserving the right to object, then I would like 30 seconds to conclude debate.

Mr. STEVENS. If it is 30 seconds, I don't object, but the 30 seconds have a way of going on and on. Not the Senator's 30, but with all due respect.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. No objection to 30 seconds on each side.

Thirty seconds on each side.

Mr. MCCAIN. I will take ten seconds. I oppose the amendment, but I assure the Senator from California we recognize this is a threat; we recognize this is a danger. I hope we defeat this amendment, but I commit to her we will work to try to address this clear and present danger, through studies and work with TSA and other agencies of government. I look forward to working with the Senator.

Mrs. BOXER. Mr. President, I am very grateful. Senator MCCAIN is my chairman, Senator HOLLINGS is the ranking member. We will work together on this threat.

I have to say when we are dealing with an emergency supplemental bill where we have a study already accepted by my friend, which I am very happy about, which is moving forward, this is not inconsistent with that. This will just move along a little quicker. If you look at the FBI warning, we need to act.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from North Carolina (Mrs. DOLE) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mrs. DOLE) would vote ''yes.''

Mr. REID. I announce that the Senator from North Carolina (Mr. EDWARDS) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''no.''

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—50

Alexander	DeWine	McConnell
Allard	Domenici	Miller
Allen	Ensign	Murkowski
Bennett	Enzi	Nickles
Bond	Frist	Roberts
Brownback	Graham (SC)	Santorum
Bunning	Grassley	Sessions
Burns	Gregg	Shelby
Campbell	Hagel	Smith
Chafee	Hatch	Snowe
Chambliss	Hutchison	Stevens
Cochran	Inhofe	Sununu
Coleman	Jeffords	Talent
Collins	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	McCain	

NAYS—47

Akaka	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Feingold	Mikulski
Biden	Feinstein	Murray
Bingaman	Fitzgerald	Nelson (FL)
Boxer	Graham (FL)	Nelson (NE)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Cantwell	Inouye	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kohl	Schumer
Corzine	Landrieu	Specter
Daschle	Lautenberg	Stabenow
Dayton	Leahy	Wyden
Dodd	Levin	

NOT VOTING—3

Dole	Edwards	Kerry

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 459 WITHDRAWN

Mr. STEVENS. Madam President, the next order of business is the amendment of the Senator from Florida, Mr. GRAHAM.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. I see my friend is here. Maybe he would like to announce, we have reached agreement to modify his amendment. We will put it in the managers' package because it is being withdrawn. We have reached accommodation with the Senator from Florida, after further conversation with the VA administration.

I yield to my friend for a minute if he would like.

Mr. GRAHAM of Florida. Madam President, the Senator from Alaska has very accurately described the negotiation. Therefore, I ask unanimous consent to temporarily withdraw my amendment with the understanding it will be approved in the managers' package, as modified.

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

Mr. STEVENS. Madam President, I thank the Senator. It is the proper thing to do.

I yield now to the Senator from Nevada.

AMENDMENT NO. 488 WITHDRAWN

Mr. ENSIGN. Madam President, regretfully, I ask unanimous consent to withdraw my amendment. I also want to briefly say that this is a battle I plan to continue. I believe it was the right thing to do. But we are going to live to fight another day on this particular amendment. We are going to watch what the administration does with the funds for reconstructing Iraq, perhaps even join this fight at a later date. I ask unanimous consent that amendment No. 488 be withdrawn.

The PRESIDING OFFICER. The Senator has the right to withdraw his amendment at this time.

The amendment is withdrawn.

The Senator from Maryland.

Mr. SARBANES. Madam President, I would like to address an inquiry to the Senator from Nevada who indicates he intends to live and fight another day on this amendment. If and when he does so, I hope he will also address the question of how much cooperation he anticipates receiving from the intelligence services in both Germany and France in our fight against international terrorism. If he is going to be laying down a marker to these countries with his amendment, I hope when he does so the consideration of its impact on our cooperation with these countries in the effort against terrorism will be in the forefront of his explanation.

AMENDMENT NO. 481

Mr. STEVENS. Madam President, we still have another amendment to vote

on in the queue according to previous agreement.

The PRESIDING OFFICER. The McCain amendment is the next amendment.

Mr. STEVENS. I ask for the yeas and nays on the McCain amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. This is an up-or-down vote.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, could we, in this body, strike these nonessential and unnecessary projects from this bill so we can focus on the intent of the language? I don't want to debate the merits or demerits of projects that are included in the bill. They are clearly nonemergency and nonwar related. I ask my colleagues in the Senate to consider striking them. They can come in future appropriations bills, but they are certainly not appropriate at this time on this bill.

Mr. STEVENS. Madam President, the Senator from Iowa has expressed opposition to this amendment. I do express opposition to it myself. I would like to take the balance of the time to tell the Senate we are working to try to finish the bill. This is the last of the amendments that is part of this package. We will struggle to put together another series of amendments to vote on no later than 4 o'clock. We have, for very strong reasons, at least one Member and others who requested we try to finish this bill as early as possible today. I urge Senators to contact us to see if there are any further amendments we might work out and not have to vote. But there will be some votes probably by 4:30.

The PRESIDING OFFICER. Who yields time?

Mr. MCCAIN. Regular order, Madam President.

Mr. STEVENS. I am finished.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. MCCAIN. I ask for the regular order.

The PRESIDING OFFICER. The time has expired on the amendment.

Mr. STEVENS. I took the time in opposition. I thought I was entitled to take the time in opposition. As manager, I oppose the amendment. I ask unanimous consent for 1 minute on the other side.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. 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. HARKIN. I ask unanimous consent that the order for the quorum call be dispensed with.

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

The question is on agreeing to amendment No. 481. The yeas and nays have been ordered. The clerk will call the roll.

Mr. REID. I announce that the Senator from Massachusetts (Mr. KERRY) is necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''no.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 118 Leg.]

YEAS—38

Alexander	Dayton	McCain
Allard	Ensign	Miller
Allen	Enzi	Nickles
Biden	Feingold	Roberts
Bingaman	Fitzgerald	Santorum
Brownback	Graham (FL)	Sessions
Bunning	Graham (SC)	Smith
Chambliss	Hagel	Snowe
Collins	Hutchison	Sununu
Cornyn	Inhofe	Talent
Corzine	Kyl	Thomas
Craig	Lott	Warner
Crapo	Lugar	

NAYS—61

Akaka	Domenici	Lincoln
Baucus	Dorgan	McConnell
Bayh	Durbin	Mikulski
Bennett	Edwards	Murkowski
Bond	Feinstein	Murray
Boxer	Frist	Nelson (FL)
Breaux	Grassley	Nelson (NE)
Burns	Gregg	Pryor
Byrd	Harkin	Reed
Campbell	Hatch	Reid
Cantwell	Hollings	Rockefeller
Carper	Inouye	Sarbanes
Chafee	Jeffords	Schumer
Clinton	Johnson	Shelby
Cochran	Kennedy	Specter
Coleman	Kohl	Stabenow
Conrad	Landrieu	Stevens
Daschle	Lautenberg	Voinovich
DeWine	Leahy	Wyden
Dodd	Levin	
Dole	Lieberman	

NOT VOTING—1

Kerry

The amendment (No. 481) was rejected.

Mr. STEVENS. I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE CHANGE

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, on vote No. 118 I am recorded as voting aye on amendment No. 481. I ask unanimous consent that my vote be recorded as nay. This change will not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

Mr. REID. Senator STEVENS, Senator KOHL has an amendment, and he wants 5 minutes on it. It may require a vote; we have not had a chance to look at it.

Mr. STEVENS. With due respect, we are still negotiating with several people, including Senator KOHL. I urge not putting that amendment in yet. If we are going to make the deadlines some want to meet, we will have to work some amendments out.

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. HARKIN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HARKIN. Madam President, I was not in the Chamber prior to the last vote, and there was an objection to having an extra minute so I could make some comments on the vote just held.

I thank the Senators for rejecting the McCain amendment for a number of reasons, but most importantly because the biggest item in that proposed amendment was funding to begin to complete the National Animal Disease Laboratory located in Ames, IA. I point out that this National Animal Disease Laboratory is fully authorized, specifically authorized. It has been peer reviewed. The USDA developed all the lands, and it is being built on an expedited basis to get it completed as soon as possible. It is a national animal disease laboratory in Ames. It is not an Ames lab, it is not an Iowa lab. Think about it like NIH. The National Institutes of Health is located in Maryland, but it is not a Maryland facility. It is a national facility. You can look at it like the Centers for Disease Control and Prevention in Atlanta, GA. That is not a Georgia facility; it is a national facility that just happens to be located in Atlanta. The same is true of the National Animal Disease Laboratory. It is a national laboratory that is located in Iowa.

I think in speaking of the Centers for Disease Control, we could also think of the National Animal Disease Lab as sort of the animal counterpart to the Centers for Disease Control and Prevention. Just as the Centers for Disease Control and Prevention is there nationally to help prevent or stop any kind of an infectious outbreak that might occur among humans, whether it is anthrax or smallpox or SARS or whatever it is, the job of the CDC is to get in there, contain it, stop it from infecting more people. The National Animal Disease Laboratory has the same function for animals. It is there to prevent, to stop infectious outbreaks among animals, infectious outbreaks that could devastate entire herds or entire populations of animals in this country, as we saw what happened with the mad cow disease in Great Britain. The National Animal Disease Lab would be charged with the responsibility, if there is any kind of bioterrorist outbreak or you had an animal infectious disease that could be transmitted to humans, the National Animal Disease Lab would be there to stop

it, contain it, and keep it from spreading.

That is why it is so important at this time to make sure we complete the National Animal Disease Lab as soon as possible.

I thank my colleagues on both sides of the aisle for their support in defeating the McCain amendment that would have drastically cut back on our ability to get the National Animal Disease Lab completed as expeditiously as possible.

I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. May I inquire if the Senator is willing to have a time agreement for his amendment?

The PRESIDING OFFICER. Would the Senator restate his inquiry?

Mr. STEVENS. I asked if the Senator would be willing to discuss a time agreement on his amendment?

Mr. BREAUX. The answer is yes. What was the custom of some of the other amendments? What was the division of time on the others, 20–10?

Mr. STEVENS. The custom, as the Senator from Nevada says, is 20 minutes on your side, 10 minutes on this side on amendments we didn't intend to work out, with the understanding the vote will be delayed.

I ask unanimous consent there be 30 minutes, 20 minutes for the Senator from Louisiana and 10 minutes under my control, and with the vote to occur at a time to be specified after consultation with my friend from Nevada.

Mr. REID. Also with no second-degree amendment in order.

Mr. STEVENS. No second-degree amendments.

Mr. DORGAN. Reserving the right to object, I ask the Senator if that will provide sufficient time? I would like to speak for 10 minutes.

Mr. BREAUX. I have no other request for time. Ten minutes is sufficient for me.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. I have no objection.

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

AMENDMENT NO. 494

Mr. BREAUX. Mr. President, I send to the desk amendment No. 494 and ask it be reported.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. BREAUX] proposes an amendment numbered 494.

Mr. BREAUX. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the bill, insert the following:

TITLE III—FEDERAL HOMELAND SECURITY RESPONSIBILITIES

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $200,000,000, to remain available until December 31, 2003, for terrorism-related prevention, preparedness, and response requirements associated with Operation Liberty Shield, including but not limited to operating expenses related to the increase in maritime operating tempo, the protection of critical infrastructure and enforcement of Security Zones, and the activation of Coast Guard Reservists.

BORDER AND TRANSPORTATION SECURITY

CUSTOMS AND BORDER PROTECTION

For an additional amount for ''Customs and Border Protection'', $366,000,000, to remain available until December 31, 2003, of which not less than $35,000,000 shall be for the Container Security Initiative, not less $200,000,000 shall be for radiation portal monitors and other forms of non-intrusive inspection equipment to be deployed at the Nation's ports-of-entry, and not less than $131,000,000 shall be for increased border and maritime protection operations, overtime pay, and other activities resulting from the movement to the ''Code Orange'' terrorist threat level and in support of activities related to Operation Liberty Shield.

IMMIGRATION AND CUSTOMS ENFORCEMENT

For an additional amount for ''Immigration and Customs Enforcement'', $131,000,000, to remain available until December 31, 2003, for increased operations, overtime pay, and other activities resulting from the movement to the ''Code Orange'' terrorist threat level and in support of activities related to Operation Liberty Shield.

TRANSPORTATION SECURITY ADMINISTRATION

For additional amounts for necessary expenses of the Transportation Security Administration related to transportation security services pursuant to Public Law 107–71 and Public Law 107–296 and for other purposes, $1,355,000,000, to remain available until December 31, 2003, of which not less than $235,000,000 shall be available for costs associated with the modification of airports to comply with the provisions of the Aviation and Transportation Security Act, not less than $300,000,000 shall be available for grants to public transit agencies in urbanized areas for enhancing the security of transit facilities against chemical, biological and other terrorist threats, not less than $620,000,000 for shortfalls pursuant to Public Law 108–10, including the securing of airline cockpit doors, port security grants, and airport modifications, not less than $200,000,000 for railroad security grants including grants to the National Railroad Passenger Corporation for capital expenses associated with tunnel and dispatch facility security enhancements;

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $20,000,000, to remain available until December 31, 2003 for personnel, equipment and support for increased training requirements for Federal and State and local law enforcement personnel.

OFFICE FOR DOMESTIC PREPAREDNESS

For an additional amount for ''Emergency Management Planning and Assistance'', $150,000,000, to remain available until December 31, 2003, for grants to States and localities to improve communications within and among first responders including law enforcement, firefighters, emergency medical services personnel, and other emergency personnel.

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for ''Operation of the National Park System'', $18,000,000, to remain available until December 31, 2003, for expenses related to enhanced security at nationally significant facilities.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $25,000,000, to remain available until December 31, 2003, for necessary expenses relating to courthouse security; *Provided*, That funds provided under this paragraph shall be available only after the Committees on Appropriations of the House of Representatives and Senate are notified in accordance with section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $225,000,000, to remain available until December 31, 2003, for necessary expenses relating to response and security capabilities and field operations: *Provided*, That funds provided under this paragraph shall be available only after the Committees on Appropriations of the House of Representatives and Senate are notified in accordance with section 605 of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003.

OFFICE OF JUSTICE PROGRAMS

COMMUNITY ORIENTED POLICING SERVICES

For an additional amount for the Community Oriented Policing Services' Interoperable Communications Technology Program, for grants to States and localities to improve communications within and among law enforcement agencies, firefighters and emergency medical service personnel, $150,000,000, to remain available until December 31, 2003.

DISTRICT OF COLUMBIA FEDERAL FUNDS

FEBERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for critical infrastrature protection $25,000,000, to remain available until December 31, 2003, for security upgrades and backup operations of transportation, emergency response, energy, and communications infrastructure in the District of Columbia; *Provided*, That the Mayor and the Chairman of the Council of the District of Columbia shall, in consultation with the governments in the National Capital region, submit a financial plan to the Committees on Appropriations of the House of Representatives and Senate for approval not later than 30 days after enactment of this act; *Provided further*, That the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the use of funds under this heading, beginning not later than June 2, 2003.

INDEPENDENT AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For an additional amount for ''Toxic Substances and Environmental Public Health'', $10,000,000 to remain available until December 31, 2003, to enhance States' capacity to respond to chemical terrorism events.

Section . Notwithstanding any other provision of this Act, funding under the heading Department of Justice, General Administration, Counterterrorism Fund, shall be zero.

Section . Notwithstanding any other provision of this Act, funding under the heading Department of Homeland Security, Departmental Management, Counterterrorism Fund, shall be zero.

Mr. BREAUX. Mr. President, the committee has done a very good job in addressing a number of concerns dealing with terrorism, particularly in the area of counterterrorism, by creating a fund that is going to give to the Department of Homeland Security $1.135 billion for counterterrorism. I think the administration actually requested a little more money than that.

Regarding the amendment I have, we think, No. 1, it should be more than that and, No. 2, we think Congress should be involved and the American people should be involved in where that money is going to be allocated, as to which department doing this type of work is going to get the additional funds.

The amendment of the committee, about which I am concerned, says: Mr. President, here is $1.135 billion. Let's throw it up against the wall and hope it comes off the wall and falls down and does some good. We take $1.135 billion and throw it up in the air and somehow hope it comes down and settles in the areas where it can do the most good to protect the American people.

I think that is not the way we should do business. We are taxing the American people for these moneys to be spent to protect the American public. We as a Congress should have a direct say-so, not just entrust it to an individual Secretary as to where the money should go.

My amendment says in the area of counterterrorism funds, instead of $1.135 billion, we are going to have $2.65 billion, an increase for counterterrorism provisions in the bill.

In addition to that, we are going to say where the moneys are going to be allocated. That is the role of the Congress. That is the appropriate role of the Congress.

For instance, in the Coast Guard, our provision provides $200 million more for the Coast Guard. The Coast Guard is being asked to do a lot more work domestically. Most of the money in the committee's bill is for Coast Guard utilization overseas. That is fine; they ought to be overseas doing this work, but they also should be protecting the ports of America, the ports of New York, and the gulf and the west coast and east coast ports. We also say the Bureau of Customs and Border Protection should have an increase of $366 million for the inspections they are going to be required to do.

We have literally millions of containers, each carrying as much as 60,000 pounds of material, coming into the ports of the United States. We ought to be looking at these containers where they are loaded, in foreign ports. The Bureau of Customs and Border Protection is going to need that additional money if, in fact, they are going to be able to get the job done.

In addition to the Bureau of Customs, we are talking about $1 billion for transportation security. We are talking about making sure that at all the airports where we are telling them now you have to put in all this fancy equipment, not just to check luggage that is carried on the plane but check every single piece of luggage that is going to go into the cargo hold of the plane—how many of us have had to be delayed at airports because they are checking not only your carry-on luggage but also the stuff that is going to be checked into the hold of the plane. You see the long lines develop. They need the equipment to make sure that type of luggage is safe and not delaying passengers and the traveling public moving into the airports.

We also say about the Federal Law Enforcement Training Center, give them an additional $20 million for enhanced training.

We are asking these organizations now to work 24 hours a day, 7 days a week training these new employees to make sure they know what they are doing. They are going to need additional funds for that.

I read the bill from the committee. It just says on page 36 of the bill: counterterrorism, give the Secretary the discretion to spend $1.135. That is what the bill says. That means throw it over to the Secretary; let him spend it anywhere he wants. I think the report language says here are some suggestions. That is fine; we all know what happens with report language. It is filed in some staff person's desk, and they don't pay any attention to it. That is not the law. They can totally ignore it. They can disregard it, pay no attention to it whatsoever.

If you put it into law, it would state that these are the categories that are necessary in order to make sure this counterterrorism provision is run the way we would like to see it run.

Mr. President, I want to yield time to the distinguished Senator from North Dakota. I think he said he would like to have 10 minutes. And if he could use less, we may get another speaker in here. But I yield 10 minutes to the distinguished Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 10 minutes.

Mr. DORGAN. Mr. President, I rise to support the amendment offered by my colleague, Senator BREAUX. I am a cosponsor of that amendment.

Let me describe why I think this is so important. We have a number of wars that are going on at the moment. We have a conflict, a war in Iraq. We have a war against terrorism. So in this piece of legislation we deal with defense, the costs of defense.

Part of defense is the Defense Department, in which men and women in America's uniform are overseas protecting our country and involved in the conflict in Iraq. But, also, part of the defense is our homeland defense. The issue of homeland defense is very important.

Let me describe what happens inside this country each and every day: 1.1 million passengers come into this country processed by the Customs Service; 57,000 trucks and containers come into this country every single day; 580 vessels arrive at this country's ports; 2,459 aircraft arrive in this country; 323,000 vehicles, every single day.

No one is going to provide an adequate homeland defense in this country unless we have secure borders and are able to prevent terrorists—both known terrorists and those who associate with terrorists—from coming into our country. Frankly, we are not doing as good a job as we must in order to prevent a future act of terrorism in this country.

I speak from the standpoint of a northern border State. We have thousands of miles of common border with our good neighbor to the north, the country of Canada.

We know that at least two of those who perpetrated the September 11 attack came into this country across the northern border. We also know that, in the past, almost all of our resources in this country were targeted at the southern border, southwestern border. Border Patrol, Immigration, the Customs Service: Hundreds and hundreds and hundreds—in fact, thousands—of agents from all of those agencies were at the southern border, and a very few at the 4,000-mile northern border that we share with Canada.

So what do we do about that? Well, we need the resources at the northern border, and the new technology that is available, to make sure we try to keep terrorists out. Once again, you must have control of your borders or you do not have control inside the country to prevent an act of terrorism perpetrated against our country.

Now, when I began this process, even before September 11, I proposed something called the Northern Border Initiative. That became law. That added some resources at the northern border. It became more imperative after September 11 that we do much more. Prior to that time, when the northern border ports would close, especially in the remote areas, they would simply put an orange cone in the middle of the road, and that would be the protection in this country against terrorism. Well, terrorists, of course, were they to enter at one of those rural remote ports, would shred that orange cone at 70 miles an hour with their vehicle.

The fact is, we have to do more. And we are now doing more. But we are not doing enough. That is why the Senator from Louisiana offers an amendment that says let's make the investments we know we need to make.

He mentioned seaports. I come from a landlocked State. I do not know much about seaports, but I have made two tours of seaports, two of them recently, to understand what is happening at our ports. Mr. President, 5.7 million containers come in every single year on container ships—5.7 million. And 100,000 of them are inspected.

I was at a port one day—and I have told my colleagues this previously—but they had a refrigerated container there that they had taken off a container ship. I said: What's in that container? They said: Well, we're just inspecting that. They said: This is frozen broccoli from Poland. And they showed me one of the 100-pound bags of frozen broccoli they pulled out of this container. They ripped open the bag, and, sure enough, there it was, frozen broccoli from Poland. It didn't look very appetizing to me, but it was going to go into America's food supply.

So I said: Well, that is interesting to know. You have shown me the bag at the end of the container. What is in the middle of the bag in the middle of the container? Do you know?

They said: No, we don't know. I said: Do you know where it came from? They said: We know it came from Poland. I said: Do you know who loaded it? They said: No, we don't know. I said: Do you know that there's not something in the middle of this container that could threaten our country? They said: No, we don't know.

Mr. President, 5.7 million containers come into this country every year, and we inspect 100,000 of them.

You know the story about the person from the Middle East who put himself in a container and intended to ship himself to Canada in a container. He had a little bathroom set up in the container. He had a water supply. He had a computer. He had a GPS. He had a cot. He had a heater. He was going to ship himself to Canada, presumably then to enter this country from Canada. But he did it in a container. They caught him actually before he left the Middle East.

The fact is, we had better care about homeland security—yes, about the northern border, about the southern border, about aircraft coming into this country, and, yes, about ships that are pulling up to our seaports this afternoon in New York, Los Angeles, and the other major ports around this country.

Which of those ships might have a weapon of mass destruction in the middle of a container, piled in the middle of that ship, that will be hoisted off, by a crane, put on 18 wheels, and then sped across America's highways to Cincinnati or Toledo or Fargo or Los Angeles? That is what homeland defense has to be about: preventing these kinds of things from happening, preventing terrorists from perpetrating an attack in this country.

We have actually done pretty well since 9/11. The fact is, there is much more to do. It will not do any good to say: Well, yes, this is needed, but let's do it later.

This is the legislation. This is a supplemental appropriations bill. This is emergency funding. And this is about defense, yes, the Defense Department, but also, in my judgment, the defense of our homeland.

I have not gone through all of the portions of this bill that the Senator from Louisiana suggests we adequately fund, but it is the Immigration Service, the Customs Service, the Border Patrol, and a list of agencies that we know have to have adequate funding to do the job this country expects in order to protect itself against a terrorist attack.

So this is not some ad hoc spending for which the Senator has no justification. This is spending and funding every bit as important as every dollar that is going to the U.S. Department of Defense. This is homeland defense. That is the Department of Defense. Both are of paramount importance in protecting this country's interests. I hope my colleagues will join me in supporting the amendment now offered by the Senator from Louisiana.

There is, perhaps, an unlimited number of things we could do to protect this country, but we do not have unlimited funds. The Senator has selected specific areas of investment that all of us know are underfunded. And he said: Yes, let's do this, but, more important, let's do this now.

I just submit, in the shadow of 9/11, this country knows that terrorists want to attack this country. Homeland defense is of paramount importance. The investment—a rather small investment, in my judgment—made by the amendment offered by the Senator from Louisiana will make this a stronger country, better able to resist terrorists who wish to attack her.

Mr. President, I yield the floor.

Mr. BREAUX. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I wish to speak in support of the amendment offered by Mr. BREAUX.

For many months now, the American people have been told that we are at war. We are at war in Iraq. We are at war here at home. We are at war against the al-Qaida terrorist network and other organizations like it. We are at war against terrorists who would use any means possible to destroy our Government, strike fear in our people, and cripple this great Nation.

But, America is still woefully unprepared to prevent or respond to another terrorist attack. Despite the constant warnings from the Department of Homeland Security about terrorist threats here at home, and despite the obvious vulnerabilities, there are some in Congress who seem to want to put off sound investment for increased protections for our people. ''Hold off! Hold off! Wait for another day!'' they say. Mr. President, we may wait, but the terrorists, I fear, will not wait.

The amendment before the Senate, which is offered by Mr. BREAUX, would invest dollars now—today!—in some of the most critical areas of vulnerability here at home.

The amendment offered by the Senator from Louisiana would provide $2.6 billion for border and transportation security, including $200 million for the Coast Guard, $35 million for the Bureau of Customs and Border Protection, $200 million for radiation detection equipment, $235 million for airport explosion detection systems, $300 million for mass transit security, $300 million for interoperable communications for first responders, $225 million for terrorism prevention at the Federal Bureau of Investigations, and funding to reimburse Department of Homeland Security expenses incurred as a result of Code Orange and to make up for fiscal year 2003 funding shortfalls at the Transportation Security Administration.

A March 12, 2003, General Accounting Office report concluded that the Coast Guard faces ''fundamental challenges in meeting its new security-related responsibilities while rebuilding its capacity to accomplish other missions that have declined'' and that these challenges are made even more difficult by the heightened terror alert and by Coast Guard deployments to the Persian Gulf.

In addition, a December 2002, GAO report identified more than $700 million in security needs at only eight transit agencies that were visited. The GAO concluded that, ''Obtaining sufficient funding is the most significant challenge in making transit systems as safe and secure as possible.'' Yet to date, no money—none—has been provided for transit security.

If there is one lesson that we should learn from 9/11, it is that terrorist attacks on our Nation can no longer be viewed as distant threats across the oceans. The enemy may attack our troops, the enemy may attack our citizens overseas or civilians here at home. Clearly, we must provide all of the necessary resources to support our troops overseas. But we must also provide significant homeland security resources now to meet real needs that have been authorized by the Congress and signed into law by the President for port security, airport security, border security, and nuclear security.

We should not accept the alarming deficiencies in our seaport security—an area that many experts have identified as perhaps the Nation's single greatest vulnerability. We should not accept the fact that our land borders are porous and that our airports simply cannot afford modern security equipment. We should not be satisfied that our cities and States—the front lines of this war

at home—do not have sufficient equipment or expertise to handle wide-ranging threats involving madmen who may have gotten their hands on weapons of mass destruction.

The danger is clear. The need is clear. I urge my colleagues to support the Breaux amendment.

I yield back the remainder of my time.

Mr. DORGAN. Mr. President, I am pleased to join Senator BYRD, Senator BREAUX, and others in supporting this Federal homeland responsibilities amendment. In particular, I want to speak for a moment about the National Park Service component of the amendment. As the ranking member on the Interior and Related Agencies Subcommittee, I am deeply concerned that the administration's supplemental funding request will leave the National Park Service in the lurch, without the resources it needs to protect our most important national symbols.

The Statue of Liberty, the Washington Monument, the Lincoln Memorial, the Jefferson Memorial, the St. Louis Arch, the Liberty Bell, and Independence Hall in Philadelphia; these are just some of the national icons under the protection of the Park Service. These treasures are, in their own unique way, potent reminders of the liberty and freedom that are the foundation of the American experience. They symbolize the struggles this Nation has overcome, the hope we have maintained for our future, and the essence of the democracy we all cherish.

The Twin Towers of the World Trade Center were a powerful symbol of the economic might of our Nation, and that is why they were attacked. The Pentagon is a powerful symbol of our military might, and that is why it was attacked. I worry about which symbol is next. Which of these facilities, emblematic of our liberty, will the terrorists target next? I don't have the answer to that question, nor do I know anyone who does. This is precisely why we need to provide the National Park Service with the resources it needs to ensure the safety and security of these national treasures.

In fact, yesterday's Washington Post contains an article which substantiates my fears. As of yesterday, the Park Service has closed Independence Hall in Philadelphia because of security concerns associated with the elevated threat level. The very birthplace of our Constitution—the document once called the ''most wonderful work ever struck off at a given time by the brain and purpose of man''—has been closed to the American people because the Park Service is unable to provide for its security. Part of the problem, as the article points out, is lack of funding. ''Since the government raised its color-coded threat index to orange, or high risk, two week ago, the National Park Service's daily security costs have increased by $63,500. . . .'' That is a daily cost, and comes to nearly $2 million per month, money the Park Service simply does not have. Yet despite asking for $75 billion, the administration's supplemental request did not include any funding for these additional security costs. That is wrong, and it is why we have included funding for the Park Service in our amendment.

We cannot turn our backs on the security needs mandated by the increased threat level. Nor can we expect the Park Service to just absorb these costs. It is our responsibility to provide these funds, and I urge my colleagues to support this amendment.

Mr. SHELBY. Mr. President, I rise today in opposition to the Breaux amendment for a variety of reasons, but I will limit my remarks to the provision dealing with increased funding for mass transit security.

I commend the Senator from Louisiana for bringing attention to this important issue. While I believe that transit security is an issue deserving of increased investment, the approach taken in the amendment is not one that I can support at this time.

Existing Federal transit law already requires that a percentage of formula funds be used for safety and security needs. The Federal Transit Administration has made transit security a priority. FTA has already conducted assessments for the 33 largest systems and has provided a ''tool box'' to help systems develop their own individualized security programs. Further, FTA has developed and distributed a checklist of the most important measures that transit agencies should implement to ensure that their systems are as secure as possible. FTA has made it a priority to work with agencies to assist in implementation of those measures.

Mass transit is perhaps one of the most difficult modes of transportation to secure. By its very nature, transit must operate in an open environment in order to provide its customers with mobility and access. We need to carefully consider how we develop transit security measures to ensure that we do not risk stranding those who depend on transit for their day-to-day mobility needs.

As chairman of the Committee on Banking, Housing, and Urban Affairs, I am cognizant of the unique need for further analysis of transit security issues. As the committee reauthorizes the Federal transit program this Congress, we intend to make the issue of transit security a high priority.

I urge my colleagues to vote ''no'' on the Breaux amendment.

Mr. REED. Mr. President, I rise in support of the Breaux Federal homeland security responsibilities amendment. This amendment addresses a number of important homeland security needs that the administration has failed to adequately fund, and it deserves the support of this Senate.

I particularly want to thank the author of this amendment for including specific resources to help protect our Nation's transit systems and the 14 million Americans who depend on them to get to work or elsewhere safely and securely every workday.

In the 107th Congress, as the chairman of the Housing and Transportation Subcommittee, I chaired two hearings on the topic of transit security in the wake of September 11. At these hearings, we heard from transit operators and others that public transportation is regrettably a target for terrorists. Indeed, roughly one-third of terrorist attacks worldwide have occurred against transportation systems. One only needs to watch international news to see pictures of the devastation of suicide bombers on buses.

Senator SARBANES and I also requested a General Accounting Office report on transit security entitled ''Mass Transit: Federal Action Could Help Transit Agencies Address Security Challenges.'' The GAO found that the Federal Transit Administration and the Transportation Safety Administration were providing technical assistance and some training to transit systems, but that there are still many unmet needs. For example, when the GAO asked just eight transit systems how much they needed to address their security needs, the answer was over $700 million. Transit systems also expressed concern that there is often insufficient planning, communication and coordination with local, State and Federal law enforcement entities.

The administration, which has embraced the Senate's efforts to improve aviation security, has unfortunately not shown the same level of commitment to our transit systems. It failed to request specific funding for transit security in either its fiscal year 2004 budget or its fiscal year 2003 supplemental request.

The Breaux amendment would address this shortcoming by providing a down-payment for transit security improvements and send a strong signal to the millions of working men and women who ride our subways, buses, and commuter rail lines that their government is aggressively working to improve transit security.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it has been our hope that we could get the cooperation of the Senate in funding what are essential needs of the Department of Homeland Security for the balance of this fiscal year. In trying to determine what those amounts are for all of these new activities, the 22 agencies that have been folded into this new Department under the jurisdiction of Secretary Tom Ridge, we had hearings. We have questioned agency officials to determine how we could help support the administration's effort to improve the security of our homeland, to fund the activities of those agencies that are involved in the war effort in Iraq, such as the Coast Guard, to be sure that they could meet their responsibilities.

We did this in a very careful and deliberate way, knowing full well that because of the concerns and the fears that exist throughout the country about terrorism attacks and because of the increase in the threat levels that from time to time are announced, there is no way we could assuage the concerns of everybody with just money. But money helps. If a State or locality believes it is not able to afford what it thinks it needs to do right now to protect its citizens, there is pressure that builds on elected Members of this body. All of us feel this pressure right now to be sure that we do the best job we possibly can to put money in the hands of those agencies and those government officials that can make a difference in terms of our national security needs.

We didn't just think up these numbers and throw them in the bill. They are based upon estimates we have received from each agency, the President's request that was submitted to the Congress, and the testimony from the recent hearing when Secretary Ridge appeared before our committee and we had an opportunity to talk with him about these needs.

One reason there is some concern is that the Secretary asked for flexibility. There were some members of the committee who questioned him pretty sharply about why he needed flexibility, that it is the role of the Congress to make sure we appropriate money for specific purposes and not just write a blank check.

Well, we didn't write a blank check. We have written not only the provisions of the bill with specificity about how the funds we are appropriating are to be used, but we also have accompanied the bill with a written report that spells out, in the case of the counterterrorism fund, what our understanding of the needs are and the estimates that we received from the agencies. So in spite of the suggestions we have heard by the proponents of this amendment, we do have some specificity.

We have, for example, put in the committee report, with respect to the Department of Homeland Security's 30-day surge associated with immediate or emerging terrorism-related prevention and response activities, the following: Bureau of Immigration and Customs enforcement, $55 million. Federal Protective Service overtimes operations and maintenance for the air program and other related costs are included in that. For the Bureau of Citizenship and Immigration Services, $1 million. The Bureau of Customs and Border Protection, we have $65 million. That includes overtime, operation costs of assets, impact on user fee collections and other logistics costs, and on and on. Transportation Security Administration, $120 million, overtime for passenger screeners, operation costs of assets, contract hiring, service training, and State and local expenses. We enumerate several other activities with specificity in that connection.

One thing the Senate needs to know, the Breaux amendment deletes the entire provision, the funding for the entire provision of the counterterrorism fund. I will read it. This is what it says; it is very clear: ''Notwithstanding any other provision of this Act, funding under the heading Department of Homeland Security, Departmental Management, Counterterrorism Fund, shall be zero,'' knocking out $1.132 billion. Then $500 million is zeroed out of the Department of Justice, General Administration, Counterterrorism Fund.

Think about what you are being asked to do. This amendment is suggesting that you disregard the efforts by the committee in the writing of a meticulously drafted committee report that specifies our understanding of where these funds are going to be spent, and you trade that for this amendment that is offered, as we are in the closing hours of consideration of this supplemental bill and assume that these recommendations are going to be superior to the ones the committee has proposed to the Senate.

I am suggesting this is not a good way to legislate. The Senate ought to reject this amendment. These are efforts and activities of our Government that are too important for the Senate to be asked to substitute the judgment of a new list of activities with new numbers beside them that are not related to estimates from the agency, are not related to any testimony we have received in any of our hearings, but yet amount to a rewrite of this entire section of the supplemental appropriations bill.

There is some money in here for States and localities. We hope the Senate understands that we have written in here some requirements that get the money out faster to States and localities. It requires that 80 percent of the funding go directly to localities in some of the grant programs administered by the Department of Homeland Security.

We have made a concerted effort to ensure that the taxpayers will get their money's worth out of the funds appropriated in this bill. For example, although this amendment adds money for the Coast Guard, we set up a separate section for funding of Coast Guard activities. We put in $580 million directly to the Coast Guard. I have to admit, that was not requested by the administration, but we wanted to be sure their activities, particularly with regard to Operation Iraqi Freedom, were fully funded.

The Coast Guard has been mobilized, in effect, as a part of our war against terror in the Persian Gulf area, so-called Operation Iraqi Freedom. But they also have responsibilities here for homeland activities. The bill reported by the Committee on Appropriations gives the Secretary discretion to use fiscal year 2003 funds from the counterterrorism account to allocate funding to the Coast Guard for additional operation expenses. That includes Operation Liberty Shield. The bill fully funds the administration's request in support of the Coast Guard and general terrorism prevention, preparedness, and response capability.

There is absolutely no basis for the $200 million estimate in the amendment offered by the Senator from Louisiana. It is just added on. If there is evidence, if there is a request, if there is documentation, then we need to see it. We ought not be asked to support add-ons to this bill to make it sound as if we are underfunding the legitimate needs of these agencies in the protection of the security of our country.

I suggest the Senate should look very carefully at this amendment.

I will cite one other area. This amendment puts in $131 million for increased border and maritime protection operations. What this amendment does is double the amount that the administration says they need, just doubles it: If what we suggest is good, then twice as much ought to be twice as good.

That is not good reasoning and the Senate ought to reject the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. BREAUX. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from Louisiana has 6 minutes, and the Senator from Mississippi has 25 seconds.

Mr. BREAUX. Mr. President, I yield myself 5 minutes. I ask unanimous consent that Senators SCHUMER, CLINTON, STABENOW, and KENNEDY be added as cosponsors.

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

Mr. BREAUX. Mr. President, the idea that Congress ought to be involved in how the money is spent is not a novel idea. If we are going to spend $1.135 billion, Congress ought to be involved in saying how it is going to be spent.

The bill before the Senate now says that we are going to give $1.135 billion to the Office of the Secretary of Homeland Security, and whatever he wants to do with it, he pretty much has carte blanche to do whatever he thinks fit. I would hope he would make the right decisions, but I would like to have Congress involved in saying these are the priorities within that $1.135 billion as to what we think should be spent and how it should be spent. We do not do our job if we just appropriate money and do not indicate how the money should be spent, especially when you are talking about billions of dollars.

Here is an example. The Senator from Mississippi says we have a report that makes suggestions. Folks, this is a suggestion. This could be filed in a desk drawer at the Department, thrown in the waste paper basket, and ignored, because it doesn't have the effect of law. It is nice that people worked on it and that it was printed, but how many people will read it? Not very many, and not many will read it over at the Department of Homeland Security either.

If you want to say how money is going to be spent, it has to be part of the law. We are not saying spend whatever you want. We are giving him a specific amount. We should also say how that specific amount is going to be spent. That is what my amendment does.

Let me give an example of what the problem is. For the Coast Guard—and we know how much work they are going to have to be doing in the United States, in the ports of New York, Florida, New Orleans, Houston, and the west coast because of the problems we have—the supplemental appropriations bill puts in $580 million more for the Coast Guard. What they say is that $400 million of it is going overseas. We need it overseas. That is appropriate and proper. But we also have some homeland needs for counterterrorism.

Under the supplemental bill pending before the Senate, we would have $180 million for the domestic Coast Guard needs, and then the remainder of $400 million would be going overseas. We are neglecting homeland security. We are talking about homeland security, which means here at home.

So we are suggesting that we add an additional $200 million, which would be utilized in this country for the needs at all of the ports. They have to do a lot more, we are telling them, and the Coast Guard has to devise a security plan for every single port in the United States. They are not going to be able to do that for free, with all the work that needs to go into those ports.

If we are going to spend $1.135 billion, the Congress should be involved in saying where it is going to be spent. We should not simply say: Here is the money; we hope it does some good; whatever you want to use it for, do it, as long as it fits the generic title of counterterrorism. Well, counterterrorism is more than a word; it is the Coast Guard, the Bureau of Customs, the Immigration Service, and it is money for airport modifications to detect the luggage going into the holds of the ship; it is mass transit security, railroad security, Federal law enforcement training, and it is better communications for the men and women who work in counterterrorism.

That is what counterterrorism is. It is not just a term; it is a bunch of Agencies and Departments that have a lot of work to do. We ought to have the intelligence to be able to say where it is going to be spent, instead of just putting a term out there and saying we are going to give $1.135 billion for counterterrorism.

What is counterterrorism? I suggest that counterterrorism is outlined in the descriptions we have in the amendment now pending before the Senate, which we ask our colleagues to consider supporting. It is nice that we have suggestions in a report, but we all know—if you have been here more than a week—a report is not binding, not law; it is merely a suggestion. We are here to write laws, to direct the Departments as to how their funds should be used. I am sure they are going to read the report, but they can also ignore the report. I think it is better to spell out what we are talking about when we talk about counterterrorism. It is not just a word; it encompasses a lot of different Departments.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, contrary to the suggestion of my friend from Louisiana, the committee is requiring the administration to respond and spend the money as provided in this bill. I am reading:

> Prior to the obligation of any funds, the Secretary of Homeland Security is required to submit a notice to the Committee on Appropriations. The committee expects this notice to be accompanied by a full and complete justification of the costs to be reimbursed by agency accounts, including a detailed breakdown by program, project and activity.

We are going to maintain oversight. Who is not going to get money if this amendment is adopted? The U.S. Secret Service, law enforcement training requirements, emergency preparedness and response, and other important activities are going to be zeroed out of this bill.

Mr. BREAUX. Mr. President, $2.65 billion is not zeroing out counterintelligence and counterterrorism. It is a large add-on, $2.65 billion. The only difference is we are suggesting in law where it ought to be spent, instead of saying you can do what you want and then come back to the committee and tell us why you did it that way. We should tell them where it should be spent before the fact, not after the fact. Our amendment adds money to counterterrorism. I think that is what we should be doing as a Senate.

Mr. COCHRAN. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Mr. President, reserving the right to object, it is my understanding that the manager of the bill and the leaders have agreed this vote would occur at a later time.

Mr. COCHRAN. That is correct. I ask unanimous consent that the Breaux amendment be temporarily set aside and a vote occur on or in relation to the amendment at 4:45 p.m.

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

Mr. REID. Mr. President, if I may direct a question.

The PRESIDING OFFICER. The Chair wants to clarify the situation regarding the motion to table. Did the Senator make a motion to table?

Mr. COCHRAN. Yes, a motion to table was made. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, I direct a question to the manager of the bill. I have indicated to Senator STEVENS that Senator FEINSTEIN is ready to offer an amendment. It is my understanding that there has been some arrangement made on the amendment she is going to offer.

I see my friend from Missouri. Does he wish to offer an amendment? I thought we were going to the Feinstein amendment. May I have an indication from the Senator from Missouri how long he is going to take, or what the subject matter is?

Mr. COCHRAN. Mr. President, the Senator from Missouri has an amendment, and there will be a short discussion of it, and it may not require a vote.

Mr. REID. I thank the Senator.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

AMENDMENT NO. 499

Mr. TALENT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The pending amendment is temporarily set aside.

The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Missouri [Mr. TALENT], for himself, Mr. BOND, Mrs. CLINTON, and Mr. SCHUMER, proposes an amendment numbered 499.

Mr. TALENT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require certain air carriers that receive funds appropriated under this Act to accept procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers)

At the end of title IV, insert the following:

SEC. ____. (a) This section may be cited as the ''Airline Workers Fairness Act''.

(b) The purpose of this section is to require covered air carriers that receive funds appropriated under this Act to accept procedures that ensure the fair and equitable resolution of labor integration issues, in order to prevent further disruption to transactions for the combination of air carriers, which would potentially aggravate the current disruptions in air travel associated with increased terror alerts and other factors in the United States.

(c) In order to receive funds appropriated under this Act, a covered air carrier shall agree to be subject to this section.

(d) In any covered transaction involving a covered air carrier that leads to the combination of crafts or classes that are subject to the Railway Labor Act—

(1) sections 3 and 13 of the labor protective provisions imposed by the Civil Aeronautics Board in the Allegheny-Mohawk merger (as published at 59 CAB 45) shall apply to the covered employees of the covered air carrier; and

(2) subject to paragraph (1), in a case in which a collective bargaining agreement provides for the application of sections 3 and 13 of the labor protective provisions in the process of seniority integration for the covered employees, the terms of the collective bargaining agreement shall apply to the covered employees and shall not be abrogated.

(e) Any aggrieved person (including any labor organization that represents the person) may bring an action to enforce this section, or the terms of any award or agreement resulting from arbitration or a settlement relating to the requirements of this section. The person may bring the action in an appropriate Federal district court, determined in accordance with section 1391 of title 28, United States Code, without regard to the amount in controversy.

(f) Nothing in this section shall be construed to affect any provision of law that provides greater employee rights than the rights established under this section.

(g) In this section:

(1) The term ''air carrier'' means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code.

(2) The term ''covered air carrier'' means an air carrier that is involved in a covered transaction.

(3) The term ''covered employee'' means an employee who—

(A) is not a temporary employee;

(B) is a member of a craft or class that is subject to the Railway Labor Act (45 U.S.C. 151 et seq.); and

(C) was an employee of a covered air carrier on April 1, 2003.

(4) The term ''covered transaction'' means a transaction that—

(A) is a transaction for the combination of multiple air carriers into a single air carrier;

(B) involves the transfer of ownership or control of—

(i) 50 percent or more of the equity securities (as defined in section 101 of title 11, United States Code) of an air carrier; or

(ii) 50 percent or more (by value) of the assets of the air carrier;

(C) was pending, or had been completed, during the period beginning on January 1, 2001 and ending on September 11, 2001; and

(D) did not result in the recognition of a single air carrier by the National Mediation Board by September 11, 2001.

Mr. TALENT. Mr. President, I rise, along with my colleagues, Senators BOND, CLINTON, and SCHUMER, to offer the Airline Workers Fairness Act, with the hope of ensuring the fair and equitable resolution of labor integration issues surrounding American Airlines and the former TWA. I want to give the Senate a brief history of these issues.

American Airlines acquired TWA in April of 2001. We all thought that was a good thing. We still hope it is a good thing. We supported it. At the time, American Airlines promised TWA employees that they would be treated fairly as a result of the buyout, and in fact that promise was one of the conditions of Federal approval of the buyout. Certainly, our expectation was that when the representative employee groups merged, their seniority lists would be dovetailed in the normal fashion. In other words, the years of service for TWA employees would count in the merged company, and years of service for former American Airline employees would count as well. For whatever reason, that didn't happen. In fact, nothing even close to it happened.

The former TWA flight attendants were stapled to the bottom of the merge seniority list, and most of the TWA pilots were stapled to the bottom of the seniority list. In all my years in public office and in the years when I practiced labor law, I have never seen a merger that was as disadvantageous to one of the former employee groups as this one.

The effect of it is that employees who have been working for TWA for decades are placed behind on the seniority list employees working for American Airlines only a year or two. All you have to do is fly American Airlines and be recognizable as a Member of Congress to see what the implications of this have been for real people.

I do not think I go on a flight where a flight attendant does not come up to me and tell a story, such as she is a 28-year flight attendant for TWA who is now going to be laid off while people who have been working for American Airlines for only a year or two will be still flying.

A specific example: Sally Young, a former TWA captain who now works for American Airlines whom I have met and talked with, is a 15-year veteran of TWA. She was demoted, because of seniority, from being a captain to a first officer, and now, after the recent layoffs were announced, is scheduled to be laid off even though pilots who have been working only a short time for American Airlines will continue to fly.

The result of this for the flight attendants is that there were 4,000 flight attendants who worked for TWA. By midsummer, all of them will be gone. These are people who have given their life to this company, people who have mortgages, people who are at a stage in life where it is very difficult for them to retrain and find other employment. People who were promised better, who clearly understood that in some way, shape, or form they would be protected in this buyout are going to be gone, and most of the pilots will be gone as well.

I am not here to blame anybody for this. It is an extraordinarily, uniquely disadvantageous situation. I do not know how it happened, but I know it is not right, and this amendment is designed to fix it in a fair and equitable fashion. It applies only to this merger.

It says that the parties will bargain for several weeks after this amendment becomes effective, and if they cannot reach an agreement, they will go to a neutral expert binding arbitration, and the arbitrator can then decide what result will be fair in light of the situation they are in now. These people who have worked for so long and given back so much over the years to keep this company afloat will have the consideration that we all thought they would have had.

Those of us who are offering this amendment and supporting this amendment would rather not do it on this vehicle. We would not have done it on this vehicle, but the underlying bill provides several billion dollars of extraordinary relief for the airline industry. We support that.

In addition, American Airlines announced several thousand more layoffs earlier this year. If we do not do something soon, it will be too late to do anything. Certainly it will be too late to do anything as conveniently as it will be if we adopt this amendment.

Again, our amendment does not impose any Government solution on the parties. It costs no money. It affects no other airline and no other situation. We are offering it now to provide some relief to a group of people who expected and deserve better and who, unless we do something, are going to be out on the street. That is the reason we are offering the amendment at this time.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I rise in strong support of the amendment by my colleague from Missouri. We are dealing with another very significant bailout, using taxpayers' money, for the airlines which have been hurt.

I agree with the need to keep the airlines flying. Airlines are absolutely essential to our economy. But I believe when we are sending taxpayers' dollars to airlines, that we have at least some responsibility to ensure the employees are being fairly treated. This, to me, is simply an issue of equity and fairness.

Back when American Airlines acquired TWA, they did not just take the airplanes. They took the hub, they took the facilities, and they took the heart of TWA as well—its employees, employees we have come to know and respect and trust and whose service we have appreciated over the years.

Since April 9, 2001, American Airlines and TWA have operated under a single umbrella. On that date, Donald J. Carty, chairman and CEO of American Airlines, stated:

> Today, we warmly welcome TWA's employees to the American family. While employees and customers will see business-as-usual for some time, we're looking forward to working together and building a future as one team. Employees at American and TWA are united in our commitment to meeting our customers' needs and providing opportunities for growth in a rewarding work environment. Our theme for today's celebrations is ''Two Great Airlines—One Great Future,'' and I'm sure that, working together, we can fulfill that promise.

I was out there and I joined in that recognition in celebrating two great airlines with one great future, and on January 1, 2002, all TWA employees officially became American employees. At that moment, all former TWA employees were now an integral part of the new team at American Airlines.

Promises were made to the hard-working TWA employees in my home State, and these employees were publicly referred to as the crown jewel of TWA. It was not as if they were ''lucky to have a job at all,'' as some have suggested. They are employees with extensive years of background and years of seniority over a great number of their colleagues at American Airlines and, through their service to the traveling public to our communities, had developed a reputation for service that made this an extremely valuable hub.

Had they known that the promises were not going to be kept, there were

other options—reorganizing in bankruptcy, seeking alliance with another airline that would treat them fairly. They were made promises of fair treatment. They gave up what they call their Allegheny Mohawk protection rights on the expressed promise that they would be treated fairly.

After American Airlines stapled the TWA seniority list to the bottom, at least the top official of American Airlines came to my office and said: We are going to protect the hub at St. Louis; we are going to put a wall around that and keep former TWA employees serving the traveling public out of that hub, and we are not going to have them laid off because they will continue the TWA service.

The wall came down. They were not protected. The crown jewel of TWA, the people in St. Louis, are losing their glitter. These promises made to them were the root of the entire agreement reached between TWA and American Airlines back when this whole deal was going down, and now these promises appear to have been broken.

If the TWA employees knew at the beginning they were merely being taken as a sacrificial lamb, then the deal would likely never have happened. Now the TWA employees, the TWA pilots, and the TWA flight attendants are the blood donors when cuts have to be made.

According to today's issue of the St. Louis Post Dispatch:

> All American Airlines flight attendants based at Lambert Field will lose their jobs if members of the Association of Professional Flight Attendants approve a contract by April 15 to help the airline avoid bankruptcy.

That is what we are providing money to support?

The situation for former TWA pilots is grim as well. Fifty-four percent of former TWA pilots will lose their job before a single former American Airlines pilot will lose his or her job because they were simply stapled to the bottom of the seniority list.

After planned furloughs, there will only be 565 former TWA employees remaining. To help everyone with the math, that is 76 percent of the former TWA pilots and 100 percent of TWA flight attendants in St. Louis who will lose their jobs. They are literally cutting off the family crown jewel.

The senior most TWA pilot hired in 1963 was integrated along with a 1985 hire from American Airlines. That is almost 22 years later, and guess which one is on the chopping block first? Promises made in fairness have not been achieved.

In this supplemental bill, we are poised to provide our airlines with $3.5 million to keep them in the air. With that assistance, more layoffs are coming. We must act before more of our talented and qualified employees are let go before junior colleagues within the same organization.

The choice before this body is simple: Support the Talent-Bond amendment and you support fairness, or oppose the Talent-Bond amendment and you decide with the bosses who are strong arming weaker unions, resulting in an extremely unfair integration of two great airlines and one great future. About 5,000 jobs are at stake.

I strongly urge my colleagues to support this fair integration proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise to speak against the amendment. I respect my colleagues, Senator TALENT and Senator BOND very much. I am very sad and very sorry about the situation with the TWA employees. It was a difficult situation when TWA was in bankruptcy. A number of airlines sought to take over TWA. American was the one that was willing to do it.

There were agreements made at the time. American offered to preserve the jobs and pensions of the TWA employees at the time if the unions would agree to waive their seniority rights from TWA. That was the agreement. If American had not stepped up to the plate, all of the TWA pilots, flight attendants, mechanics, and ticket agents would have lost their jobs immediately and their pension funds would have been wiped out. Instead, American not only persevered their jobs but fully funded the TWA pension funds.

Everyone hoped the aviation industry would recover and that everyone would stay employed. It is still the hope of every American employee that the TWA former employees who have been laid off will be hired back. American is committed to hire back former TWA employees before anyone else.

However, the TWA employees took this matter to the National Mediation Board. The National Mediation Board has rendered a decision reinforcing the original agreement. TWA's pilots and flight attendants have appealed. That is their right.

This case is still in litigation. It is completely inappropriate to bog down a wartime appropriations bill with language that would attempt to pit winners and losers in a battle between unions or between any union and management.

This amendment is coming at a time when American's unions are set to vote on the most significant cost restructuring proposal in U.S. history, with $1.8 billion in proposed union concessions. Interference with these negotiations at this time could impact that vote and push the world's largest airline into bankruptcy. Of course, if that happens, everyone at American, not just the former TWA employees, could lose their jobs.

I do sympathize, and I hope very much the little bailout that we are giving the aviation industry, will result in American staying strong and being able to hire back everyone who has had to be laid off. That is the purpose of the bill today.

Regretfully, I must raise a point of order and offer an objection to amendment No. 499 on the grounds that it is legislation on an appropriations bill and thus violates rule 16, paragraph 4 of the Senate rules.

The PRESIDING OFFICER. The Senator from Missouri.

AMENDMENT NO. 499 WITHDRAWN

Mr. BOND. Mr. President as cosponsor of this amendment, I ask the amendment be withdrawn.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn.

AMENDMENT NO. 500

Mr. BOND. Mr. President, I have discussed this matter with my good friend from Texas, who is very understanding. I believe the sense-of-the-Senate amendment which we have prepared essentially states some of the findings in perhaps less colorful language than I have described but encourages American Airlines, or tells American Airlines to encourage its employee groups to integrate all employees in a manner that is fair and equitable for all parties involved. I send that amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The pending amendments are set aside.

The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Missouri [Mr. BOND] for Mr. TALENT, for himself, Mr. BOND, Mrs. CLINTON, and Mr. SCHUMER, proposes an amendment numbered 500.

Mr. BOND. I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

> (Purpose: To state the sense of the Senate regarding procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers)
>
> At the end of title IV, insert the following:
>
> SEC. ____. It is the sense of the Senate that—
>
> (1) the asset acquisition of Trans World Airlines by American Airlines was a positive action that should be commended;
>
> (2) although the acquisition was a positive action, the combination of the 2 airlines has resulted in a difficult seniority integration for the majority of the employee groups involved;
>
> (3) airline layoffs from American Airlines should be conducted in a manner that maintains the maximum level of fairness and equitable treatment for all parties involved; and
>
> (4) American Airlines should encourage its employee groups to integrate all employees in a a manner that is fair and equitable for all parties involved.

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. 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, it is my understanding that a number of Senators want to speak for a brief time on the amendment the Senator from Missouri sent to the desk that is now pending. I ask they be allowed to speak on this amendment but that no action be taken until we have had a chance to review it on our side.

The PRESIDING OFFICER. Is this a unanimous consent request?

Mr. REID. Yes.

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

The Senator from Missouri.

Mr. TALENT. Mr. President, I will speak briefly. First, I commend my friend and colleague from Missouri for his work on this issue for several years and his consistent advocacy for fairness to all the employees of American Airlines. I also express my deep gratitude to our friend and colleague from Texas for how she has worked with us on this amendment and indeed on this whole issue within, of course, the limits of her convictions.

Briefly, this situation is not easy for anyone and I recognize that. I emphasize that there are thousands of people who are in a uniquely difficult situation, people with 10, 15, 20 years seniority with a company. When you get that kind of seniority with a company, you order your life so far as it is job related, on the assumption that unless the company goes down—in this case, stops flying—you are not going to be laid off. You do that in terms of your financial affairs; you get mortgages; you make arrangements with your kids and their college education. Thousands of people worked for TWA for years and years and years and did that.

Then something happened. I don't know what happened; I was not there. The people who were supposed to represent their interests in this process—management, the union, the government—for some reason did not. Their interests were not represented. As a result, they are now facing layoffs contrary to all their expectations.

I support the Senator's sense-of-the-Senate amendment. I hope it means as we continue to represent those interests we will have some chance along the process to get fairness for these people who expect better and deserve better and who have worked so hard in giving so much to this company for so long.

Mrs. HUTCHISON. Mr. President, I certainly support the sense of the Senate. We all want fair treatment. If the aviation industry had stayed viable and we had a good economy, I believe every employee would have maintained their employment status and there would have been more hires. However, we all know the economy is in a very precarious situation. The aviation industry has been hit hard since September 11, particularly American. And they do not want these layoffs. That is the only alternative they have.

I know the first people hired back when business picks up are going to be these employees who have been laid off. I certainly support the sense of the Senate. We all want fair treatment for all of the employees of American Airlines.

Mr. REID. Mr. President, Senator FEINSTEIN has been waiting here all day. She has a speech she wants to give and an amendment to offer. This will not be part of the voting in 45 minutes because she and Senator STEVENS have been in discussions about how to resolve this issue.

If I could have Senator COCHRAN's attention, Senator BYRD is here. You and Senator BREAUX used up all the time on the amendment, the Breaux amendment pending, which we will vote on at quarter to 5. Senator BYRD will ask for up to 15 minutes to speak in favor of the Breaux amendment. We have no objection to that.

Mr. COCHRAN. I have no objection to that request, Mr. President.

Mr. REID. Mr. President, I ask unanimous consent the Senator from California be recognized for up to 15 minutes.

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

Mr. REID. Following that speech, I ask unanimous consent that Senator BYRD be recognized to speak in favor of the Breaux amendment for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from California is recognized for up to 15 minutes.

Mrs. FEINSTEIN. Mr. President, I was going to call up an amendment about interoperable communications, but the text of our amendment is being worked out by the chairman of the committee and the ranking member. I believe it is going to be successfully worked out, so I would like to say a few words about what I would like to see happen.

This emergency supplemental provides $2 billion through the Office of Domestic Prepareness for State and local governments and first responders for homeland security.

It also states in the Conference Report that $30 million of the $2 billion should go to provide ''technical assistance to States for a variety of activities'' and mentions ''assistance with interoperable communications and equipment'' as one such activity.

But nowhere is there a specific earmark for interoperable communications, and none of the $30 million mentioned for ''technical asssistance'' will go directly to the people who need it most—policemen, firefighters, and emergency assistance personnel.

And even if some fraction of the $30 million does trickle down to public safety first responders, this is simply not enough to make a dent in the problem.

There are, today, about 2.5 million public safety first responders operating in the U.S., located at 18,000 law enforcement agencies, 26,000 fire departments, 6,000 rescue departments, and many other agencies as well.

They have historically depended on their own radio systems, even though sometimes these systems are often incompatible with other agencies with whom they work.

As a result, law enforcement, firefighters, and emergency medical service (EMS) teams can't talk to each other.

For example, while police received a radio message that the World Trade Center was going to collapse on September 11, firefighters never received the message because they use different radios.

A report from the University of New Hampshire-based ATLAS Project states:

> From numerous interviews gathered as part of a fire department inquiry into the events of September 11th, it would appear that non-interoperability was at least partially responsible for the loss of 343 firefighters at the World Trade Center.

According to an article in The New York Times on January 30, 2002, the New York Fire Department's most senior commanders report that:

> they had little reliable radio communications that morning, could not keep track of all of the firefighters who entered the towers and were unable to reach them as the threat of collapse became unmistakeable. . . . So poor were communications that on one side of the trade center complex . . . a city engineer warned officials that the towers were at risk of ''imminent collapse.'' Those he told could not reach the highest-ranking fire chief by radio. A messenger was sent across, dodging flaming debris and falling bodies, to deliver it in person. He arrived with the news less than a minute before the first tower fell.

Let me give some other examples.

Interoperability was also a problem at both the Littleton, Colorado shooting spree at Columbine High School. During that horrific attack, over 2000 students and teachers were effectively held hostage and 15 were killed and 23 wounded.

Forty-six separate agencies responded during the incident. Many of these responders were operating on different emergency radio channels, and in different parts of the radio spectrum. Some operated on VHF frequencies, some on an Ericsson 800 megahertz system, some on an analog 800 megahertz system, and some on a digital 800 megahertz trunked system.

According to an internal report by the Jefferson County Sheriff's Office:

> With such varying systems being used, not only were agencies prevented from communicating directly with each other, but groups with similar functions also could not communicate via radio. Ideally, groups with the same responsibility, such as the various SWAT teams or those officers setting up inner or outer perimeters would have their own channel to use in order to report and obtain vital information about their particular area.

In the aftermath of the Oklahoma City bombing, the Federal, State, and local first responder agencies also couldn't talk to each other.

Things were so bad that agencies resorted to using ''runners'' to carry

messages from one command center to another. To ensure that all agencies were on the same page, these runners often had to run between different agencies repeating the same message.

This is the same method of communication used thousands of years ago by the ancient Greeks and Romans. We all know—Senator BYRD especially—the story from 490 B.C. of the man who ran 26 miles from the plains of Marathon to the city of Athens to report victory in the Battle of Marathon and warn the people in the city of impending attack. In some ways, we are no better off today, 2,500 years later.

It is outrageous that our emergency communications systems can be reduced to levels that existed 2½ millennia ago.

And even if runners are not needed to transit messages physically from agency to agency, lack of interoperability can still spell disaster.

Lack of interoperability always means that precious minutes are lost and lives are put at risk.

The bottom line is that Congress has not provided enough money for interoperable communications—and that means we are needlessly jeopardizing the safety of our public safety first responders and the citizens of our country.

The fiscal year 2003 appropriations bill only provides $45 million in dedicated money for interoperable communications—only $12 million of which is likely to go directly to first responders. Twenty million dollars was given to the COPS program for interoperability, but $8 million of this amount was earmarked for other purposes—$5 million to the National Institute of Standards to develop minimum standards and $3 million for research and development through the National Institute of Justice's Advanced Generation of Interoperability for Law Enforcement—AGILE—program.

Another $25 million was given to FEMA under the Emergency Management Planning and Assistance account. However, my staff has been told that this money will probably go to State emergency management agencies.

There is another $400 million for equipment grants and $750 million for fire grants, but only some of this could be used for interoperable communications. There was only about $50 million set aside specifically for interoperable communications in fiscal year 2002.

And I mentioned earlier, that there is $30 million in the supplemental for ''technical assistance'' to the States, some of which could be used for interoperable communications.

In my view, providing only $12 million in dedicated money directly for first responders for fiscal year 2003 is simply not enough.

We have talked with the International Chiefs of Police. We have talked with all the national firefighting and first responding organizations. They are all strongly in support of increasing this amount.

I must tell you, I am delighted that both the chairman of the Appropriations Committee and the ranking member have responded, and I am assured there will be added, in the managers' package, an additional amount which will go directly to first responders.

Now, let me make one point. I recently heard from a Los Angeles city councilman, Jack Weiss, about one potential solution. It is a device called ACU–1000, which is also available in a mobile version called the First Responder Vehicle. ACU–1000 is manufactured by JPS Communications, which is owned by Raytheon.

Now, here is how the First Responder Vehicle works: They take an SUV, and fill it with software that converts the different frequencies into a compatible network that allows first responders, using different communication devices, to talk to each other. So a local community, such as one of yours, I say to the Presiding Officer, or one of mine, can purchase this vehicle for $150,000 to $200,000 and thus allow first responders to coordinate using diverse, incompatible communications systems.

A public safety first responder will drive the SUV to an emergency. Then Federal agency, State agencies, local agencies, the National Guard, police officers and firefighters can all talk to one another. This can be done for as little as $150,000 a unit.

While my amendment is for $400 million, I am hopeful that as much as the chairman and the ranking member believe is possible can be appropriated and earmarked for interoperable communications in the supplemental and go directly to these first responding communities.

I also ask that the RECORD reflect that Senator MIKULSKI, Senator DODD, Senator DURBIN, and Senator DAYTON are also very concerned about this issue and that they worked on the amendment with me. I thank them all very much.

The bottom line is that it is easy to solve this problem and that solving the problem is going to save lives. If you are going to protect the homeland, you have to enable those who first respond to a major crisis to be able to communicate.

Once again, I thank the chairman and the ranking member for working with me to include money for interoperable communications in the supplemental. I look forward to this issue being resolved in the manager's package, but I would like to reserve the right, in the event something goes wrong, to call up the amendment.

Ms. LANDRIEU. Will the Senator yield for a moment?

Mrs. FEINSTEIN. I certainly will.

Ms. LANDRIEU. I thank the Senator from California. I particularly thank her for bringing this issue to the attention of the Senate. I ask unanimous consent to be added as a cosponsor of the amendment.

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

Ms. LANDRIEU. Mr. President, I also ask unanimous consent to have printed in the RECORD a letter from the Governor of Louisiana and a letter from Louisiana's Department of Public Safety and Corrections. Those documents substantiate the statement outlined by the Senator from California.

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

STATE OF LOUISIANA,
OFFICE OF THE GOVERNOR,
Baton Rouge, March 14, 2003.

Hon. MARY LANDRIEU,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.

DEAR MARY: I am writing to request that the Senate Appropriations Committee report to accompany the Fiscal Year 2004, Commerce, Justice and State, the Judiciary and Related Agencies Appropriations Act, include language in the Law Enforcement Technology Program account to provide $7 million for one-time equipment costs necessary to upgrade Louisiana's statewide 800 MHz SmartZone public safety communication system.

This system is operated by the Louisiana State Police and utilized by 75 other state and local agencies including numerous sheriffs' departments, the Louisiana National Guard, the U.S. Marshals Service, U.S. Secret Service and U.S. Coast Guard, among others.

The existing 800 MHz system is an analog one, designed over 15 years ago. The existing system has numerous gaps in statewide coverage. Upgrading to the digital system would eliminate statewide communications coverage gaps. The existing system is also limited in terms of communications interoperability. The digital system upgrade would greatly enhance communications interoperability. The requested system upgrade would measurably assist the public safety agencies in Louisiana who provide the bulk of the first responder, investigative follow-up (in case of terrorism, or other manmade disasters) and consequence management efforts in emergency situations.

The move to a digital capable system allows the state to build on the existing MHz infrastructure by reusing a large percentage of the hardware at the existing sites. These sites would be upgraded to allow for digital communications. New sites would be added to enhance coverage for the users. With the capability to add more sites and improve coverage and audio clarity, the ability to interoperate with other public safety agencies would be greatly enhanced, thus providing more agencies the capability of communications during a disaster recovery effort.

The state of Louisiana and local governments have invested approximately $42,500,000 in infrastructure and subscriber units for the statewide system. Your assistance in appropriating the necessary federal funds for the new digital communications upgrade will be greatly appreciated by the state of Louisiana, public safety community and those whom we serve.

Sincerely,

M.J. ''MIKE'' FOSTER, Jr.,
Governor.

DEPARTMENT OF PUBLIC
SAFETY AND CORRECTIONS,
Baton Rouge, LA, March 18, 2003.

Hon. MARY LANDRIEU,
U.S. Senate, Hart Senate Office Bldg., Washington, DC.

DEAR SENATOR LANDRIEU: The Governor of Louisiana, M.J. ''Mike'' Foster, Jr. has sent

a letter to you dated March 14, 2003 requesting that the House Appropriations Committee report to accompany the Fiscal Year 2004, Commerce, Justice and State, the Judiciary and Related Agencies Appropriations Act, include language in the Law Enforcement Technology Program account to provide $7 million for one-time equipment costs necessary to upgrade Louisiana's statewide 800 MHz SmartZone public safety communication system. In addition, as Deputy Secretary of the Department of Public Safety Services, Superintendent of Louisiana State Police, and as the largest user of this lifeline communications network I am also asking for your support.

This system is operated by the Louisiana State Police and utilized by 75 other state and local agencies including numerous sheriffs' departments, the Louisiana National Guard, the U.S. Marshals Service, U.S. Secret Service and U.S. Coast Guard, among others.

The existing 800 MHz system is an analog one, designed over 15 years ago. The existing system has numerous gaps in statewide coverage. Upgrading to the digital system would eliminate statewide communications coverage gaps. The existing system is also limited in terms of communications interoperability. The digital system upgrade would greatly enhance communications interoperability. The requested system upgrade would measurably assist the public safety agencies in Louisiana who provide the bulk of the first responder, investigate follow-up (in case of terrorism, or other manmade disasters) and consequence management efforts in emergency situations.

The move to a digital capable system allows the State to build on the existing 800 MHz infrastructure by reusing a large percentage of the hardware at the existing sites. These sites would be upgraded to allow for digital communications. New sites would be added to enhance coverage for the users. With the capability to add more sites, improve coverage and audio clarity the ability to interoperate with other public safety agencies would be greatly enhanced thus providing more agencies the capability of communications during a disaster recovery effort.

As mentioned in the Governor's letter the State of Louisiana and local governments have invested approximately $42,500,000 in infrastructure and subscriber units for the statewide system. Your assistance in appropriating the necessary federal funds for the new digital communications upgrade will be greatly appreciated by the State of Louisiana, public safety community and those whom we serve.

Sincerely,

COL. TERRY C. LANDRY,
Deputy Secretary/Superintendent.

Ms. LANDRIEU. Mr. President, the Senator from California is absolutely correct, that even with the finest training, law enforcement, on the ground—and of which they are doing a better job every day—as they step up their training to address these new threats, all of that training is for naught if they cannot communicate with each other. There are some real challenges in our communication ability.

The Senator is absolutely correct, with just a small investment, the current communications systems could be made more operable.

I conclude by saying to the Senator from California that this was one of the first requests asked of the Mayor of DC and the city council here as they experienced the attack on September 11. It has been on the top of the list of law enforcement from Louisiana.

I am pleased to join her as a cosponsor. I thank her for her leadership.

Mrs. FEINSTEIN. Mr. President, I thank the distinguished Senator from Louisiana. I appreciate that. I was a mayor for 9 years. I required all of the departments to have portable radios. Every Monday we would test their radio systems at 7:30 because, in the event of an earthquake, at that time there was no other way for all the city departments to talk to one another except over a radio system. So I know firsthand the importance of interoperable communications.

I appreciate the comments. Thank you very much.

I yield the floor.

Mr. STEVENS. 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. STEVENS. 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. STEVENS. Mr. President, I remind Senators we are going to come up on a series of votes soon. This bill is a bill the President asked us to move quickly on to provide moneys for the ongoing events in Iraq and Afghanistan and the war on terrorism. We are now being besieged by amendments for homeland security. As a matter of fact, we have been besieged by homeland security amendments as long as I can remember.

The problem is, apparently there is an assumption here on the floor that the Federal Government is responsible for every single dime spent by any city or county or State in the interest of security. I always thought this was a mutual security society, and the cities and States and counties did what all they could do, and we would follow up and do the balance. Now it seems we are getting to the point where we are asked to provide each city, each State, each county with the full cost, not only of their systems for security against terrorism, but for their overtime.

I again ask the Senate, how much overtime are the people out in the desert in Iraq getting? How much overtime are the people right here on the floor, who are going to be working late tonight, getting? And they are going to be working over the weekend. It is high time people realized, I will not support financing every city, every town, every county, every State for every dime they say they need for homeland security. I think we should wake up. There is just so much that can be put on the Federal taxpayer.

We are running an enormous deficit. On the one hand, my colleagues on that side of the aisle are beating on this President every day for a deficit, yet there isn't one amendment here that doesn't go billions above the request the President made. What for? For war. Not for homeland security. There is a very small amount for homeland security. It was associated with moneys that were necessary to prosecute the war.

Now we are going to the total concept of homeland security, whatever it may be. Politically it may be good. I expect to read about these in 2004 in every single spot combating anyone over here who voted with me to table these amendments. I hope the American public wakes up to what is going on. I don't think the average person working for wages expects their money they pay into the Treasury is going to be used to pay overtime money in every city, every State, every village in this country.

When I inquired about several of these amounts, I was told they were to pay overtime. We have not accepted those amendments. We will continue to oppose them. Any campaign I hear about in 2004 where any of our people are attacked for votes made here, I will pay my own expense and go defend them. I will defend them and tell the American public what is right.

Everyone ought to be part of homeland security. There ought to be volunteerism. There should be people paid by the cities, by the counties, by the States, and by the Federal Government. We are providing the money for the Federal people. This bill is full of money to pay those who are in Federal employment to increase the level of homeland security. But what we are hearing now is that every city wants more. Every State wants more. It is time we realize we ought to have a debate about this in terms of what is the Federal policy.

I remember we used to have debates about federalism and what it means. It doesn't mean the Federal taxpayer pays every dime everyone wants in order to get ready for a potential terrorist attack. I have said this before. I had one mayor from a very small village in my State ask me to help him to get a new fire truck for homeland security. When I looked into it, I found out they didn't have a fire station. As a matter of fact, most of the roads weren't paved. This concept that everybody is going to get part of the money we put up for homeland security, I believe, is wrong.

As we vote, I hope the Members on my side stand up and be counted in terms of protecting this bill that the President wants. I keep hearing we have a war going on. Well, I see three wars out there, and I don't know how long any one of them is going to go.

The President deserves our support. Our people in uniform deserve our support, and the people fighting in Iraq are not the primary concern of homeland security. This bill is. This is a bill for supplemental assistance for national defense and a very small amount

for homeland defense—$4.6 billion out of almost $78 billion. Yet we are spending most of our time on the floor debating adding to the $4.6 billion. I hope that does not go on much longer. As a matter of fact, it isn't going to go on much longer because I am not going to continue to accept amendments that are directed toward just beefing up homeland security for political purposes. I accepted the amendment of the Senator from Florida when he cut it down to five-sevenths of what he wanted, and we fund it after the balance of this year.

PFC JESSICA LYNCH

This gets to the point where I would like to talk about something else for a minute. I mentioned before today that I read in this morning's paper the tremendous story of one of our brave young soldiers, PFC Jessica Lynch. I asked my staff to look up more about her.

As we all know from reading the papers, she is 19 years old. She is a supply clerk with the Army's 507th Ordnance Maintenance Company supporting the 3rd Infantry Division advancing toward Baghdad. I am sure Senator BYRD knows that PFC Lynch is from Palestine, WV. I know he joins me in recognizing this brave young woman.

I remember so well standing on the floor of the Senate years ago, when we had the draft, urging that we extend the draft so it covered everybody who was 19, male and female. That was defeated. People thought that young women should not be in combat at all. This young woman shows what happens when a brave, young American woman is in combat.

She was taken captive, as we all know, by Iraqi forces on March 23, after her company was ambushed near the southern city of Nasiriyah. She was rescued Tuesday from an Iraqi hospital after 8 days in captivity. It was obvious that the hotel had been used as a military command post. She suffered two broken legs, a broken arm, and at least one gunshot wound during her ordeal. They found her at her position and the magazine on her gun was empty. Most of the people in her detail had been killed. She survived.

I think this is a tremendous example of the young people who are involved in this war. She is the first POW to be rescued since World War II, Mr. President. I believe it is something I would like the Senate to think about for a moment. We commend the outstanding work of our Special Forces and the other units involved in the joint operation, including Marines and Army Rangers, who rescued this young woman. I think their efforts are a demonstration of our military's commitment to never leave a soldier behind.

We have invested a great deal in the Special Forces. Just recently, I flew to Tampa and visited with Special Forces Command. We will continue to rely on their expertise. This recent success is proof that our investment is paying dividends in saving American lives, and it demonstrates the critical need of Congress to continue to support America's Special Forces and to support this bill and get this bill to the President as soon as possible.

Above all, I want to commend Jessica Lynch for her commitment to this country, her patriotism, her courage, and to thank her for her outstanding service.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip is recognized.

Mr. REID. Mr. President, we all know the President pro tempore of the Senate, the manager of this bill, is one of the great legislators in the history of this body. We also believe we have been acting responsibly on this side of the aisle during the last 2 days. We have been admonished for 2 weeks now by the Democratic leader that we must finish the bill this week.

We have tried to be responsible with the amendments we have offered. We have negotiated with the Senator from Alaska and his staff in good faith, and we have been able to work out some very big amendments, I think, to the betterment of this country.

We have not tried in any way to alter the financial package that is going to the President that relates to the military. I have told the Senator from Alaska, and anyone else who would listen, that I am grateful he was able to put in the bill something that will help bolster the airline industry in this country, which badly needs help.

But we also believe on this side of the aisle—and I personally support all $9 billion that the President has put in this bill for foreign aid—that if we can get $9 billion for foreign aid, we can reexamine what is being done for homeland security, and that is in effect what we are doing—reexamining what is taking place in the bill relating to homeland security.

So the Democratic leader and all the Senators on this side of the aisle are committed to finishing the bill tonight. We understand the importance of it. Nobody should criticize any of the amendments that we have filed. They have been responsible, targeted, and they are not political in nature. They are responsible in nature.

Before I yield the floor, the Senator from Mississippi is here. It is my understanding that we are going to have a vote in about 7 minutes. The Senator from Louisiana has an amendment to offer that has been worked out on the other side. I think it would be to everyone's advantage that we go to her until the vote. There will not be a vote required on her amendment.

Mr. COCHRAN. Mr. President, I don't have first-hand knowledge of the agreement with respect to the Senator's amendment. I assume this is the Merchant Marine amendment.

Ms. LANDRIEU. Yes.

Mr. COCHRAN. I have no objection to her proceeding until we vote at 4:45.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, before I send my amendment to the desk, I want to take a point of personal privilege and comment on the remarks made by the Senator from Alaska and tell him how much I and many women and many men appreciate them. They were heartfelt and they were right on target, and they were sincere, and they were very meaningful on this day, as we all read about the extraordinary event of the last 48 hours in which this young soldier was rescued and returned safely to her unit and will be, ultimately, to her family.

As the first Democratic woman to ever serve on the Armed Services Committee in the Senate, following in the footsteps of Margaret Chase Smith; the Senators from Maine, Ms. SNOWE and Ms. COLLINS, I am particularly appreciative of the support of the Senator from Alaska and other members who have, year after year, argued—and I think successfully, as the record will show—that women can most certainly make extraordinary contributions to the strength of our military in many different ways. We have all been proud as we have watched the level of contribution grow over time and, most certainly as this war unfolds before our eyes, we are reminded again of the continued bravery and skill and expertise of the women who are serving at the highest levels of our military and challenging the notions that women can serve but not on the front lines, or women can serve but not in this capacity, that women can serve but not here. I think those glass ceilings are shattering, and women are showing themselves to be, as we all know, the brave and courageous individuals who help us strengthen our military and strengthen every aspect of our national life.

I thank the Senator for his comments and for his leadership and add my own voice to the progress we are making on that issue.

AMENDMENT NO. 504

Ms. LANDRIEU. Mr. President, I send an amendment to the desk and ask for its immediate consideration and a vote on it at whatever time the managers believe will be convenient.

The PRESIDING OFFICER. Is there objection to laying aside the pending amendment?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for herself and Ms. MIKULSKI, proposes an amendment numbered 504.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To make applicable provisions of law requiring the use of privately owned United States flag commercial vessels for the transportation of U.S. Aid and other materials)

At the end of chapter 2 of title I, add the following:

SEC. 210. No provision of this Act may be construed as altering or amending the force or effect of any of the following provisions of law:

(1) Sections 2631 and 2531a of title 10, United States Code.

(2) Sections 901(b) and 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).

(3) Public Resolution Numbered 17, Seventy-third Congress (48 Stat. 500).

(4) Any other similar provision of law requiring the use of privately owned United States flag commercial vessels for certain transportation purposes of the United States.

Ms. LANDRIEU. Mr. President, I understand this amendment has been agreed to on both sides. I brought this issue up in committee and was asked specifically by the leadership to wait until the bill was before the Senate to discuss it. I understand the amendment has already been worked out.

It is an amendment that merely restates current law regarding the merchant marines. There is in this bill a very broad waiver that the President may furnish assistance under this heading, notwithstanding any provision of law, dealing with provision of aid, cargo, and supplies that we are sending to Iraq. I do not think it is the intention of the President to use this broad waiver to diminish or to circumvent current law regarding the merchant marines which would, of course, have the effect of giving a preference, and rightly so, to vessels sailing under the American flag with American crews.

As you understand and as the Senate is well aware, in the drafting of this amendment, there is an exception in the event of an emergency; there is an exception in the event that the particular cargo could be shipped at a less expensive price if the rates are not competitive. All four sections of the law that we cite in our amendment have national security waivers.

The cargo preference is only 50 percent, which gives the President the flexibility he needs in the event that a foreign carrier is necessary, and with DOD cargo, the President can also look at cost, as I said, to ensure that fair and reasonable rates are being charged.

I hope this amendment that Senator MIKULSKI and I offer for the consideration of the Senate will be accepted. It is very important for many reasons to support our merchant marines, particularly at a time when American taxpayers have really stepped up to the plate in their support of this war effort and will pick up a huge share of the reconstruction of Iraq. It only makes sense that we also extend and restate in this supplemental appropriations our intention not to waive, unless absolutely necessary, the current law regarding cargo shipments in this time of war and also post conflict.

At the appropriate time, I will ask for either a vote or the proper disposition of this amendment. It is very important to many Members of the Senate but is something that can be supported in a bipartisan way.

In additional support of this amendment, it does not cost anything. I know there are Members who say every amendment that has come to the floor has added money to the bill. This does not add any money to the bill. It is not offered to attempt to slow down the bill. It is simply offered to make sure that our merchant marines and the laws governing flags, the vessels, and the crews of the ships that will be carrying a lot of this cargo follow the law as it is today and only grant the waiver to the President and give him broad flexibility under certain guidelines unless there is an emergency or cost is involved.

At the appropriate time, I will ask for a vote.

Mr. STEVENS. Regular order.

AMENDMENT NO. 494

The PRESIDING OFFICER. The regular order is the vote on the motion to table the Breaux amendment No. 494.

Mr. COCHRAN. The yeas and nays have been ordered, I think, Mr. President.

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the motion to table amendment No. 494. 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 Massachusetts (Mr. KERRY) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''no.''

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—52

Alexander	Dole	Miller
Allard	Domenici	Murkowski
Allen	Ensign	Nickles
Bennett	Enzi	Roberts
Bond	Fitzgerald	Santorum
Brownback	Frist	Sessions
Bunning	Graham (SC)	Shelby
Burns	Grassley	Smith
Campbell	Gregg	Snowe
Chafee	Hagel	Specter
Chambliss	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Talent
Collins	Kyl	Thomas
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Crapo	McCain	
DeWine	McConnell	

NAYS—46

Akaka	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Graham (FL)	Nelson (NE)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kohl	Schumer
Corzine	Landrieu	Stabenow
Daschle	Lautenberg	Wyden
Dayton	Leahy	
Dodd	Levin	

NOT VOTING—2

Inouye	Kerry

The motion was agreed to.

Mr. COCHRAN. I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. CORNYN). The majority leader.

Mr. FRIST. Mr. President, it is 5:20 now, and I want to update Members where we are pending the supplemental appropriations bill.

The chairman has been here throughout the day working on amendments. We have made outstanding progress, if you take yesterday and today. We have had some amendments agreed to by voice vote. Some have been withdrawn and, as you know, we have had a number of rollcall votes.

I do want to ask our Members, as much as possible, to show restraint and not feel compelled to offer every single amendment. I believe every Member in this body does understand the urgency, that it is absolutely imperative we pass this bill. It is an emergency bill. It is an emergency supplemental bill. We need to do it in a responsible way. And we need to do it expeditiously.

I once again ask for the cooperation of all Members in allowing us to move forward on this bill, which we will do, so we can keep moving in a progressively advancing way and finish this bill this evening.

We are going to stay in session until we finish this bill tonight. We will stay in as late as it takes to get this bill through to final passage. I hope it will not necessitate being here for hours and hours and hours, but it means we, as a body, must look at the individual amendments, come forward with some restraint, and understand the importance of finishing this bill in a responsible but expeditious way.

I do want to be clear that Senators should be prepared to be here until we have final passage sometime tonight.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, we have asked Members to stay who have amendments they might wish to consider. If the Senator from Nevada is prepared, we could go through some of those and see what the time constraints may be in getting the bill finished tonight.

Mr. REID. Mr. President, I am in the process of working. During the vote, I was not able to contact everyone. If we could go to the next amendment, it would be better in a few minutes from now.

We have been able to work quite well with Members who have offered amendments, amendments that others have offered. We still have a number of amendments Senators want to offer. I could go over those now if the Senator wanted. We are down to about half a dozen amendments over here.

Mr. STEVENS. 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. 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. I have spoken to the manager of the bill. The ranking member of the Appropriations Committee has an amendment to offer. He has agreed to have a time agreement. Would 30 minutes equally divided be appropriate or 40 minutes equally divided?

Mr. BYRD. Forty.

Mr. REID. I ask unanimous consent that the Senator from West Virginia be allowed to proceed with his amendment and that there be 40 minutes equally divided in the usual form.

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

AMENDMENT NO. 508

Mr. BYRD. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 508.

Mr. BYRD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To protect the prerogatives of the Congress in the allocation of homeland security funding)

On page 36, Line 9, strike all through the ''.'' on page 36, line 25 and insert the following:

BORDER AND TRANSPORTATION SECURITY

CUSTOMS AND BORDER PROTECTION

For an additional amount for ''Customs and Border Protection'', $160,000,000, to remain available until December 31, 2003, of which not less than $35,000,000 shall be for the Container Security Initiative and not less than $125,000,000, shall be for radiation portal monitors and other forms of non-intrusive inspection equipment to be deployed at the Nation's ports-of-entry.

TRANSPORTATION SECURITY ADMINISTRATION

For additional amounts for necessary expenses of the Transportation Security Administration related to transportation security services pursuant to Public Law 107–71 and Public Law 107–296 and for other purposes, $452,000,000, to remain available until December 31, 2003, of which not less than $50,000,000 shall be available for grants to public transit agencies in urbanized areas for enhancing the security of transit facilities against chemical, biological and other terrorist threats, not less than $147,000,000 shall be for shortfalls pursuant to Public Law 108–10, including port security grants, nuclear detection and monitoring equipment, and truck and intercity bus grants not less than $55,000,000 shall be for installation design, installation, and FAA certification of a system to defend commercial airliners against portable, infrared, heat-seeking missiles, not less than $100,000,000 shall be for port security grants for the purpose of implementing the provisions of the Maritime Transportation Security Act, and not less than $100,000,000 shall be for railroad security grants including grants to the National Railroad Passenger Corporation for capital expenses associated with tunnel and dispatch facility security enhancements.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $5,000,000, to remain available until December 31, 2003 for personnel, equipment and support for increased training requirements for Federal and State and local law enforcement personnel.

OFFICE FOR DOMESTIC PREPAREDNESS

For additional amounts for ''Office for Domestic Preparedness,'' $300,000,000, to remain available until December 31, 2003, of which $100,000,000 shall be for ''Emergency Management Planning and Assistance,'' to improve communications within and among first responders including law enforcement, firefighters, and emergency medical services personnel, and $200,000,000 shall be for grants to high threat urban areas, which should be identified by criteria that include credible threat, vulnerability, the presence of infrastructure of national importance, population, and needs of public safety organizations.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating Expenses'', $73,000,000, to remain available until December 31, 2003, of which not less than $42,000,000 shall be for Port Security Assessments and the Port Security Assessment Program, and not less than $7,000,000 shall be for the purchase of radiation detection equipment, and not less than $24,000,000 shall be for the establishment of Maritime Safety and Security Teams.

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for ''Acquisition, Construction and Improvements'', $40,000,000, to remain available until December 31, 2003, to implement the Automated Identification System and other tracking systems designed to actively track and monitor vessels operating in United States waters.

DEPARTMENTAL MANAGEMENT

COUNTERTERRORISM FUND

For an additional amount for the ''Counterterrorism Fund,'' for necessary expenses as determined by the Secretary of Homeland Security, $105,000,000, to remain available until December 31, 2003, to reimburse any Department of Homeland Security organization for the costs of providing support to prevent, counter, investigate, respond to, or prosecute unexpected threats or acts of terrorism: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 15 days prior to the obligation of any amount of these funds: *Provided Further:* That of the total amount provided, $20,000,000, is provided under this heading which shall be transferred to, and merged with, funds in the ''Federal payment for emergency planning and security costs in the District of Columbia'' appropriations account within thirty days of enactment of this Act, for a Federal payment to the District of Columbia for critical infrastructure protection, for security upgrades and backup operations of transportation, emergency response, energy, and communications infrastructure in the District of Columbia, provided that the Mayor and the Chairman of the Council of the District of Columbia shall, in consultation with the governments in the National Capital region, submit a financial plan to the Committees on Appropriations of the House of Representatives and Senate for approval not later than 30 days after enactment of this act, and provided that the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the use of funds under this heading, beginning not later than June 2, 2003: *Provided Further:* That of the total amount provided, $10,000,000, is provided under this heading which shall be transferred to, and merged with, funds in the ''Operation of the National Park System'' appropriations account within the National Park Service in the Department of the Interior within thirty days of enactment of this Act, for expenses related to enhanced security at nationally significant facilities.

Mr. REID. Mr. President, if I could direct a question to the Senator from West Virginia, I forgot that the Senator from Louisiana has been here all day. She has 5 minutes on an amendment that is agreed upon. There would be no vote on it. I apologize because it is my fault totally. Would the Senator from West Virginia allow the Senator from Louisiana to proceed for up to 4 minutes?

Mr. BYRD. Absolutely.

Mr. REID. I ask unanimous consent that the Byrd amendment be temporarily set aside and that the Senator from Louisiana be allowed to offer her amendment and to speak up to 4 minutes and then we would return to the Byrd amendment.

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

The Senator from Louisiana.

AMENDMENT NO. 504, AS MODIFIED

Ms. LANDRIEU. Mr. President, I send my amendment to the desk with a modification suggested by Senator STEVENS.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 504), as modified, is as follows:

At the end of chapter 2 of title I, add the following:

SEC. 210. No provision of this Act may be construed as altering or amending the force or effect of any of the following provisions of law as currently applied:

(1) Sections 2631 and 2631a of title 10, United States Code.

(2) Sections 901(b) and 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).

(3) Public Resolution Numbered 17, Seventy-third Congress (48 Stat. 500).

(4) Any other similar provision of law requiring the use of privately owned United States flag commercial vessels for certain transportation purposes of the United States.

Ms. LANDRIEU. I thank the Senator from West Virginia for yielding for a few moments because I understand this amendment has been worked out.

This amendment simply clarifies the underlying bill. It doesn't add a penny to the bill. It seeks to clarify the waiver given to the President that will mirror the current law regarding U.S. flagships. It doesn't add any new legislation to the law. It simply clarifies the general waiver provisions in the supplemental provision, that the same law in effect today will remain in effect for the Military Cargo Preference Act. I understand it has been agreed to. I submit the amendment for consideration.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 508

Mr. BYRD. Mr. President, I sent to the desk an amendment and I asked unanimous consent that further reading be dispensed with, which was granted.

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Mr. President, I ask unanimous consent that Mr. HOLLINGS be made a cosponsor.

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

Mr. BYRD. Mr. President, on March 25, 2003, the President sent to Congress a $74.7 billion supplemental appropriations request for ''urgent and essential requirements'' for the costs of Operation Iraqi Freedom and for the global war on terrorism. In his request, the President sought an unprecedented level of flexibility in the use of those funds. This request was not only for the Secretary of Defense for the prosecution of the war in Iraq but also for the Secretary of Homeland Security and for the Attorney General.

While I understand the unique circumstance in which the Nation finds itself, the situation is not entirely without precedent. We have been at war before. We have faced earthquakes and we have faced floods before. We have faced economic crises before. But the need to confront a crisis in a thoughtful or nimble way does not mandate that the Congress allow the executive branch to usurp its constitutional duties.

The Constitution grants to the Congress the authority to appropriate funds and the responsibility to use that authority to make careful choices. Yet the President has asked the Congress to hand over its responsibility to the executive branch. The bill that is before the Senate includes $1.135 billion to be parceled out by the Secretary of Homeland Security for whatever purpose he believes is most appropriate. So will he use that authority to support the Coast Guard? Will he use that authority for border security or for port security? Will he give the money to States or to localities? Will he give it to first responders—police, fire, or emergency medical personnel in our communities? Or will he use it to build up a new bureaucracy?

These are questions to which Congress should be seeking the answers. Congress itself must guard its prerogative and resist succumbing to expediency and to political partisanship.

While I fully support the funding in this legislation for the men and the women who are engaged in battle in Iraq, I do not support additional grants of authority to this administration, or to any other administration, that would infringe upon the congressional power of the purse.

Senator STEVENS and I, together with the subcommittee chairmen and ranking members, have worked, in most cases, to improve the President's supplemental budget request. We have eliminated or reduced the sweeping grants of new authority requested by this administration, while still providing some very limited flexibility where appropriate.

However, with regard to this unallocated fund for the Secretary of Homeland Security, we have not adequately protected the prerogatives of the Congress, nor have we done enough to protect our homeland. Time and again, the White House has argued that funding for securing our homeland can wait. When the Senate debated legislation to increase funding for homeland security just 2 months after the September 11 attacks, we tried to add money for homeland security, but the President said let's wait—let's wait until 2002. Then, in 2002, the Congress approved a $2.5 billion supplemental for first responders, for port security, border security, aviation security, and nuclear security, and the President refused to spend it. He claimed that homeland security could wait until 2003. Now it is 2003 and Senators on the other side of the aisle—some of them—are saying we are half way through the fiscal year; so let's wait until 2004. Well, I must ask the Senate, in the name of the people whom we represent, when will it be time to invest in securing our homeland? How much longer must we wait?

The President proposes to put more than $1 billion in a fund for homeland security, but he does not tell us what the money will be used for. He does not tell us which agencies have requested funding. He provides us with no evaluations of those requests. He does not tell us when the money will be spent. For all we know, he may take the rest of this year to decide how the money will be spent so that he can reduce his spending request for fiscal year 2004. But who knows, he may just tell us that homeland security spending can wait until 2005.

How can I reconcile this desire to wait, wait, wait, with the fact that the Secretary of Homeland Security has said that more terrorist attacks are inevitable and the threat of further attacks is a long-term threat to our Nation? I simply cannot reconcile his statements with the policies of this administration. This threat of terrorist attack will not end at the end of this war.

So today, here is an amendment that does not add one thin dime to the bill. Instead, this amendment does what the Constitution—which we all swore to support and defend—compels us to do. This amendment makes choices. Last year, the Senate Appropriations Committee held 5 days of bipartisan hearings on homeland security. It was an excellent series of hearings where we heard from Governors, mayors, first responders, six cabinet officers, the Attorney General, and the Administrator of FEMA. In those hearings, we identified numerous gaps in our security. Based on those hearings and numerous reports, such as the nonpartisan Rudman-Hart report, my amendment, which I offered together with Senator HOLLINGS, allocates the $1.135 billion contained in the committee bill for specific programs.

More than $365 million would fund critical improvements at our seaports. Six million containers enter into the United States each year through our ports and very little is known about the contents of these containers or their shippers. There is no national system in place to track who is working within our own ports. This funding would begin to develop that system.

The amendment would also pay for the installation of monitors at seaports to detect radiological, nuclear, chemical, biological substances, and weapons of mass destruction, without disturbing cargo. Additional equipment would expedite the inspection process. At the same time, we invest in port security teams and in other quick-response efforts should a terrorist strike at one of the Nation's seaports. We provide $150 million for mass transit and rail security. Transit systems throughout the world have historically been a top transportation target of terrorists. They are, by their nature, open systems used by a vast number of people and are very vulnerable to attack.

With the exception of the Metro in the District of Columbia region, no money to date has been provided to our Nation's transit system to enhance security and reduce the vulnerability of these systems.

Under the amendment, the Transportation Security Administration will receive $147 million for aviation security, while $55 million is directed toward the effort to find ways to protect commercial airplanes from missile attack.

Another key part of this amendment is the $100 million directed toward interoperable communications equipment for police and fire departments. First responders need equipment that allows them to communicate with each other regardless of the team, the squadron, or the department to which they belong.

Finally, there is funding totaling $75 million for the Secretary of Homeland Security to use for responding to unanticipated problems. The Secretary could draw on this fund by notifying the Congress 15 days in advance of spending the money. Mind you, this is no small sum. This is $75 million.

This Congress can make intelligent choices and this Congress should make intelligent choices about how to use the taxpayers' dollars. We should not abrogate that responsibility by handing it off to unelected officials in Washington.

I urge Members to support this amendment. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I yield myself such time as I may consume under the order.

The PRESIDING OFFICER. The Senator is recognized.

Mr. COCHRAN. Mr. President, this amendment is a modified version of the amendment the Senate just acted on a little while ago offered by the Senator from Louisiana, Mr. BREAUX. That amendment was tabled by the Senate. This amendment would strike the appropriations provided in the committee bill of $1.135 billion for the Department of Homeland Security Counterterrorism Fund and replace it with specific supplemental appropriations for various Department of Homeland Security accounts. It includes a number of specific earmarks and proposals that have been included in other amendments that have been offered to this bill but have been either tabled or defeated.

These additional amounts have no direct relationship to additional costs borne by the agencies as a result of heightened security related to the Iraqi war as part of Operation Liberty Shield.

For example, this amendment proposes to add an additional $160 million for the Customs and Border Protection account. Of this amount, $35 million is proposed for the Container Security Initiative. That is nearly three times the fiscal year 2003 regular appropriations level of $12 million; and $125 million for radiation portal monitors and other equipment, over two times the regular fiscal year 2003 appropriation level of $45.7 million.

It does not seem to me to make good sense to add these amounts of money at this time to a supplemental of immediate need to pay costs related to the war and Operation Liberty Shield.

We are 8 months into this fiscal year. The amendment proposes an additional $452 million in supplemental appropriations for the Transportation Security Administration. It includes $100 million for port security grants when the fiscal year 2002 funds have not been completely awarded. Ninety million dollars in 2002 funds have been rewarded, and $105 million in applications are being currently examined, and there is another $150 million in 2003 appropriations.

It also includes the $55 million proposed by the amendment offered by the Senator from California, Mrs. BOXER, which the Senate already tabled earlier today. This amendment being presented to the Senate now is a proposal that we have already rejected.

The amendment proposes $5 million for the Federal Law Enforcement Training Center. This is more than double any supplemental funding requirements identified to us by the agency. We have asked the center what they need to meet their responsibilities. We tried to find out what the requirements are and to make this bill coincide with those requirements. We are not talking about a full fiscal year, we are talking about the balance of this fiscal year, this supplemental appropriations.

This amendment proposes an additional $300 million on top of the $2 billion recommended separately in the bill for the Office for Domestic Preparedness. Listen to this: For the Coast Guard, it adds an additional $73 million. This is on top of $580 million provided separately in this bill for the Coast Guard costs related to Operation Iraqi Freedom and Operation Liberty Shield. Of that amount, $42 million is for port security assessments, when the highest estimate we know of to complete this is $37.8 million. Another $7 million is for the purchase of radiation detection equipment which is currently under study. Specifically, the Coast Guard is studying what the cost to purchase this equipment will be. So it is difficult to determine the funding required until that study is complete.

Further, the amendment proposes $40 million in supplemental funds to implement the Automated Identification System and other tracking systems when only $4 million is proposed for fiscal year 2004.

Think about that: This supplemental amendment proposes $40 million in supplemental funds for something when only $4 million is proposed for fiscal year 2004.

Finally, it proposes $105 million for the Counterterrorism Fund and specifies the transfer of these funds to other Federal agencies rather than proposing to appropriate these funds directly to those agencies—$20 million to the District of Columbia, $10 million to the National Park Service.

My position is the same on this amendment as it was on the Breaux amendment which the Senate tabled. We have carefully examined the proposal from the administration for supplemental funding. The request was submitted to our committee. We had hearings. We had opportunities to talk with the agencies that are going to be spending these funds. We have made a concerted effort to find out what the needs are and to respond to those needs in this supplemental appropriations bill.

We might be wrong, but we are certainly not coming in and disregarding the needs of the agencies and throwing money out here and pretending that is going to solve all the problems at a time when we are concerned about the deficit, people are worried about our economy, we are trying to be sure we do not make decisions that make it harder to create new jobs and return good health to the economy.

We are under a lot of pressure from the added costs for the war in Iraq. We know that. We are under a lot of pressure for the added costs to defend our cities and localities against terrorist attacks. It is a big challenge to do what is right and to make the best judgments on these subjects. But I can assure the Senate that a concerted effort and a very thoughtful effort has gone into the development of the funding levels in the bill before the Senate. I am prepared to defend it and to not apologize for the amounts we put in here because it reflects a good-faith effort to do what is right.

I urge the Senate to reject the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. HOLLINGS. Will the Senator yield me 3 minutes?

Mr. BYRD. How much time do I have?

The PRESIDING OFFICER. Ten minutes.

Mr. BYRD. I yield.

Mr. HOLLINGS. There is no one I admire more than my distinguished colleague from Mississippi, Senator COCHRAN, but he is off base. The father of homeland security studied it way better than Governor Ridge. We have been holding the hearings on all of these things, and you can see they have no idea what is going on in that so-called Department of Homeland Security.

We brought the Attorney General up, and he said: Well, the Office of Domestic Preparedness is transferred over. Then you go, by gosh, to the homeland security people, and you cannot find the money.

What the ranking member for homeland security is doing is bringing together all the chaos. We are the ones having the Coast Guard hearings for 30-some years up here. We are the ones who have been handling the Office of Domestic Preparedness. We are the ones who have been knowing the needs.

This does not add a red penny but says here is how these needs should be responded to and it is an emergency.

I commend the distinguished Senator from West Virginia for his particular amendment. He is trying to do the right thing. He is being charged with doing the wrong thing. It is the same thing as the Breaux amendment.

I remember one time they told me I had an impediment in my speech, and I asked: What was that? They said: The trouble with you, Senator, is that you can't listen.

The trouble with my friends on the other side is they didn't listen to the Breaux amendment.

Now we are getting it clearer with the amendment of the Senator from West Virginia.

Mr. BYRD. I thank my friend from South Carolina. He is a good listener. As far as I am concerned, he does not have any impediment in his speech.

The Constitution invests the power of the purse, the control of the purse, here, in Congress, section 9, article I, of the Constitution. The Constitution does not say anything about letting some bureaucrat downtown—we all appreciate the fact we have to have bureaucrats, but nowhere do I swear it is important to defend the Department of Homeland Security when it comes to the allocation of the taxpayers' money.

We are doing what we ought to do here. We are saying these funds are the taxpayers' money; Congress shall determine how they will be spent. Why should we turn over $1.3 billion to a Department and say to that Department head: You take it? That Department head does not appear on the ballot anywhere. He may have in times past. He

was a good Governor, I suppose. I have a lot of respect for him. But nowhere does he appear before the elected representatives, before the electors in the various States. And we do. We have a responsibility to say where this money will be spent.

We had hearings, as Senator HOLLINGS has so ably pointed out. We had extensive hearings. We had six Department heads, we had the Attorney General, we had the Director of Homeland Security, we had mayors, we had Governors, we had local responders, we had firemen, we had policemen, we had emergency health personnel before the Appropriations Committee. Those hearings were well attended by Members on both sides of the aisle. My distinguished friend from Mississippi was there.

We then reported out bills based on the hearings and the facts that were gleaned from those painstaking hearings, and in a great way that work was for naught.

But here we are, we come back, and we are trying to say yes, we will respond, Mr. President. We will appropriate this money, but we are not just going to turn over a blank check to the Department of Homeland Security. That agency head—I have a lot of respect for him, as I say, but he was not allowed to come before our committee during those hearings. He was not allowed by this President. This President said, no, no, Mr. Ridge shall not appear before the Senate Appropriations Committee.

Now are we willing to turn it over to Mr. Ridge and say: Here it is, lock, stock and barrel, the whole kit and caboodle; you have it; we will spend it; we will set ourselves aside. I am not willing to do that, I say with great respect to my friend from Mississippi, and he is my friend. We have a responsibility to say where this money is going to be spent, how it will be spent. We ought to live up to that responsibility.

I hope Senators vote for the amendment.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is with some trepidation that I oppose the amendment of the Senator from West Virginia because I have enjoyed working with him on this committee and in the Senate for a long time.

There may very well be provisions in this amendment he offers that should be seriously considered for inclusion in the fiscal year 2004 appropriations bill.

Right now, we are having hearings in the various subcommittees of Appropriations looking at the budget requests for 2004. Every committee is involved in that process, every subcommittee is involved in that process. But this is an appropriations bill that is targeted to the needs that are arising from Operation Iraqi Freedom and Operation Liberty Shield, the functions of the Department of Defense and the Department of Homeland Security.

It is a very narrow and limited area that we are concentrating our attention on right now. Some of these programs are hard to estimate in terms of what is really needed for the remainder of this fiscal year in addition to the funds that have already been appropriated in the regular appropriations bills for the Department of Defense and Department of Homeland Security.

But the President submitted this request, asked for the funds to finish out this fiscal year. We know we can add funds and probably use them later on, but this is not the last bill we will consider during this calendar year, that funds these Departments and these activities. We have the 2004 bill coming up after the supplemental appropriation. I ask Senators to take that into account. If we have underfunded anything as a result of mistakes made, we can make up those shortfalls in the year 2004, but right now this is what the administration says they need.

I am not the Secretary of the Department of Homeland Security. I have not devoted all of my personal attention to that job as has Secretary Ridge. The President and his other staff members and the executive branch have. We have to respect their right to participate in this process. Just because we think we can improve upon what they have suggested by adding funds to these accounts—even funds that have been considered and rejected today by the Senate—let's vote on it again.

This amendment contains a lot of things that have already been considered today and rejected by this Senate. So think about that, as well.

I don't think I need to take up any more time. I am prepared to yield back my time. I do yield back the time on this side. When the Senator has used all his time, it would be my intention to move to table the amendment.

Mr. BYRD. How much time remains?

The PRESIDING OFFICER. The Senator from West Virginia has 4½ minutes.

Mr. BYRD. Mr. President, my friend from Mississippi says the folks downtown want to participate. They did not want to participate last year when we asked the Secretary of Homeland Security—who is now the Secretary of Homeland Security—to appear. The President did not want to participate then. The President said: No, he shall not go up before that committee.

So I say, Mr. President, once again, this administration is simply asking for too much authority. They want to participate? Well, this is not the first time administrations have wanted to participate. Under this Constitution, Congress has the power to appropriate funds. I say that Congress has not only the right, it has the responsibility to state how those funds shall be spent. We should not turn over the whole kit and caboodle to some unelected somebody down there, who will be the Secretary of Homeland Security. We transfer our responsibilities, we hand off our duties when we do that.

This is an effort to stand by our constitutional duties, to stand by the taxpayers of the country who provide the money. This is our responsibility. We should say where these moneys will be spent, and we are doing that based on the testimony that was given to the Appropriations Committee last year. That is where we are getting our information.

What is wrong with that? Why do Senators want to quarrel with that? It is the responsibility of Senators, I say to the distinguished Senator from Texas who is in the Chair. He shares that responsibility with the Senator from West Virginia and the Senator from North Carolina and the Senator from Mississippi. That is our responsibility. Why do we want to hand it over to some bureaucrat who is not elected by the people, who doesn't have to stand before the bar of judgment as we Senators do? Why do we want to hand that over to the administration? Just because the administration wants to have it?

This administration, time and time again, has turned the back of its hand to Congress when Congress has made appropriations for homeland security—time and time again. We appropriated $2.5 billion last year, designated as an emergency, and that money would be out there in the hands of the local responders right today if this President hadn't turned the back of his hand on that and said: No, I refuse to attach my signature designating that as an emergency.

So, there you have it. That is talk versus action.

Mr. President, I hope Senators will support this amendment.

Read the Constitution once again if need be, but take my word for it, that is in the Constitution.

I hope Senators will stand up for the Constitution, stand up for the taxpayers. See, those taxpayers are looking right at us through those electronic lenses there. I say support this amendment.

I yield the remainder of my time.

Mr. COCHRAN. Mr. President, I move to table the amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN. I understand there are discussions with the acting leader on the other side. Senator HOLLINGS has a sense-of-the-Senate amendment dealing with taxes that we could take up now and have a debate on it and have a vote in relation to that amendment that would follow immediately after the vote on the Byrd amendment. I will be happy to yield to the Senator.

Mr. REID. If the Senator will yield, Senator STEVENS has indicated it has been cleared by both leaders that we could have a vote around 6:30.

I ask unanimous consent, in keeping with the remarks of the Senator from Mississippi, that we have a vote in relation to the Byrd amendment at the

expiration of 20 minutes for the Senator from South Carolina, and 10 minutes for the Senator from Mississippi, and that there be no second-degree amendments. Following that, there would be a motion on or in relation to the Hollings amendment, there would be no second-degree amendments ordered, and we would vote on that following the disposition of the Byrd amendment.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. That is satisfactory with this side.

The PRESIDING OFFICER. It is so ordered.

The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I ask unanimous consent the present amendment be set aside temporarily so I can call this amendment up.

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

AMENDMENT NO. 479

Mr. HOLLINGS. I call up the amendment and ask the clerk to report the sense of the Senate.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. HOLLINGS] proposes an amendment numbered 479.

Mr. HOLLINGS. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To instruct the President to submit a bill raising revenues to offset the costs of this supplemental appropriations bill)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE ON PAYING THE COSTS OF THE WAR WITH IRAQ.

It is the sense of the Senate that—

(1) the President should submit a proposal to the Committee on Finance to raise sufficient revenues to offset the funds spent in this supplemental appropriations Act for the war in Iraq;

(2) the President should submit this proposal not later than 60 days after the date of enactment of this Act; and

(3) if the President does not submit such a proposal, the Committee on Finance should put forward its own proposal to offset the funds spent in this supplemental appropriations Act for the war in Iraq.

Mr. HOLLINGS. Mr. President, right to the point, the comment was made just a minute ago about taxes. I wish I could introduce a tax measure because I introduced one way back in January to pay for the war. The reason I rise now with a sense of the Senate is because under the rules, any revenue measure should arise in the House of Representatives. So I am asking that we have at least a sense of the Senate to break this syndrome of not paying for anything.

A minute ago our distinguished colleague handling the bill said, ''We are concerned.'' They are not a bit concerned about deficits, I can tell you that. We spent a half trillion dollars last year we didn't pay for. Under the President's budget we just passed—another half a trillion dollars in deficits this year. And the President projects to spend nearly $600 billion next year, unpaid for. The particular budget we just passed increases the debt, the national debt, from approximately $6 trillion to $12 trillion. We double the debt in the next 10 years and we are going merrily along, not paying for anything.

We all say the Pledge of Allegiance. We run around with our flags in our lapels. We all have a moment of silence for the troops in Iraq. It is a sincere demonstration. But then you have to question the sincerity when we will not pay for anything.

We are sending that GI into Iraq, and we are saying we hope you don't get killed. And the reason we hope you don't get killed is we want you to hurry back so we can give you the bill. We aren't going to pay for it.

What we need, and Carl Rove has told us, is a tax cut so we can get elected next year. We are not concerned about the needs of the country. We are concerned only about the needs of the campaign. I hope this sense-of-the-Senate amendment will engender support for the troops.

The articles on the front page of the business section of the New York Times today explain why this is necessary.

I ask unanimous consent to print the two articles, ''Sour Mood Pervades the Economic Front,'' and, ''A Year-long Decline in the Dollar Is Little Help in the U.S. Trade Gap.''

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

SOUR MOOD PERVADES THE ECONOMIC FRONT

(By Edmund L. Andrews)

WASHINGTON, April 2.—While American optimism about the war in Iraq rose sharply today, American spirits about the economy are still being battered.

Stock markets surged on hopes that American and British forces are closing in on victory in Iraq, but the mood among business executives and consumers is sour.

Every survey of manufacturers over the last month has shown a sharp increase in pessimism as executives complain about slumping demand for their own goods and higher prices for the materials they use to make them.

The Commerce Department reported today that factory orders dropped 1.5 percent in February, the steepest drop in five months. On Friday, economists predict, the government will report that unemployment rose again in March.

Though the increase in joblessness is expected to be modest, the economy has already shed more than 600,000 jobs since November and two million since President Bush took office.

Consumers, whether because of anxiety about the war or because they have been preoccupied with the television coverage, have slowed their spending. Car sales declined last month, airline travel has dropped and retailers have reduced their expectations of growth for the year.

The trend is even worse in Europe and Japan, where growth has almost stalled entirely. As if that was not enough, tourism and travel through Asia are now being hurt by fears of the spread of the disease known as severe acute respiratory syndrome, or SARS.

In effect, President Bush is being forced to fight wars on two fronts. Anxieties about the war in Iraq have slowed the economy, with businesses still reluctant to invest in new factories or expand their work forces.

But a growing number of analysts are skeptical that the economy will snap back quickly after the shooting subsides. The aftershocks of the stock market bubble still appear to inhibit investor confidence and corporate spending.

''We have had three consecutive quarters of below-trend growth,'' said William C. Dudley, chief United States economist at Goldman Sachs. ''To explain all that on the basis of the war in Iraq seems to be a stretch.''

Initial data from retailers indicates that consumers slowed their spending noticeably in the first week of the war. But it remains unclear whether they will rush back into stores when the war dies down.

On Tuesday, Instinet Research's survey of chain stores found that sales dropped by 2.8 percent last week, compared with those in the week a year earlier, and that March sales were off 1.5 percent.

A significant part of that decline stemmed from unusually bad winter weather, as well as the fact that the Easter weekend fell earlier last year.

But consumer surveys suggest that Americans have curbed their urge to shop. The most recent poll by ABC News and Money magazine, released on Tuesday, showed that consumer confidence remained near its lowest point in nine years.

In a poll by The New York Times and CBS News, taken from March 20 to 24, about 49 percent of the respondents said the economy was bad while 50 percent said it was good.

Those attitudes constituted an improvement over the month before and may have reflected the initial surge of optimism that the United States and Britain would defeat Iraq within days.

In follow-up interviews today, at least some participants had returned to their earlier pessimism.

''I would not make any purchases at this time,'' said Robert Micheo, a retired probation officer in Los Angeles. ''The economy is going down day by day, and it's going to get worse.''

Alan Greenspan, the Federal Reserve chairman, has continued to express a comparatively sunny view that confidence will revive as soon as the ''geopolitical uncertainties'' abate.

But Fed officials say the uncertainties about the economy are so numerous that they cannot make any predictions. And the surveys of business sentiment by Fed regional banks have been extremely gloomy.

Earlier this week, the Philadelphia Fed's survey of manufacturers showed deteriorating conditions in several areas. Companies in the region reported that new orders and hiring declined sharply in March and that its broadest measure of manufacturing conditions had plunged.

YEARLONG DECLINE IN DOLLAR IS LITTLE HELP ON TRADE GAP

(By Daniel Altman)

For many economists, the dollar's jagged yearlong slide is just a side effect of an inevitable contraction in the nation's huge trade deficit. But current economic and political conditions are making the process more perilous than it might otherwise have been.

Recently, the dollar's exchange rates have bounced up and down with news from the

Iraq war: late yesterday, on news of American military progress toward Baghdad, it reached 118.98 yen, up 0.76 percent from Tuesday. But the dollar's overall trend in the last year has been distinctly downward. Weighted by the volumes of trade with other countries and adjusted for inflation, an average of the rates dropped 4.4 percent from March 2002 to last month.

A deeper decline could be on the way, though. The run-up to the war in Iraq hurt the American economy, and fears of similar conflicts to follow could deter foreigners from holding dollar-denominated securities. With less demand for the securities, there would be less need for dollars.

''Perceptions are very important,'' said Kermit L. Schoenholtz, chief economist of Salomon Smith Barney. ''If people believe that the events we've seen in Iraq are not one-off events, it will affect their investments.''

The falling dollar has helped some American companies to increase their exports, but not enough to counteract the effects of a middling global economy.

''It's only offset part of it,'' said Frank Mendizabal, a spokesman for Weyerhaeuser, the paper and building materials maker. The company exported 18 percent of its sales last year, and the weaker dollar helped it compete with producers in Latin America and Asia. But factors like a stagnant housing market in Japan still restrained demand, Mr. Mendizabal said.

Several forces may be combining to dull the effect of the exchange rate on exports. Mr. Schoenholtz said that weakness of incomes and demand abroad was ''a very significant portion of the reason'' why the deficit in international transactions had not narrowed more. Heightened world competition is also adding to the difficulty of American exporters' task.

''I can't think of an exchange rate at which U.S. exports might be competitive with those from a very low-cost country like China,'' said John G. Lonski, chief economist at Moody's Investors Service. And in China's case, Mr. Lonski said, the currency is tied to the dollar, which helps prevent a narrowing of its trade imbalance with the United States.

Despite the decline in the trade-weighted value of the dollar, from October (when the dollar reached a peak) to January (the last month for which the Commerce Department has data), exports barely changed and imports rose 5 percent, seasonally adjusted. At least in the short term, the dollar's movements seem to reflect foreigners' willingness or reluctance to hold American securities more than the balance of trade.

''The recent confrontation with Iraq may have convinced investors of a need to better diversify their investment portfolios away from dollar-denominated assets,'' Mr. Lonski said. Though he did not forecast any large-scale dumping of American securities, Mr. Lonski said that ''in view of the U.S.'s record-breaking current account deficit, it seems like some decline in the dollar appears to be overdue.''

Last month, according to a report by Morgan Stanley, foreign investors' demand for Treasury securities suddenly slackened. And well before the possibility of war in Iraq began to concern investors, corporate scandals pushed foreigners to shift their portfolios away from American securities, said a senior executive based in the New York office of a major European bank.

''It was more that than anything else initially, and now it has to do with them feeling uncomfortable about the war,'' said the executive, who spoke on condition of anonymity.

In addition to the changes in portfolios, the pace of foreigners, direct investment in the United States has slowed. The euro zone has outpaced the United States as a target for foreign direct investment for six consecutive quarters, according to figures compiled by Morgan Stanley.

All American companies, exporters or not, could suffer if foreign capital being pulled out of United States investments is not replaced by domestic savings. Though household savings rose to about $330 billion last year from $200 billion in 2001, the budget deficit of $158 billion cut the nation's total savings in half. This year, the overall deficit will probably be $250 billion to $300 billion, according to the latest estimates from the Congressional Budget Office.

With national savings near zero, almost all new investment by American businesses would essentially be financed with foreign money. ''The only way we can grow is to get capital from abroad,'' said Stephen S. Roach, chief economist of Morgan Stanley. ''What we're seeing now are some early warning signs of how this will play out over the next several years.''

The Treasury also needs foreigners to remain interested in dollar-denominated securities. According to estimates by the Bond Market Association, a trade group, foreigners hold about 35 percent of the Nation's outstanding debt. The Treasury's borrowing requirements seem likely to balloon as result of the Iraq war, the sluggish economy and President Bush's tax cuts. If demand for that debt falls at the same time, interest rates could rise.

''We're asking the world to give us too much of their surplus savings,'' Mr. Roach said. ''That's just not a sustainable way to run the economy, period.''

Mr. Schoenholtz says he thinks the United States could regain its attractiveness to foreign investors. ''If concerns about the war fade, and oil prices recede sharply,'' he said, ''then you'll be back in a position where you could argue that the chance of an economic pickup would be greater for the U.S., than in Europe of Japan.'' In that case, he said, the United States would be likely to resume its position as the preferred market for foreign investors.

Indeed, investors may still be hard pressed to find a better place to invest. ''The Europe economic data has been as bad or worse than the U.S.,'' said Ifty Islam, head of United States fixed-income strategy at Deutsche Bank Securities. ''Just because this is not a European war, it doesn't mean Europe is not suffering.''

Mr. HOLLINGS. I quote hurriedly, Mr. President, just to emphasize, if you please, the problem we are really getting this generation in:

A growing number of analysts are skeptical that the economy will snap back quickly after the shooting subsides. The aftershocks of the stock market bubble still appear to inhibit investor confidence and corporate spending. ''We have had three consecutive quarters of below-trend growth,'' said William C. Dudley, chief United States economist at Goldman Sachs. ''To explain all that on the basis of the war in Iraq seems to be a stretch.''

Moving along:

But consumer surveys suggest that Americans have curbed their urge to shop. The most recent poll, by ABC News and Money magazine, released on Tuesday, showed that consumer confidence remained near its lowest point in nine years. . . .

. . . surveys of business sentiment by regional banks have been extremely gloomy. . . .The Philadelphia Feds survey of manufacturers showed deteriorating conditions in several areas. Companies in the region reported that new orders and hiring declined sharply in March, and that its broadest measure of manufacturing conditions had plunged.

There is also the statement that we have lost 600,000 jobs since November.

On Tuesday, a closely watched index of manufacturing activity by the Institute of Supply Management . . . [f]or the first time in five months . . . suggested that factories were contracting rather than expanding.

Then, Mr. President, jumping right to that next article, because you can see we have always depended on the foreigners to pay for our debt—they have been carrying over a third of our debts—I quote, again:

Last month, according to a report by Morgan Stanley, foreign investors' demand for Treasury securities suddenly slackened.

They stopped buying that debt. I tell you, this is very dangerous to us because we are going to have to increase the interest rates, when deficits matter, according to Alan Greenspan. All my colleagues want to object, and they run around with the litany that: We are worried about deficits.

The truth is, we are not worried about deficits. This $80 billion bill before us—there is no money for it. We are going to borrow to support the troops, and then want the troops to come back and let them pay for it.

Let me read some more:

In addition to the changes in portfolios, the pace of foreigners' direct investment . . . has slowed. The euro zone has outpaced the United States as a target for foreign direct investment for six consecutive quarters, according to figures compiled by Morgan Stanley.

So they are investing back in Europe rather than the United States, which was always their first preference.

With national savings near zero, almost all new investment by American businesses would essentially be financed with foreign money. ''The only way we can grow is to get capital from abroad,'' said Stephen S. Roach, chief economist of Morgan Stanley. ''What we're seeing now are some early warning signs of how this will play out over the next several years.''

. . . foreigners hold about 35 percent of the nation's outstanding debt. The Treasury's borrowing requirements seem likely to balloon as a result of the Iraq war, the sluggish economy and President Bush's tax cut. If demand for that debt falls at the same time, interest costs could rise.

''We're asking the world to give us too much of their surplus savings,'' Mr. Roach said. ''That's just not a sustainable way to run the economy, period.''

I wish I had the time to read it all, but it is not HOLLINGS just trying to pass a tax. I would rather be tax and spend than spend and wreck. We can't get this crowd off the deficit barley corn. If we can't sober them up with a war, when troops are dying in Iraq and the amounts that we appropriate we can't even pay for—I don't know how it is ever going to happen.

We have always paid for all of our wars. For the Revolution War, they put on a property tax. Back in the Civil War, they put a tax on dividends and estates; for World War I, they raised

the marginal tax rate to 77 percent; World War II, 94 percent; Vietnam, 77 percent. That is the last time—and I was here—that we balanced the budget, that we paid our way, under President Lyndon Johnson, guns and butter. The tax rate was 77 percent.

Now it has already been cut to 38.5 percent, and they want to cut it further in the budget that just passed. And to say, Why do we have deficits? and to use the statement that we are concerned about deficits—that is nonsense. There is no concern. This place has run amok. And if we can't get a sense of the Senate that we are willing to pay for the war, we are just going to have to quit, we are not doing the people's job at all.

The party of Lincoln that passed in order to pay for the Civil War the estate tax and the dividend tax, this party of Lincoln today, in 2003, says: Let's go to war. And the first order of business is to eliminate the estate tax, eliminate the dividend tax, and talk about stimulus, stimulus, growth, growth.

Do you know that in 200 years of American history, with all the wars—World War II, right on through, Korea, Vietnam—we never had a $100 billion interest cost on our debt. But, by gosh, along came President Reagan. George Walker Herbert Bush called it voodoo. And under voodoo we went not only to $100 billion, but we went to $200 billion in interest costs. And then we went to $400 billion under President Bush's father.

Then, under President Clinton, we eliminated the deficit. It took 8 years to eliminate that $400 billion deficit, but we raised taxes, which I am asking us to do, at least to pay for the war—not for any other program. I have a value-added tax. Mr. President, that is S. 112.

Mr. President, I ask unanimous consent that this particular chart be printed in the RECORD.

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

TAXES TO PAY FOR WAR

War	Individual increases	Corporation increases
Civil War	0–10%	Dividends.
World War I	13–77%	1–12%.
World War II	79–94%	20–40%.
Korean War	82–91%	38–52%.
Vietnam	70–77%	48–52.5%.
Afghan, Iraq and Terrorism Wars	Tax cut	Tax cut.

Mr. HOLLINGS. Mr. President, before I forget, I ask unanimous consent to have this article printed in the RECORD: ''No Excuse for Tax Cuts,'' by E.J. Dionne, Jr.

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

[From the Washington Post, Mar. 25, 2003]

WASHINGTON TALKS A BLUE STREAK AS SOCIAL SECURITY'S RED INK RUNS

(By Allan Sloan)

No matter how well the war goes, the United States has one problem that isn't going away: Social Security. And despite what you may have read last week, Social Security's financial situation isn't getting better. If anything, it's getting worse, because another year has passed without doing anything about the program's long-term problems.

Pour yourself a glass of warm milk or a stiff drink, depending on how you calm your nerves, then look at the numbers. Open the 2003 Social Security Board of Trustees report, issued last week, to page 184. If you don't happen to have a copy of this jewel sitting around, go to www.ssa.gov/OACT/TR/TR03/lr6F9–2.html.

You get Social Security's projected annual cash flow by subtracting the outgo column from the income-excluding-interest column. This disregards the interest that Social Security gets on its trust fund, because the interest is paid not in cash but in Treasury securities. This year's $77 billion cash surplus and $88 billion of interest that doesn't count as a budget expense produces a $165 billion Social Security surplus in the federal budget. This surplus is being pillaged to support huge tax cuts and other government expenses.

Social Security's cash surplus is projected to peak at $112 billion in 2008 and then start to decline. For 2027, the surplus is projected at $5 billion. Given that Social Security will be spending more than $1.1 trillion, the $5 billion is a rounding error, not a margin of safety. By 2018, the ''crossover date,'' when the amount collected in Social Security taxes isn't enough to cover current benefits, the program is projected to run a $25 billion negative cash flow, and the red ink starts to run like a river.

If you subscribe to the school, consisting primarily of Democrats, that says we're okay until 2041 because we can depend on the trust fund, you're in dreamland. Take a look at the horrific projected cash-flow deficits that lie ahead. In 2020, $568 billion. by 2039, it's more than $1 trillion. You think we're going to spend that kind of money? What are you smoking?

But, you ask, why can't the trust fund, currently at $1.54 trillion and climbing, be used to fund the cash deficit? Welcome to the wonderful world of Washington math. The federal government putting Treasury securities into a federal trust fund is like you funding your retirement by writing IOUs to yourself. It's a meaningless exercise, because you have to convert the IOUs into cash—and having the IOUs on hand doesn't make it easier for you to come up with cash.

If you put Treasury securities into your file drawer to finance your retirement, you'd be fine. You'd depend on the Treasury to redeem its securities; you wouldn't have to raise the money with your own resources. If Social Security had put your IOU into its trust fund—say, by making you a mortgage loan—it would be fine, provided you paid off your loan. Instead, the government will have to redeem Social Security's Treasury securities with its own cash, by cutting other spending, getting more revenue or borrowing. Exactly what it would have to do if there were no trust fund. So the trust fund, no matter how many trillions are in it, isn't helpful when it comes to paying bills.

The cash-crossover date has been moving forward steadily for five years. Is that a sign that the problem will never actually arrive? No, says Stephen Goss, Social Security's chief actuary. ''The possibility is about 50-50 that the dates will be earlier in next year's report,'' he says. And Goss isn't a political numbers troll. He's a career civil servant who's a total truth-teller. He said the same things during the Clinton administration that he said to me last week.

Just as Democrats engage in fantasy when they say the trust fund will protect Social Security recipients, Republicans are engaging in fantasy when they talk about ''saving'' the program by diverting some Social Security tax payments to individual investment accounts. For starters, the utterly imprudent tax cuts the Republicans are pushing would ensure that there won't be money available to cover the shortfall if some Social Security taxes go to private accounts rather than being used to pay current beneficiaries. Second, the whole idea of stock-based individual accounts isn't very social—it's each person for him or herself. And these accounts offer no security: If you turned a private account into a lifetime annuity today, you'd get only about half as much per month as you'd have gotten three years ago, because the market and interest rates were much higher then.

The logical solution to Social Security's long-term problem is to cut benefit growth, increase taxes or both. You could also use general revenue to pay benefits, but then there'd be no limiting the benefits level. The earlier we deal with the problem, the less pain we'll inflict. But with Democrats denying there's a problem and Republicans fantasizing about the stock market solving Social Security's ills, don't hold your breath waiting for something constructive to happen. You'll turn blue.

[From the Washington Post, Mar. 25, 2003]

NO EXCUSE FOR TAX CUTS

(By E.J. Dionne, Jr.)

Do the leaders of Congress really want to make their branch of government look foolish?

The attention of Americans is focused on the war in Iraq—the successes, the sacrifices, the capture of American fighting men and women, the march on Baghdad.

Congressional leaders should not exploit this moment to push narrow ideological agendas. Ramming through enormous tax cuts is not the best way to unite the country or—the phrase is on the lips of every politician—to show our support for the men and women in uniform. At a time of war, we should not feel we are witnessing a political Ponza scheme.

The administration waited until this week to discuss what this war might cost. President Bush's aides insisted, implausibly, that they really couldn't know the price until hostilities began.

Hey, some estimates and ranges would have done just fine. The administration, already proposing far too much tax cutting in the face of rising deficits, clearly wanted to avoid putting out numbers that would make the budget picture even worse. The hope was that Congress would just push through budget resolutions containing its $726 billion tax plan.

But once the war started, the fact that it was happening became a rationale for supporting the tax cut. House Speaker Dennis Hastert told his Republican colleagues that it was important not to embarrass the president by cutting back on his tax proposal.

Since the tax plan was losing support among moderates on the merits, Hastert had to haul out the flag. Hastert is saying that to oppose the president on anything right now—even on tax policies that have nothing to do with the war and that make less sense than ever because of the war—is somehow to oppose the war effort. If the speaker really believes that, he should just put the House on automatic pilot to ratify the president's desires. Who needs a legislative branch?

The Senate, fortunately, is a more complicated place. Republicans hold only 51 of 100 seats, and many Republican moderates are restive. Sens. John McCain of Arizona and Lincoln Chafee of Rhode Island think

tax cutting is senseless until we know more about the costs of war and postwar reconstruction. Sens. Susan Collins and Olympia Snowe of Maine and George Voinovich of Ohio have been trying to hold down the size of the reductions.

McCain has particular standing on this matter. He's as strong a supporter of the Iraq war as there is in Congress. On this issue, he has been unwavering in standing up for Bush—not one of his favorite people after the bitter 2000 Republican primaries. McCain is suggesting that conservatives who favor a large American role in the world should put their money where their mouth is and pay for their expansive foreign policy. The alternative is to stop pretending and go back to being a party for which tax cutting is the one and only priority.

If the five Republican skeptics held together, they could put a brake on the mad rush to unaffordable tax cuts. Last week Senate moderates carried a proposal to trim the tax cuts by $100 billion. But it's not clear that vote will stand, and it's not enough anyway.

It would take courage for moderate Republicans and Democrats in the Senate to do more. But they would only be matching the courage of moderate and conservative Democrats in the House, who put their anti-deficit principles above the convenience of voting with a president popular in many of their districts.

Perhaps the most powerful argument in last week's budget debate came from Rep. Gene Taylor, a solidly conservative Mississippi Democrat. Taylor wondered how Congress could be considering policies that would throw today's costs onto tomorrow's taxpayers—including the many young Americans now fighting for their country.

''You're sticking those 250,000 young Americans and their children with that bill,'' Taylor said. ''And that's inexcusable.''

Deficit arguments tend to be abstract. But Sen. Kent Conrad, a North Dakota Democrat who heads his party's contingent on the Budget Committee, makes the essential point. When the policies of the 1980s threw the country into deep deficits, there was time to repair the problem before the baby boomers retired. This time there will be no opportunity to correct the mistakes. If these tax cuts go through, the choices just a few years from now will be sharp cutbacks in Medicare and Social Security, big tax increases or unheard-of-deficits.

War should not be used as an excuse to evade these consequences. This tax debate should be shelved until victory is won.

[From the Washington Post, Mar. 25, 2003]

A FAIR PAYMENT FOR WAR

(By William H. Gates, Sr. and Chuck Collins)

Last week we saw something unprecedented in American history: a push for tax cuts targeted to the wealthy in a time of war. As U.S. jets prepared to bomb Baghdad, Sen. Jon Kyl (R-Ariz.) offered an amendment to the federal budget legislation accelerating the repeal of the estate tax. It is a provision that would benefit less than 2 percent of the wealthiest taxpayers. It passed by a narrow vote of 51 to 48.

There is something unseemly about Congress's obsession with repealing the estate tax, the nation's most equitable tax on accumulated wealth, at a time when life and death are at stake. The American history of estate and inheritance taxes is wound together with mobilizations for war. The first federal tax on wealth was levied in 1797, as our country was faced with the escalating costs of responding to French attacks on American shipping.

During the 19th century, federal revenue came primarily from excise taxes and tariffs. Income and estate taxes were imposed only in revenue emergencies, during the Civil War and the Spanish-American War. Wartime taxation, or the ''conscription of wealth,'' was perceived as equitable at a time when many citizens were sacrificing their lives, sometimes as soldier proxies for wealthier citizens.

The 1916 estate tax was a fundamentally American response to the excessive inequalities of the Gilded Age and reflected the country's need to move beyond reliance on the regressive tariff and excise taxes as primary sources of government revenue. Yet it was given a tremendous push by the U.S. entry into World War I and the need for wartime funds. Even after the war, businessman Harlan E. Read argued in his book ''The Abolition of Inheritance'' that war debts should be paid off with heavy taxes on inherited wealth.

In order to pay for World War II, the income tax was broadened to many lower-income households. In 1942 Irving Berlin wrote a patriotic song called ''I Paid My Income Tax Today'' to mark the unprecedented tax collections. One verse went: ''You see those bombers in the sky, Rockefeller helped to build them, so did I.'' President Franklin D. Roosevelt understood that national unity against Hitler depended on a sense of shared sacrifice, by both Rockefeller and Rosie the Riveter.

Top income rates were boosted, and the estate tax was increased so that fortunes exceeding $50 million would be taxed at 70 percent. FDR spoke out boldly against war profiteering, saying, ''I don't want to see a single war millionaire created in the United States as a result of this world disaster.''

Today the lives of some of our citizens are at risk. Others are feeling the pain of the recession, losing their jobs, savings and security. State and local governments, facing the worst budget cuts since World War II, are laying off workers and cutting education spending, children's health care and basic human services.

Rather than facing these problems and appropriating the money to resolve them, congressional leaders are using the diversion of war to pass a tax cut for the wealthy that would exacerbate budget shortfalls at all levels. While the public's attention is riveted on Iraq, the Senate acts to accelerate the repeal of the progressive estate tax.

At a time when states need $70 billion in federal aid to close their deficits, federal priorities seem to be very different. Will the costs of war be paid by reductions in spending, mostly affecting our most vulnerable citizens? Will there be clear domestic economic winners and losers in the conduct of this war?

Political scientist Michael Lipsky observed a year ago that this war ''will evidently excerbate the divide between rich and poor.'' Wars have had this effect on the United States before, but absolutely without precedent is a push for a windfall tax cut for the wealthy as wartime expenses mount.

Mr. HOLLINGS. Right to the point, we got voodoo II here the year before last with George W. Bush's tax cuts, and we are jumping back to $400 billion deficits. And now we are asking, with the budget that we passed, for voodoo III, to really run $700 billion deficits.

I wish they would hear that and listen to me. They have no idea. The interest costs—the distinguished Presiding Officer, you come from a responsible State. In the State of Texas, I can tell you, you have to pay the bill. In fact, in my State, you cannot run for Governor unless you promise to pay the bill.

But it has gotten so that now the Republicans have taken over, and you can't run for the Senate unless you promise not to pay—not to pay—the bill. They are taking over in this miasma of growth, growth. The only thing that grows is the national debt, the interest costs, the waste. There has been $300 to $400 billion waste since voodoo 1. There it is.

We could pay for all of these particular needs—there is $80 billion here for the war—if we had a pay-as-you-go government up here in Washington. But they back off onto that deficit barley corn. They have no intent of paying for anything. Tax cuts, tax cuts, says Karl Rove. You have to do it in order to get reelected. And it is a dirty shame. It is a dirty shame.

I have been in government now for 50 years, and I have to say, immodestly, I have been the longest serving member of the Budget Committee. I have been chairman of that Budget Committee. As Governor of South Carolina, I got the Standard & Poors' and Moody's AAA credit rating for our State.

As a Senator, I voted for the balanced budget. And we cut the deficit when I was chairman of that Budget Committee, and those kinds of things. I got together with Senator Gramm and Senator Rudman, and we had Gramm-Rudman-Hollings to systematically cut $35 billion a year. We just passed a budget that increases the deficit by $350 billion, and they are fighting over at the White House to make sure they get more than $350 billion in tax cuts.

This sense of the Senate merely says to the President: You submit your program. And if you don't, we have tax revenues to pay for this war. And don't say the revenues are going to ruin the economy because it will take a year for the value-added tax to be implemented by the Internal Revenue Service. So if we pass this now, we are telling the market, like we did back in 1993, that we are going to start getting rid of the deficits, and paying down the debt.

We said, for 8 years: Pay down the debt. Pay down the debt. We don't say that any longer. We are just saying, we are concerned about deficits.

I can tell, my time is up. I thank the distinguished Senator from Mississippi for yielding me this time. I appreciate it very much.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the distinguished Senator from South Carolina is one of my best friends. It is always a pleasure to hear him address the Senate on a subject about which he feels strongly and where he is truly an expert. He served as one of the first members of the Budget Committee and helped shape budget policies in Congress for many years.

I remember that it seems like last week we were debating the budget resolution that contained provisions relating to assumptions about tax policy

and fiscal policy for the next fiscal year. The Senate had an opportunity to consider and vote on a lot of amendments and provisions in that budget resolution having to do with tax policy.

Of course, we all know that what we are confronted with is a request from the President for funding for supplemental funds for the balance of this fiscal year to help finance the war in Iraq and to help finance Operation Liberty Shield by providing funds to the Department of Homeland Security and the Department of Defense.

While this sense-of-the-Senate resolution offered by the Senator from South Carolina does raise a subject about which we have thought and discussed a good bit in recent weeks, we hope the Senate will approve a motion to table the amendment and continue to work our way through this bill so we can complete action on the appropriations measure tonight if at all possible. We can go to conference with the House and work out differences between their bill and ours and get these funds in the hands of the administration so we can get about the business of protecting the security of our homeland and waging a winning war against terror. That is the purpose of this legislation. We hope the Senate does not get too sidetracked on what our mission is tonight.

I hope Senators will be aware. We called over to the Finance Committee, which has jurisdiction over tax policy, to let them know about the amendment and that we had an opportunity for them, if they wanted to, to come over and speak on the subject. Not having had a request for time, I am prepared to yield time back and proceed to a vote on the Byrd amendment or in relation to the Byrd amendment and then the Hollings amendment.

Mr. President, if there is no problem with that, I yield back the time on this side. I move to table the Hollings amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mrs. BOXER. Mr. President, I will vote not to table the Hollings amendment.

We still do not know how much the war in Iraq will cost, and we do not know how we will pay for those costs.

I have been concerned about the United States shouldering the entire financial burden not only of the ongoing war, but also of the necessary postwar reconstruction. The President has released a list of more than 40 nations that are supporting our effort in Iraq. However, a close look at the nations on that list will show that the overwhelming majority of them are in no position—and have made no commitment—to help pay for the effort.

In comparison, during the 1991 gulf war, our allies paid for 88 percent of the costs of the war. We have no such assurance this time.

Because of this uncertainty, I believe the Senate should be discussing and debating this issue. That is, discussing and debating how we will meet the costs of the war and the costs of reconstruction.

Will we receive contributions from our allies? Will we use revenues from Iraqi oil after the war is over? Will we cut wasteful government spending?

These questions need to be asked and debated. That is why I voted not to table the Hollings amendment. With his amendment, the Senator from South Carolina tried to raise the issue of how we will pay for the war and reconstruction. And, his amendment was intended to force the Senate to debate this issue. I believe we need to have that debate, and that is why I voted not to table the Hollings amendment.

Mr. REID. Mr. President, I ask unanimous consent that the time between the two votes be 10 minutes; the second vote be 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. There is no objection on this side.

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

Mr. REID. I don't know if the Senator from Mississippi can answer this question. The Senator from Louisiana had talked to Senator STEVENS' staff and Senator STEVENS on the amendment. We will work on this during the vote.

Mr. COCHRAN. My understanding is Senator STEVENS wanted an opportunity to talk about that.

Mr. REID. We will go ahead and start the vote then.

VOTE ON AMENDMENT NO. 508

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Byrd amendment, No. 508.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Kentucky (Mr. BUNNING) is necessarily absent.

I further announce that, if present and voting, the Senator from Kentucky (Mr. BUNNING) would vote ''yes.''

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''no.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 120 Leg.]

YEAS—51

Alexander	Burns	Collins
Allard	Campbell	Cornyn
Allen	Chafee	Craig
Bennett	Chambliss	Crapo
Bond	Cochran	DeWine
Brownback	Coleman	Dole
Domenici	Inhofe	Sessions
Ensign	Kyl	Shelby
Enzi	Lott	Smith
Fitzgerald	Lugar	Snowe
Frist	McCain	Specter
Graham (SC)	McConnell	Stevens
Grassley	Miller	Sununu
Gregg	Murkowski	Talent
Hagel	Nickles	Thomas
Hatch	Roberts	Voinovich
Hutchison	Santorum	Warner

NAYS—46

Akaka	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Edwards	Mikulski
Biden	Feingold	Murray
Bingaman	Feinstein	Nelson (FL)
Boxer	Graham (FL)	Nelson (NE)
Breaux	Harkin	Pryor
Byrd	Hollings	Reed
Cantwell	Jeffords	Reid
Carper	Johnson	Rockefeller
Clinton	Kennedy	Sarbanes
Conrad	Kohl	Schumer
Corzine	Landrieu	Stabenow
Daschle	Lautenberg	Wyden
Dayton	Leahy	
Dodd	Levin	

NOT VOTING—3

Bunning	Inouye	Kerry

The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 479

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Hollings amendment, No. 479.

Mr. COCHRAN. I ask for the yeas and nays if they have not been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Kentucky (Mr. BUNNING) is necessarily absent.

I further announce that, if present and voting, the Senator from Kentucky (Mr. BUNNING), would vote ''yes.''

Mr. REID. I announce that the Senator from Hawaii (Mr. INOUYE) and the Senator from Massachusetts (Mr. KERRY) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 18, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—79

Alexander	Coleman	Ensign
Allard	Collins	Enzi
Allen	Conrad	Feingold
Baucus	Cornyn	Feinstein
Bayh	Corzine	Fitzgerald
Bennett	Craig	Frist
Bingaman	Crapo	Graham (SC)
Bond	Daschle	Grassley
Brownback	DeWine	Gregg
Burns	Dole	Hagel
Campbell	Domenici	Hatch
Cantwell	Dorgan	Hutchison
Chambliss	Durbin	Inhofe
Cochran	Edwards	Johnson

Kennedy	Murkowski	Smith
Kohl	Murray	Snowe
Kyl	Nelson (FL)	Specter
Landrieu	Nelson (NE)	Stabenow
Lautenberg	Nickles	Stevens
Lieberman	Pryor	Sununu
Lincoln	Reid	Talent
Lott	Roberts	Thomas
Lugar	Rockefeller	Voinovich
McCain	Santorum	Warner
McConnell	Schumer	Wyden
Mikulski	Sessions	
Miller	Shelby	

NAYS—18

Akaka	Chafee	Hollings
Biden	Clinton	Jeffords
Boxer	Dayton	Leahy
Breaux	Dodd	Levin
Byrd	Graham (FL)	Reed
Carper	Harkin	Sarbanes

NOT VOTING—3

Bunning	Inouye	Kerry

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. I now yield to the Senator from South Carolina.

Mr. HOLLINGS. I ask unanimous consent that the distinguished Senator from West Virginia be added as a cosponsor on that amendment.

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

The Senator from Alaska.

Mr. STEVENS. Mr. President, I ask unanimous consent that when Senator SCHUMER offers his first-degree amendment regarding first responders, upon the reporting of the amendment it be set aside and Senator SPECTER be recognized to offer a first-degree amendment on the same subject; that the amendments be debated concurrently with a total of 30 minutes of debate to be controlled by Senator SCHUMER and Senator SPECTER—actually, I asked my colleague to yield me 5 of those minutes—or their designees, and that no amendment be in order to either amendment prior to a vote in relation to each amendment; upon the use or yielding back of time, the Senate proceed to a vote in relation to the Specter amendment to be followed immediately by a vote in relation to the Schumer amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BYRD. Mr. President, I would like to inquire as to whether or not, in the opinion of the distinguished manager of the bill, we might be able to finish action by no later than 9 o'clock?

Mr. STEVENS. Mr. President, we are doing everything we can. I thought we were going to finish by 5:30 but we are having votes that we might otherwise not have had, if we proceeded with the agreements we had previously. But we are doing our best to be finished. My feeling is this vote will take place at about 7:30, between 7:30 and 7:35. After that, we are inquiring to see how many more votes. There are two votes, actually.

If it would be in order, I ask the second vote be 10 minutes. I ask unanimous consent that the second vote on this sequence to come be 10 minutes in length.

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

Mr. STEVENS. We will do everything we can to shorten the time.

Mr. BYRD. I wonder if it might be possible to get agreement that the vote would occur—the final passage would be voted at 9 o'clock.

Mr. STEVENS. We can't do it because we are still reviewing the managers' package.

Mr. REID. I would say, if I could, if the Senator would yield, through the Chair, I think we have a real good opportunity of finishing the bill quickly after these two votes. We will need cooperation of both sides but I think we can do that.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. I send my amendment to the desk. I ask unanimous consent that the reading of the amendment be dispensed with.

Mr. STEVENS. Senator, I don't think the Schumer amendment is there yet.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The order provides that the Schumer amendment be called up first.

The Senator from New York.

AMENDMENT NO. 514

Mr. SCHUMER. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], for himself, Mrs. CLINTON, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. KENNEDY, Ms. STABENOW, Mrs. BOXER, Mr. JOHNSON, Mr. BINGAMAN, Mr. NELSON of Nebraska, Mr. LEAHY, Mr. BAUCUS, Mr. AKAKA, and Mr. SARBANES, proposes an amendment numbered 514.

Mr. SCHUMER. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase the appropriation for the Office for Domestic Preparedness, Department of Homeland Security, by $2,330,000,000)

On page 37, strike lines 3 through 25 and insert the following:

For additional amounts for the ''Office for Domestic Preparedness'', as authorized by the Homeland Security Act of 2002 (Public Law 107–296), the USA PATRIOT Act of 2001 (Public Law 107–56), and the National Defense Authorization Act of 1996 (Public Law 104–201), for grants to States and local governments, $3,000,000,000, to remain available until December 31, 2003: *Provided,* That of the total amount appropriated, $2,500,000,000 shall be made available for grants to States under section 1014 of the USA PATRIOT Act of 2001, subject to the minimum grant amount requirement of that section, and the requirement that remaining amounts be distributed on a per capita basis, for the purchase of needed equipment, including interoperable communications equipment, and to provide training, exercise, planning, and personnel funds to State and local first responders: *Provided further,* That the Office for Domestic Preparedness (referred to under this heading as the ''Office'') shall transfer funds for such grants to States not later than 30 days after the date of enactment of this Act, and not less than 80 percent of funds made available to each State under this proviso shall be made available to units of local government based on population within 30 days of receipt by the State: *Provided further,* That up to 20 percent of the amount made available under the first proviso shall be for costs of law enforcement, fire, emergency medical services, and other emergency personnel, including overtime expenses and reimbursement of States (in addition to personnel costs related to training), local governments, and Indian tribes for additional costs incurred to replace first responders who are called to active duty in the Reserves for periods of not less than 6 consecutive months: *Provided further,* That $500,000,000 shall be for personnel costs of States and units of local government, subject to the minimum grant amount requirement of section 1014 of the USA PATRIOT Act of 2001 and the requirement that remaining amounts be distributed on a per capita basis, for enhanced security around critical infrastructure (as that term is defined in section 1016 of the USA PATRIOT Act of 2001 (Public Law 107–56)), the Office shall transfer funds for such grants to States not later than 30 days after the date of enactment of this Act, and not less than 50 percent of such funds made available to each State shall be made available to units of local government within 30 days of receipt.

For additional amounts under the Acts referred to in the preceding paragraph for grants to high threat urban areas, which should be identified by criteria that include credible threat, vulnerability, the presence of infrastructure of national importance, population, and needs of public safety organizations, for the purchase of equipment, including interoperable communications equipment, and to provide training, planning, exercise, and personnel costs, $1,045,000,000: *Provided,* That not less than 80 percent of funds made available under this proviso shall be made available to units of local government: *Provided further,* That up to 20 percent of this amount shall be for costs of law enforcement, fire, emergency medical services, and other emergency personnel, including overtime expenses (in addition to personnel costs related to training).

For additional amounts for such office for programs as authorized under section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $155,000,000, to remain available until December 31, 2003.

For an additional amount, $130,000,000, which shall be transferred to, and merged with, funds in the ''Community Oriented Policing Services, Department of Justice'', appropriations account for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, for the hiring of law enforcement officers to prevent acts of terrorism and other violent and drug-related crimes, of which up to 30 percent shall be available for overtime expenses.

AMENDMENT NO. 515

Mr. SPECTER. I ask that my amendment now be in order.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 515.

Mr. SPECTER. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funds for protection and preparedness of high threat urban areas under the Office for Domestic Preparedness)

On page 37, line 10, strike ''$2,000,000,000'' and insert in lieu thereof ''$2,200,000,000''.

On page 37, line 12, strike ''$1,420,000,000'' and insert in lieu thereof ''$1,270,000,000''.

On page 37, line 17, strike ''$450,000,000'' and insert in lieu thereof ''$300,000,000''.

On page 37, line 23, strike ''$100,000,000'' and insert in lieu thereof ''$600,000,000''.

Mr. SPECTER. Mr. President, the essence of my amendment is to provide additional funds for high threat urban areas. This amendment would add an additional $500 million over the $100 million currently contained in the bill for the protection or preparedness of high threat urban areas.

This increase would be achieved with $200 million in additional funds added to the supplemental appropriations bill, and a reduction of $300 million in State and local grants for other accounts in the Office of Domestic Preparedness.

The amendment which has been submitted by the Senator from New York would increase the appropriation for the Office of Domestic Preparedness from $2 billion to $4.3 billion. My amendment would increase the appropriation from $2 billion to $2.2 billion. And while there is no doubt the high-threat urban areas and the Office of Domestic Preparedness could use additional funds, the fact is, that increase of more than $200 million which is in my amendment would, in effect, tend to break the bank.

The distinguished manager of the bill, Senator STEVENS, is trying to keep this bill within $80 billion, and that can be accommodated with the addition of $200 million.

The urban areas have very substantial risks involved. In very brief summary, the city of Philadelphia has had expenses of almost $30 million annually.

Mr. President, I ask unanimous consent that a letter dated April 2 from Mayor John Street to me be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. SPECTER. Similarly, the City of Pittsburgh has had increases in expenditures for the years 2001 and 2002 in excess of $10 million.

Mr. President, I ask unanimous consent that chart be printed in the RECORD.

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

CITY OF PITTSBURGH, DEPARTMENT OF PUBLIC SAFETY, COST INCREASES FOR TERRORISM

	2001	2002	Total
POLICE			
New Police Recruits—80			
Salaries	$93,565	$1,677,059	$1,770,624
Benefits	13,431	465,600	479,031
Uniforms	16,040	208,040	224,080
Training	.....	1,129,760	1,1,129,760
Total Recruit Costs	123,036	3,480,459	3,603,495
Premium Pay Increases	1,478,866	898,522	2,377,388
Special Equipment for Terrorism	65,000	.....	65,000
FIRE			
New Fire Recruits—32			
Salaries	6,591	428,209	434,800
Benefits	19,698	186,240	205,938
Uniforms	.....	16,000	16,000
Training	29,764	158,117	187,881
Total Recruit Costs	56,053	788,566	844,619
Premium Pay Increases	1,923,229	377,129	2,300,358
EMS			
Premium Pay Increases	484,738	565,948	1,050,686
Special Training for Terrorism	.....	24,000	24,000
Special Equipment for Terrorism	14,000	6,000	20,000
Building Security	.....	500,000	500,000

CITY OF PITTSBURGH, DEPARTMENT OF PUBLIC SAFETY, COST INCREASES FOR TERRORISM—Continued

	2001	2002	Total
Total Terrorism Costs	4,144,922	6,640,624	10,785,546

Mr. SPECTER. Mr. President, I also ask unanimous consent that a chart be printed in the RECORD on a survey by the U.S. Conference of Mayors, dated March 27, 2003, on additional city homeland security spending due to the war high alert.

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

ADDITIONAL CITY HOMELAND SECURITY SPENDING DUE TO WAR/HIGH ALERT

City and state	Cost/Week (Est.)	Population
New York City, NY	$5,000,000	8,008,278
San Francisco, CA	2,600,000	776,733
Los Angeles, CA	2,500,000	3,694,820
Atlanta, GA	2,250,000	416,474
Fresno, CA	1,500,000	427,652
Portland, OR	750,000	529,121
Austin, TX	500,000	656,562
Baltimore, MD	300,000	651,154
Chandler, AZ	336,000	176,581
New Orleans, LA	304,000	484,674
Pittsburgh, PA	280,000	334,563
Seattle, WA	225,000	563,374
Lexington, KY	218,000	260,512
Riverside, CA	216,000	255,166
Frederick, MD	206,958	52,767
San Jose, CA	200,000	894,943
Denver, CO	192,000	554,636
Norfolk, VA	175,000	234,403
Sierra Vista, AZ	175,000	37,775
Columbus, GA	171,900	186,291
Simi Valley, CA	161,000	111,351
Columbus, OH	160,000	711,470
Tuscaloosa, AL	160,000	77,906
Phoenix, AZ	154,615	1,321,045
Houston, TX	154,370	1,953,631
Miami, FL	130,000	362,470
Pawtucket, RI	119,000	72,958
Orlando, FL	112,000	185,195
Fremont, CA	103,500	203,413
Kansas City, MO	100,000	441,545
Lakewood, CA	99,200	137,893
Everett, MA	80,000	38,037
Laredo, TX	79,250	176,576

N O T I C E

Incomplete record of Senate proceedings.

Today's Senate proceedings will be continued in the next issue of the Record.

EXTENSIONS OF REMARKS

A CELEBRATION OF YOUTH IN HONOR OF NICHOLAS SMITH OF MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in recognition of the birth and life of my grandson, Nicholas Bradley Smith, my namesake.

Born to Brad and Diane, on June 27, 1987, my wife Bonnie and I join Nick's other grandparents, Neville and Jennifer Monteith from Kitchener, ON, in celebration of his life.

That year the first heart-lung transplant took place, astronomers at the University of California saw the first sight of a birth of a galaxy, and the US and Russia signed an accord to remove midrange missiles. That year the Dow Jones Industrial Average closed above 2,700 for the first time in history. Our economy was growing.

Over the next decade government spending would outpace inflation and the national debt increased to monstrous proportions.

It is my hope that we can reduce the national debt that will otherwise be passed on to this young man and his generation. We must work today to provide Nick with a better future, a sound economy, and the ability to achieve his greatest potential.

Let us remember Nicholas Smith and all the other young people in this country. We leave our legacy to them. May it be a good one.

HONORING MATTHEW BOWERS FOR HIS ACHIEVEMENT OF THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Matthew Norman Bowers, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 444, and in earning the most prestigious award of Eagle Scout.

Matt has been very active with his troop, participating in such scout activities as the Packarad and Sea Base High Adventure Camps. Additionally, Matt earned 29 merit badges for different activities and projects. Over the eleven years he has been involved in scouting, he has held numerous leadership positions with his troop, serving as den chief, troop guide, quartermaster, assistant patrol leader, patrol leader, assistant senior patrol leader and senior patrol leader.

For his Eagle Scout project, Matt remodeled a nursery for the Parkville Presbyterian Church.

Mr. Speaker, I proudly ask you to join me in commending Matthew Norman Bowers for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING THE CITY OF IONE'S 50TH ANNIVERSARY

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OSE. Mr. Speaker, on March 23, 1953, the City of Ione was incorporated as a General Law City and is now the largest city in Amador with a population of 7,500 people. This year the city, and all those who enjoy its unique atmosphere and year round recreation, celebrate its 50th Anniversary.

Ione got its name by Thomas Brown around 1849 after one of the heroines in Edward Bulwer Lytton's drama ''The Last Days of Pompeii.'' During the days of the Gold Rush, miners knew the town by the names of ''Bedbug'' and ''Freezeout.'' Unlike other communities in Amador County, which were founded on gold mining, Ione was a supply center, stage and rail stop and agricultural hub.

The town of Ione continued to grow and prosper after its gold rush founding. The first school was built in 1853 and the first flour mill in 1855. The first brick building was built by Daniel Stewart in 1855 for his general merchandise store and is still owned and operated by the same family.

At the centennial of 1876, Ione had a population of 600 people. The centennial also celebrated the completion of the railroad to the town of Ione. The centennial celebration was the beginning of what is now known as the Ione Homecoming. This annual celebration has been held during the month of May almost every year since that first Centennial celebration in 1876 and is now held on the first weekend in May every year.

Our community is indeed proud of the City of Ione and its history. And I am proud to congratulate the City and its residents as we celebrate the 50th Anniversary of the City of Ione.

THE HOUSE REPUBLICAN BUDGET: TAKING FROM THE POOR TO GIVE TO THE RICH

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GEORGE MILLER of California. Mr. Speaker, I commend to my colleagues the following column authored by Bob Herbert that appeared in today's New York Times. ''Mugging the Needy'' accurately details the serious dangers posed by the budget plan recently passed by the House: that in providing $1.4 trillion in tax cuts to the wealthy, House Republicans are slashing billions of dollars in funding that aids low-income Americans. These cuts will affect Medicaid recipients, children in foster care, the national school lunch program, as well as veterans' benefits and the ability of students to afford their higher education.

Mr. Speaker, the Republican budget is not just a political document that details their misguided vision for America. It is far more serious than even that, for it fails to stimulate the economy and create jobs, it saddles future generations with enormous deficits, and it robs needy Americans—both young and old—of critical services. The Congress should reject this budget.

MUGGING THE NEEDY

(By Bob Herbert)

I had wanted today's column to be about the events in Tulia, Tex., where a criminal justice atrocity is at long last beginning to be corrected.

(For those who don't know, prosecutors are moving to overturn the convictions of everyone seized in an outlandish drug sting conducted by a single wacky undercover officer.)

But there is another issue crying out for immediate attention. With the eyes of most Americans focused on the war, the Bush administration and its allies in Congress are getting close to agreeing on a set of budget policies that will take an awful toll on the poor, the young, the elderly, the disabled and others in need of assistance and support from their government.

The budget passed by the House is particularly gruesome. It mugs the poor and the helpless while giving unstintingly to the rich. This blueprint for domestic disaster has even moderate Republicans running for cover.

The House plan offers the well-to-do $1.4 trillion in tax cuts, while demanding billions of dollars in cuts from programs that provide food stamps, school lunches, health care for the poor and the disabled, temporary assistance to needy families—even veterans' benefits and student loans.

An analysis of the House budget by the Center on Budget and Policy Priorities found that its proposed cuts in child nutrition programs threaten to eliminate school lunches for 2.4 million low-income children.

Under the House plan, Congress would be required to cut $265 billion from entitlement programs over 10 years. About $165 billion would come from programs that assist low-income Americans.

This assault on society's weakest elements has been almost totally camouflaged by the war, which has an iron grip on the nation's attention.

The House budget does not dictate the specific cuts that Congress would be required to make. In its analysis, the center assumed (as did the House Budget Committee) that the various entitlement programs would be cut by roughly the same percentages. If one program were to be cut by a somewhat smaller percentage, another would have to be cut more.

The analysis found that in the year in which the budget sliced deepest:

''The cut in Medicaid, if achieved entirely by reducing the number of children covered, would lead to the elimination of health coverage for 13.6 million children.''

''The cut in foster care and adoption programs, if achieved by reducing the number of children eligible for foster care assistance payments, would lead to the elimination of benefits for 65,000 abused and neglected children.''

''The cut in the food stamp program, if achieved by lowering the maximum benefit, would lead to a reduction in the average benefit from an already lean 91 cents per meal to 84 cents.''

When's the last time one of the plutocrats in Congress waded through a meal that cost 84 cents?

The Senate budget is not as egregious. It calls for a total of about $900 billion in tax cuts, and there is no demand for cuts in entitlement programs. But it is not a reasonable budget. In fact, there's something obscene about a millionaires' club like the Senate proposing close to a trillion dollars in tax cuts for the rich while the country is already cutting social programs, running up huge budget deficits and fighting a war in the Middle East.

At least in the House budget the first—if not the worst—of the cuts are in plain view. In the Senate plan the inevitable pain of the Bush budget policies remains concealed.

''There is a significant human toll in the Senate budget, but it's in the future,'' said Robert Greenstein, the center's executive director. ''What I mean is that given the deficits we're already in, you can't keep doing tax cuts like this—you can't keep cutting your revenue base—without it inevitably leading to sharp budget cuts.''

House and Senate conferees are now trying to resolve the differences in the two budget proposals. They will do all they can to minimize the public relations hit that is bound to come when you're handing trainloads of money to the rich while taking food off the tables of the poor. So you can expect some dismantling of the House proposal.

But no matter what they do, the day of reckoning is not far off. The budget cuts are coming. In voodoo economics, the transfer of wealth is from the poor and the working classes to the rich. It may not be pretty, but it's the law.

A CELEBRATION OF YOUTH IN HONOR OF SELENA AND JAMES BURNETTE

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in honor of the birth and life of my grandchildren, Selena Anastasia and James Azarial, born February 26, 1997 to Elizabeth and Fred Burnette. My wife Bonnie and I join with James and Selena's other grandparents, Bonnie and Charles Burnette, to celebrate these children.

In James and Selena's birth year we made great advances in space technology. Onboard our flight to Mars was ''Sojourner.'' This roving device, the first autonomous vehicle to travel on another planet, sent back to earth chemical analyses of soil and rocks. Sojourner was one of the greatest achievements in our space travel history.

Inventors play a unique role in our history creating new products to improve our way of life. Invention comes from the Latin, inventio, to discover or find out. Today, we continue to ''find out'' and create new ways to travel, grow food, communicate, and continue exploration of uncharted territory.

I hope that for these children curiosity will always be their guide so that they and their generation will continue scientific research to invent ways to make their own lives better.

I hope that as we consider legislation for these new issues we consider what we can contribute to our children and grandchildren by encouraging invention. I hope that we can leave Selena and James, and children and grandchildren everywhere, a brighter future because of our decisions today.

TRIBUTE TO SGT. JAMES W. HALLMAN

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor one of this nation's most dedicated citizens, Sergeant James W. Hallman, Jr. On February 24, 2003, we lost James when he was senselessly gunned down during a morning stroll in Cantonment, the randomly chosen victim of a crime that has no explanation. We will forever miss James, but his impact and influence on our Northwest Florida community will never be forgotten.

A 34-year veteran of the Pensacola Police Department, James was the epitome of every law enforcement officer in the world. James was awarded the prestigious Silver Cross from the department in 1989 for going above and beyond the call of duty when he attempted to rescue two children near the 17th Avenue boat ramp. It was that dedication and determination to serve his community to the furthest lengths of his abilities that made him a hero to all and an officer to whom so many have tried to model themselves after.

Probably best known as the ''Candy Man,'' James could always be found passing out candy to children when he was out patrolling schools and housing developments. As Chief John Mathis said at his funeral, ''there is little doubt in my mind that right now, James is passing out candy to angels in heaven.''

James' dedication to serving his community did not end upon his retirement from the police force in 1998. He was a member of the East Brent Baptist Church, the Brownsville Masonic Lodge, 32 Degree Scottich Rite and York Rite Mason, and the Hadji Shrine Temple. He was a man who lived to serve his community and for that we will be forever grateful.

Mr. Speaker, I would like to offer my sincere and heartfelt condolences to the family of Sgt. James W. Hallman for their loss. His friends knew him as a kind man with an easy laugh and his coworkers knew him more for putting his fingers in his pocket to pull out candy than for putting his hand on his gun belt. On this such occasion, we honor one of America's greatest citizens, Sgt. James W. Hallman, Jr., whose legacy will live on long beyond his passing.

TRANSMITTAL OF IMPORTANT CONGRESSIONAL RECORDS TO POLAND

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KANJORSKI. Mr. Speaker, today I wish to direct the attention of the House of Representatives to a sad anniversary. Almost 60 years ago, on April 13, 1943, Americans awoke to a startling announcement from Radio Berlin: the disclosure that thousands of bodies of Polish officers had been found by the Germans in a remote wood near the Dneiper River called Katyn Forest. These men had been captured in the fall of 1939 by the Red Army and executed the following spring by the NKVD which later became the KGB. Until the German discovery all trace of these men had disappeared.

The German discovery put tremendous strain on the western alliance from the moment it was announced. Our mortal enemy had accused the Soviet Union, a great ally who had just defeated the Wehrmacht at Stalingrad, of the unspeakable crime of murdering prisoners of war. For many in the West, it appeared to be a cheap propaganda stunt by Joseph Goebbels. Perhaps the Germans had murdered the Poles and were merely covering their tracks by blaming the crime on the Soviets. But as more and more facts were collected, it became abundantly clear that the Russians, not the Germans, had the blood of the Poles on their hands.

Over the next two years the governments of the United States and Great Britain took great pains to hold together the Alliance with the Soviet Union and downplayed Soviet responsibility for the murders in Katyn Forest and at two other sites that took the lives of more than 14,000 Polish officers. Eyewitness reports that should have been made public were classified top secret and subsequently disappeared. An Ambassador to the Balkans was forbidden to disclose incriminating documents and photographs. Polish broadcasters were censored by the Office of War Information.

Finally, between September, 1951 and December, 1952, a Select Committee of the U.S. Congress stepped in to investigate this horrible crime. This committee held hearings in six cities and four countries, received testimony from 81 witnesses and took depositions from another 100 who could not appear in person. Its published report of 2,162 pages filled seven volumes. In many ways, this investigation was Congress at its best. It meticulously assembled a body of fact that left no doubt about its principal conclusions: first, that the Soviets were guilty; and second, that the State Department and Army Intelligence (G–2) had engaged in a determined effort to shield the American people from the truth.

I recently learned that the seven-volume published record of the Select Committee to investigate the Katyn Forest massacre is not available anywhere in Poland. At the request of the Polish Government, I have arranged to provide Poland with a copy of this record which most experts believe is the most comprehensive body of record ever assembled on this subject. I would like to thank the Librarian of Congress, Dr. James H. Billington, and his fine staff for their extensive cooperation and assistance in this matter.

On Friday, I will present this document to Ambassador Przemyslaw Grudzinski, who will accept it on behalf of the Polish government. These records will then travel to Poland with Mr. Allen Paul, an American author whose book, Katyn: Stalin's Massacre and the Seeds of Polish Resurrection, provides a comprehensive overview of the crime and the context in which it occurred. Mr. Paul's book has recently been translated into Polish and will be released at an event in Warsaw on April 12. He will place the hearing record at that time, in my behalf, in the hands of Mr. Andrzej Przewoznik, Secretary General of the Polish Government Council on War Archives, Public Monuments and Historic Sites.

It is to be hoped that the record established by the Select Committee will aid public officials, historians and many others in efforts to understand the terrible crime of Katyn and its continuing impact on Russo-Polish relations. I am including with this statement some excerpts of Mr. Paul's reflections on the importance and scope of the select committee which will be delivered on April 12 in Warsaw at a Conference on the 60th Anniversary of Disclosure of the Katyn Forest Massacre.

Mr. Speaker, as we observe the anniversary of the discovery of this tragedy, let us hope and pray that humanity is spared such tragedies in the future.

THOUGHTS ABOUT THE CONGRESSIONAL INVESTIGATION OF KATYN

At this moment we are only a few hours away from the sixtieth anniversary of Radio Berlin's sensational announcement that the Wehrmacht had found the bodies of thousands Polish officers in Katyn Forest who had been ''bestially murdered by the Bolsheviks.'' Fresh from their catastrophic defeat at Stalingrad, the Germans were eager to divert the world's attention from the pierced veil of Wehrmacht invincibility, and they correctly surmised that this, too, was a golden opportunity to sow seeds of discord in the Western Alliance. At that moment the victims—men who had served Poland faithfully, in fact one might say, valiantly, men who represented the present and future leadership of their nation, fathers and husbands, physicians and engineers, professional soldiers and shopkeepers, unfortunate souls placed by an unkind fate in Soviet hands, prisoners of war who were not recognized as POWs by their captors—from the moment the news crackled over the airwaves from Berlin, these tragic victims became geopolitical pawns and would remain so for years to come.

. . . Amidst all the atrocities of World War Two why have the crimes commonly referred to as the Katyn Forest Massacre been so enduring? Poland's feisty wartime Ambassador to the Soviet Union, Stanislaw Kot, proved to be eerily prophetic on this issue. In 1941, exasperated by continued stonewalling by the Soviet government on the case of his country's missing soldiers Kot said, ''People are not like steam. They cannot evaporate.'' More than 60 years later, we are still thinking, writing and debating the facts of the case because, I suspect, it provides such a powerful mirror into the human soul.

Let me turn now to one of the great milestones on the arduous path to truth about the terrible murders in Katyn Forest, that being the work of what was officially called ''The Select Committee to Conduct an Investigation and Study of the Facts, Evidence and Circumstances on the Katyn Forest Massacre.''

On September 18, 1951 the United States Congress authorized what would become the most comprehensive neutral investigation of this crime ever undertaken. It followed by five years an abortive attempt to address this darkest of tragedies at the Nuremberg trials. That charade collapsed under the sheer weight of Soviet prosecutorial ineptitude. In 1948 the Poles themselves—through their London-based government-in-exile—completed their own investigation and published it as, The Crime of Katyn: Facts and Documents. It was the most complete record of the crime at the time but it was far from what the Poles had hoped for: a high profile, independent investigation and trial to prove once and for all that the Soviets—not the Germans—were responsible for these brutal murders.

In their conclusion to the 1948 report, the Poles had emphasized Roman-law canon: i.e. ''nobody can be judge in his own case.'' The Soviets had attempted with disastrous effect to judge their own case at Nuremberg. The Poles knew that they, no more than the Soviets, could judge this case, thus they called for an international tribunal to affix guilt and mete out punishment.

In a sense the investigation sponsored by the U.S. Congress vindicated the Poles' findings in 1948. The congressional investigation lasted from September 18, 1951 to December 22, 1952. It resulted in hearings in six cities and four countries; 81 witnesses were heard; and private depositions were taken from 100 individuals, most of whom required anonymity to protect relatives still in Poland. The final report of 2,162 pages filled seven volumes. After all was said and done, the Select Committee of Congress concluded, just as the Polish Government-in-Exile had four years earlier, that an international tribunal, in this case the new United Nations International Court Justice, should investigate the crime.

This similarity of findings in no way diminishes the scope and importance of the congressional investigation. Once and for all it put the United States clearly on the side of the truth in this case and that was no small accomplishment. The committee clearly, meticulously and, I would say, courageously documented U.S. concealment of Soviet guilt and its de facto pursuit of an ends justifies the means policy.

. . . Like the recommendations of the Polish government-in-exile in 1948, the recommendations of the Select Committee of Congress were never acted on. During the war geopolitical realities—principally the fear that the Soviets would sign a separate peace with Germany—stood squarely in the way. After the war geopolitical realities—the fact that the Soviets could block action at the United Nations—continued to stand squarely in the way.

. . . The words of Sir Owen O'Malley and Ambassador Stanislaw Kot ring just true today as the day they were uttered. Kot told us in 1941, ''People are not like steam. They cannot evaporate.'' Kot would tell us today that the quest for justice for Poland's officers and deportees will inevitably continue. And surely O'Malley would tell us that justice, if found nowhere else, must be found in our own hearts.

IN MEMORY OF ODELIA ROBINSON

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. JONES of Ohio. Mr. Speaker, Odelia V. Robinson, known for her focus on economic development and safety during the decade, represented Mount Pleasant on Cleveland City Council.

Robinson took office in 1990 with a promise to bring housing and youth services back to the community that had seen little construction in recent decades. When she resigned for health reasons at the end of 1999, her accomplishments included the new Zelma George Recreation Center as well as new houses, apartment buildings and a shopping center.

Robinson grew up in the Miles Heights area, where she was a lifelong member of Liberty Hill Baptist Church and taught Sunday School. She graduated from John Hay High School in 1948 and enrolled in the Cleveland College of Western Reserve University. She also took business administration courses at Cleveland State University. In 1953, she married Clarence Robinson, a bus driver who spent his weekends playing baritone saxophone in bands.

Odelia Robinson was the office manager for the American Civil Liberties Union in the 1960s and later worked for the Benjamin Rose Institute, an agency that provides services to the elderly. She also served on the boards of Hill House, the Murtis H. Taylor MultiServices Center and the Inner City Renewal Society.

On behalf of the people of the 11th Congressional District of Ohio and the United States Congress, I offer my sympathies to the family of Odelia Robinson.

A CELEBRATION OF YOUTH IN HONOR OF ALEXANDER FREDERICK BURNETTE

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in honor of the birth and life of my ninth grandchild, Alexander Frederick Burnette, born May 31, 2000, born to our daughter Elizabeth and her husband, Fred. My wife Bonnie and I join with Alexander's other grandparents, Bonnie and Charles Burnette, in celebrating Alexander.

Alexander faces a great world of great opportunity. Scientific discoveries and advanced technology daily improve our lives. They allow us to live longer, better, and more productive lives. In the year of Alexander's birth scientists finished a map of the human genome. This was a huge scientific achievement which will help doctors and scientists improve our health and life.

Today, we continue to push forward with scientific advancements. Like information technology and biotechnology breakthroughs of the past ten years, nanotechnology holds the potential to revolutionize our way of life. However, the science is still very much in its fledgling stage, so it is important that the federal government coordinate and fund basic research into the fundamental aspects of nanotechnology so that its potential can one day be realized.

I hope that as we consider legislation for these new issues we consider what we can contribute to our children and grandchildren by encouraging new technologies. I hope that we can leave Alexander, and his generation every where, with a brighter future because of what we accomplish today.

IN HONOR OF HAROLD BROWN

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KIND. Mr. Speaker, I rise today to honor my good friend Harold Brown. Harold is celebrating his 30th anniversary as chief executive officer at Prairie du Chien Memorial Hospital.

Wisconsin's second oldest city, Prairie du Chien, is a town of 5,500 people that is rich in both history and culture. Located on the beautiful Mississippi River, Prairie du Chien works hard to maintain its pioneer heritage. Memorial Hospital, a model for rural hospitals around the country, is a 40–bed facility that receives approximately 1,800 admissions and 6,600 emergency room visits each year. Under Harold's guidance, Prairie du Chien Memorial Hospital has won both national and state awards for its exemplary service.

My friend Harold has brought an enormous amount of leadership to his position at the hospital. He has been a small and rural hospital administrator for 37 years and was previously a health care consultant and medical education administrator for 6 years. He has received numerous awards, most recently the Governor's Exemplary Employers Award and the Wisconsin Children's Trust Fund Award, both in 2002. In 1988, Harold received the Louis Gorin Award for Outstanding Contribution to Rural Health Care by the National Rural Health Association. Continually awarded the Employee of the Year Award by the employees of Memorial Hospital, he also received the Community Distinguished Service Recognition Award for 25 years of service.

From 1985 to 1990, Harold worked hard to provide new services for the elderly at Memorial Hospital. He developed and implemented certified hospice and rural regional hospice, as well as day care for the elderly. He helped establish an independent living program for seniors, as well as meals-on-wheels service. Further, Harold was instrumental in starting elderly apartment housing, as well as a companion care program.

In 1990, Harold expanded Memorial Hospital's service to the community to include, among other programs, child day care, expanded rehab services, athletic training, parish nursing, and personal care.

A longtime member of the Wisconsin Hospital Association, Harold is also a part of the National Rural Hospital Association, serving as the group's president in 1996. He is also a board member of the Rural Wisconsin Hospital Cooperative, an organization that includes 26 rural hospitals. A member of the AIDS committee, Harold is involved with Shared Health Services, a corporation providing services to 400 hospitals and nursing homes.

Harold continues to take an interest in Prairie du Chien. A highly active member of the community, he is a member of the City Planning Council, the Special School Board Committee, and the St. Peter's Lutheran Church Council. His service has not gone unnoticed; in 1997, Harold was awarded the Volunteer of the Year Award by the National Rural Health Association. He received the Prairie du Chien Area Chamber of Commerce C.F. LaPointe Award in 1999, an honor that is given annually for service to one's community. He has committed himself to not only the healthcare needs of Prairie du Chien but to its other needs as well.

Harold's service to the state of Wisconsin and the community of Prairie du Chien has been tremendous. He has dedicated much of his life to providing quality health care and has touched many lives along the way. Harold is truly a man of great service, and I feel privileged to call him a friend.

IN RECOGNITION OF MAYOR PAUL JADIN

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GREEN of Wisconsin. Mr. Speaker, today before this house I'd like to recognize and honor Mayor Paul Jadin, whose exceptional leadership and commitment to the citizens of Green Bay have strengthened our community, and set a superb example for our future leaders.

Paul's dedicated service as mayor spanned 8 years. During that time, he helped our struggling downtown find new life, eliminated a score of government inefficiencies, revitalized our neighborhoods, and showed our business community that it makes sense to reinvest in a city like Green Bay.

As a friend and colleague, I am sad to see Paul leave. However, I know that his constituents are very grateful for the tremendous contributions he has made to our community throughout his tenure. Green Bay is a strong community with an exceptional work force, a proud history, and a wholesome tradition. There's no question Paul has kept Green Bay on that path.

Mr. Speaker, it is an honor and pleasure to recognize today the extraordinary service of Mayor Paul Jadin. On behalf of my constituents, we say thank you, and we wish him all the best in his future endeavors.

REINTRODUCTION OF AMERICANS ABROAD LEGISLATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. MALONEY. Mr. Speaker, today, I introduce legislation that would require a test census of Americans abroad in 2004. There are approximately 3 million to 6 million private American citizens living and working overseas, and many of them continue to vote and pay taxes in the United States. These citizens help increase exports of American goods, because they traditionally buy American, sell American, and create business opportunities for American companies and workers. Their role in strengthening the U.S. economy, creating jobs in the United States, and extending U.S. influence around the globe is vital to the well-being of our Nation. From a test census, we will learn methods and ways to count Americans abroad accurately. The legislation's goal is to include, if possible, all of these missed citizens in the 2010 decennial census.

A CELEBRATION OF YOUTH IN HONOR OF CLAIRE MARGARET SMITH OF MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in honor of the birth and life of Claire Smith, born to our son Brad and his wife Diane on February 2, 1992. It was in this year on my birthday, November 5, that I was elected to the U.S. House of Representatives; 1992 was the international space year and my first committee assignment was Science.

It is for Claire, and for all our children and grandchildren, that we in Congress continue to push the boundaries of science, invention, and technology, so that their lives, will be better and more productive in the years to come.

My wife Bonnie and I join with Claire's other grandparents, Neville and Jennifer Monteith from Kitchener, ON in celebrating this young life and all the opportunities we have through science to make the future better for our legacy, those children and grandchildren like Claire Smith.

HONORING GREGORY HAWKINS FOR HIS ACHIEVEMENT OF THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Gregory Hawkins, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 66, and in earning the most prestigious award of Eagle Scout.

Gregory has been very active with his troop, participating in such Scout activities as Camp Geiger, Camp Bartle, and 45 nights of camping with his troop. Additionally, Gregory has earned 33 merit badges for activities and projects he has participated in. During his time with Troop 66, he has been involved in over 112 hours of community service that the troop has performed.

For his Eagle Scout project, Gregory landscaped an area next to Clinton County Middle School. He moved a tree and constructed and installed five benches for the middle school students to use.

Mr. Speaker, I proudly ask you to join me in commending Gregory Hawkins for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING 50 YEARS OF THE CREDIT UNION

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OSE. Mr. Speaker, in 1953, the roots of Heritage Community Credit Union were planted. This year the Credit Union, and all those

who enjoy its unique service, celebrate its 50th Anniversary.

It was 1953 when seven civilians working on Mather Air Force Base recognized a need for better financial service on base. Each member contributed $5 to form what was then called Mather Civilian Credit Union. In 1962 the Credit Union merged with another military credit union to form Mather Federal Credit Union.

In an effort to increase membership the Credit Union added products and services such as mortgage loans, Priority Line Audio Response, and a Telephone Services Department. In 1992, the Credit Union merged with Electrical Workers #340 Credit Union to add 1600 new members. In a third effort to expand membership the Credit Union merged with Proctor & Gamble Employees Federal Credit Union, which added another 1600 new members.

On December 14, 1998, Mather Federal Credit Union members voted to convert to a State chartered community credit union. Membership eligibility was again broadened to include anyone living or working in Sacramento County and the name was changed to Heritage Community Credit Union.

It is no surprise that the Credit Union has received ''Business of the Year,'' ''Federal Credit Union of the Year'' and ''The Best Small Business to Work for in the Sacramento Area.'' The Credit Union has devoted countless hours and financial support to local charities and philanthropic causes. The Credit Union has used its rapid growth and increased recognition to serve not only its members but also the entire community.

Our community is indeed proud of Heritage Community Credit Union and its history. And I am proud to congratulate the members and staff as we celebrate its 50th Anniversary.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GEORGE MILLER of California. Mr. Speaker, on Tuesday April 1, 2003, I meant to vote ''yea'' on rollcall vote No. 96.

I support H.R. 1412, the HEROES Act of 2003, a bipartisan bill recognizing the contributions of our men and women in uniform serving in the Middle East.

Hundreds of thousands of the United States military personnel have been called upon to serve in active duty for ''Operation Iraqi Freedom.'' Some of our troops serving in this conflict are student reservists who were called up from their college campuses to serve their country, many of whom receive financial aid to help pay for their college education. While many other active military personnel are paying back their student loans.

The Act extends waiver authority to the Secretary of Education to ensure that members of the Armed Services and students are not punished financially as a result of their voluntary service to our country at time of war, or a national emergency.

While H.R. 1412 is a necessary and appropriate step, we should also recognize that Congress should be doing more to provide relief to our active military personnel. We should take additional steps such as allowing military personnel to defer their student loans while they are on active duty, so that military personnel would not be charged interest on their student loans for the duration of their active duty. We must do everything that we can to recognize and to reward the sacrifices of the courageous men and women who are fighting in ''Operation Iraqi Freedom.''

A CELEBRATION OF YOUTH IN HONOR OF EMILY BEATRICE SMITH OF MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in honor of the birth and life of our second grandchild, Emily Smith, born on March 9, 1989 to our son Brad and his wife Diane.

The year of her birth was a time of change for America and the world. A new President, George Bush Sr., took office. More importantly it was the year that the world ushered in a new era of peace. On the second of May, Emily Smith was a just a few months old, but her future would be changed forever. It was in 1989 that the Berlin Wall fell and forty-five years of conflict and fear were soon behind us. It was a new era of prosperity, potential, and peace.

As we stand here today decisive moments confront us, but we have the opportunity to give Emily Smith, and all our children and grandchildren, the peace that we knew in 1989. It is my hope that by our work and decisions today we can give them peace for tomorrow.

My wife Bonnie and I join Emily's other grandparents, Neville and Jennifer Monteith from Kitchener, ON, in celebrating this wonderful person.

JWOD PROGRAM

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. ANDREWS. Mr. Speaker, for the past 64 years the Javits-Wagner-O'Day (JWOD) Program has empowered Americans who are blind or severely disabled by providing them with a diverse set of employment opportunities. Today 38,000 disabled Americans are realizing their potential by working in their local communities across the country under this program. These Americans are proud to provide federal and military customers with a wide array of SKILCRAFT and other JWOD products and services. The JWOD Program prides itself on delivering high quality products and services at a competitive price in the most convenient way possible.

Some of the product categories offered by the JWOD program include office supplies, military specific, safety, maintenance, repair, medical-surgical, janitorial-sanitation, and customization. The services that are provided to the federal and military customer include but aren't limited to call center and switchboard operation, military base and federal office building supply centers, CD-Rom duplication-replication, data entry, document imaging and grounds care.

I rise today in support of the Javits-Wagner-O'Day Program and the opportunities it provides for an underemployed population of hard working Americans. Furthermore, I urge my colleagues to purchase SKILCRAFT and JWOD products from the House-Senate Stationary stores not only because of their quality and value, but also because of the socio-economic benefits that can come from supporting the program. By purchasing these products and using these services we are enabling more disabled Americans to have the opportunity to become taxpayers. Today in Runnemede, New Jersey, X blind Americans are employed under the JWOD Program and are producing X items or services for us, the federal customer.

The JWOD Program is administered by the Presidentially-appointed Committee For Purchase From People Who Are Blind or Severely Disabled, with much assistance from National Industries for the Blind (NIB) and NISH, which serves people with a wide range of disabilities. More than 650 local nonprofit agencies associated with NIB and NISH employ people who are blind or disabled to produce the quality products and offer the services authorized for sale to the federal government under the JWOD Program.

The JWOD Program is a great illustration of a successful partnership that has the ability to continuously grow with the changing procurement environment within the federal government.

The Javits-Wagner O'Day Program works for America.

A SPECIAL TRIBUTE TO DR. GERALD E. WOOD AS HE TAKES THE HELM AT DEFIANCE COLLEGE

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to Dr. Gerald E. Wood. Tomorrow, Dr. Wood will be inaugurated as Defiance College's 17th president. He has spent his entire life ''writing, reading and doing'' to have an opportunity like the one that has been placed before him. Dr. Wood would tell you that his involvement in higher education ''is a calling, not just a job.''

Dr. Wood has spent the better part of his life focusing on the values that he holds the most dear. His core values are the liberating experience of learning and the importance of community. These principles will serve him and the Defiance College community very well as he officially takes the reigns from outgoing president, Dr. James Harris.

Dr. Wood is keenly aware of the good things that happen at Defiance College. Given his credentials for this position, I have no doubt that he will expand upon the successes at Defiance College, ultimately taking the institution to a new level.

Mr. Speaker, Dr. Wood was not looking for the opportunity to make a change in his career, rather this opportunity came to him. An official working with Defiance College matched his credentials with the college in terms of experience and commitment in general and, in

particular, his background in service learning. Dr. Wood believes that every college needs a distinctive niche and for Defiance College it is the pervasiveness of service learning in its academic programs. He would tell you that it's a thread that is important to getting Defiance College known for the good, solid liberal arts education it offers.

Dr. Wood came to Defiance College from Elkins, W. Va, where he served as vice president for the College of Advancement the past three years at Davis and Elkins College. His responsibilities included raising money and developing a marketing strategy for the school. Prior to that, he was assistant dean of the chapel/assistant dean of student development from 1983–1995 at West Virginia Wesleyan College, Buckhannon, W. Va, where he jump-started the service learning concept and founded the Bonner Scholars Program at the school. He was honored as West Virginia Wesleyan College Outstanding Administrator/Faculty of the Year in 1986.

An avid reader on America's 16th President, Dr. Gerald E. Wood is aware of what it means to lead. He says that his reading about Abraham Lincoln has shown him the importance of facing challenges head on. Dr. Wood appreciates how Lincoln drew from his personal experience to be able to perform as he did while in office.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Dr. Gerald E. Wood. Our communities are served well by having such honorable and giving citizens, like Dr. Wood, who care about their well-being and stability. We wish him, his wife, Nancy, and their family all the best as we pay tribute to Defiance College's 17th President.

INTRODUCTION OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 2003

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. PICKERING. Mr. Speaker, I am pleased to introduce a bill today to help America's energy consumers by repealing an outdated law that serves as a barrier to competition in the energy marketplace. I am pleased to be joined by the Gentleman from New York, Mr. TOWNS in introducing this important legislation. This bill, which is nearly identical to legislation I introduced in the last Congress and very similar to legislation approved by the Senate in the last Congress, would repeal a New Deal Law, the Public Utility Holding Company Act of 1935 (PUHCA).

This legislation is a bipartisan initiative. The current Republican and previous Democratic Administrations have called for the repeal of PUHCA. Further, the bill would implement the recommendations of the Securities and Exchange Commission (SEC) made in 1995 following an extensive study by the SEC of the effects of this outdated law on today's energy markets.

PUHCA is a law that has long outlived its usefulness. It imposes unnecessary costs on consumers and directly undermines the intent of current federal and state policies designed to bring more competition to America's energy market.

PUHCA was enacted in 1935 to address abuses arising out of pyramid corporate structures at a time when electric utility regulation was just starting at both the federal and state level. PUHCA's primary purpose was to dismantle more than 100 complex utility holding company structures that, in many cases, took advantage of weak federal and state regulations to pursue inappropriate business practices. There are now 28 top electric and gas utility holding companies that are required by PUHCA to operate under arbitrary investment caps that preclude them from investing in areas of need. Other utility companies are exempt from PUHCA's caps, but must operate primarily within one state in order to maintain their exemptions. Our nation's gas and electric utility companies, therefore, must operate principally within certain geographic ''boxes.'' This stifles innovation, hinders competition, and undermines the development of regional electricity markets. Moreover, such a circumstance inhibits the very competition that Congress has sought to foster in our national energy policy.

More specifically, PUHCA delays or, in some cases, prevents registered companies from offering new products and services to their consumers. As a barrier to entry for gas and electric utilities in all states, PUHCA limits investment and growth opportunities on a nationwide basis in the gas and electric industries. PUHCA also unnecessarily restricts the flow of capital into all states thereby inhibiting the development of new transmission and generation capacity. PUHCA stands in the way of the efforts by our nation's utility industry to serve consumers in a more competitive manner.

Interestingly enough, the financial collapse of Enron underscored the need to encourage—not discourage—the entry of stable, regulated, asset-backed energy companies into the marketplace. Ironically, it is just these types of companies that are effectively barred from investing in new markets by PUHCA. Enron was opposed to PUHCA repeal because its continued existence imposed competitive handicaps on well-established, asset-backed energy companies in emerging competitive markets.

The counterproductive restrictions that PUHCA places on the natural gas and electric power industries are based on historical assumptions that are no longer valid. The factors that existed when PUHCA was enacted in 1935 no longer exist today. Federal and state laws at that time were inadequate to protect consumers and investors. Today, federal and state regulations have become much more comprehensive and sensitive to market conditions. PUHCA, however, remains an economic drag on America's energy industry.

The ability of State commissions to regulate holding company systems and, together with the development of regulation under the Federal Power Act of 1935 and the Natural Gas Act of 1938, have eliminated the regulatory ''gaps'' that existed in 1935 with respect to wholesale transactions in interstate commerce. The expanded ability of State commissions and the FERC to regulate inter-affiliate transactions have further rendered the 1935 Act unnecessary. In addition, important market power issues will continue to be reviewed by FERC, DoJ and the FTC.

This legislation would reform the regulation of utility holding companies by repealing the duplicative SEC-related provisions of the Public Utility Holding Company Act of 1935, while assuring that the SEC retains all of its non-PUCHA jurisdiction of securities and securities markets in order to protect investors. The bill would put gas and electric power companies on an equal competitive footing, allowing them to take advantage of market opportunities that benefit investors and utility companies.

Registered companies will continue to be subject to all government regulation intended to protect investors to which other industry participants are subject. SEC authority under the Securities Act, Exchange Act, Investment Advisers Act, and Trust Indenture Act will all remain in place. The State securities commissions will also have available to them the various State Blue-Sky laws. The bill will enhance the ability of FERC and the State utility commissions to access the books and records of utilities and their subsidiaries in order to improve customer protection. This would be in addition to the ongoing authority of state and federal regulators to oversee rates charged by regulated utilities in retail and wholesale markets.

In the new environment confronting the utility industry, PUHCA has become nothing more than a bottleneck that constrains the ability of our nation's natural gas and electric power industries to serve consumers. PUHCA is an anachronism that burdens utility systems with costs and restrictions that impair their competitiveness and prevent them from adapting to the new and more competitive environment. PUHCA is no longer a solution because the problems of the 1930's have been replaced by effective state and federal legislation and by the realities of today's marketplace. Simply put, America no longer can afford the Public Utility Holding Company Act of 1935. It is time for Congress to act on the recommendations of the SEC and to enact this legislation.

INTRODUCTION OF UNITED STATES FORCES KOREA QUALITY OF LIFE ACT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KNOLLENBERG. Mr. Speaker, as the attention of the country is focused on the men and women of our armed forces who are fighting to liberate Iraq, we must not forget about those who are serving elsewhere around the world. That's why I am introducing today the ''United States Forces Korea Quality of Life Act.'' I, as well as my original co-sponsors, believe this bill is essential in providing much needed relief to our military personnel in Korea.

As Chairman of the House Appropriations Subcommittee on Military Construction, improving the quality of life for our military is one of my foremost goals. No place needs improvement more than our facilities in Korea. Simply put, the conditions our troops in Korea must currently endure are unacceptable.

But you don't have to take my word for it. In recent testimony before Congress, Admiral Thomas Fargo, Commander, United States Pacific Command and General Leon LaPorte, Commander United States Forces Korea, testified that conditions on the Korean Peninsula

for U.S. service personnel are ''the worst in the Department of Defense.''

My bill provides members of the U.S. armed forces, the benefit of a tax exclusion to help offset the high cost of living and the poor quality of life while serving in South Korea and applies to personnel who execute permanent change of station orders or orders for temporary duty exceeding 30 days. Service members will be provided with an immediate boost in their quality of life as they keep more of the money they earn.

Why should we provide this benefit to our soldiers in Korea?

An unusual hardship of family separation for more than a year is borne by 94 percent of the 37,000 plus personnel who serve in Korea. Conditions are so poor for personnel that one third of those authorized to bring family members choose voluntary family separation before subjecting their families to the conditions on the peninsula.

Seoul is the third most expensive city in the world to live according to a recent United Nations survey. Despite this, our service men and women receive no cost of living allowance, COLA, for being stationed there. That means they receive no additional compensation to help offset higher costs in Korea. Working and living facilities in Korea, as well as living conditions for our service personnel are sub-standard by any measure.

Even the living quarters on post are smaller than typical military installations, and all our soldiers must live in an environmentally degraded region. Beyond cost and comfort, let's not forget that these soldiers live under the threat from an unpredictable North Korea.

It's no wonder then that those who are allowed to bring their families to Korea rarely do so and that those who are given the opportunity to command forces in Korea decline at a rate five times the normal Army wide rate.

There are many uncertainties about the future of our forces abroad as we re-examine our overseas basing and force structure. Unfortunately, discussion of overseas re-alignment may lead to further neglect of the critical quality of life and infrastructure requirements of our forces in Korea.

As we work to rectify the inequities in pay/benefits for those stationed in Korea, I believe it is so important to give our soldiers there an extra boost now. The United States Forces Korea Quality of Life Act won't fix all the hardships that our service members face in Korea, but it will give them a chance to make their life there a little better and their time there more agreeable.

I encourage all my colleagues to join me in giving our soldiers in Korea the additional assistance they need and deserve.

PERSONAL EXPLANATION

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, this afternoon I was inadvertently detained in the Senate while attending to duties associated with my role as Chairwoman of the Civil Service Subcommittee. If I had been present, I would have voted ''yes'' to H.R. 743, the Social Security Protection Act of 2003.

Mr. Speaker, H.R. 743 makes necessary changes to existing Social Security law to ensure the protection of recipients and the Social Security system. The provisions included in this bill aim to promote the accountability of the Social Security program by closing the present government pension offset (GPO) loophole. I feel that the clarifying corrections addressed in this bill will result in the improvement of the Social Security program.

THE OCCUPATIONAL SAFETY AND HEALTH FAIRNESS ACT OF 2003

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. NORWOOD. Mr. Speaker, I rise today with the support of several of my colleagues on the Workforce Protections Subcommittee to introduce legislation designed to correct matters of fundamental unfairness in the area of workplace safety and health. Our goal is to address situations where employers, and especially small employers, are being denied fundamental fairness and/or equitable results in their efforts to defend themselves against citations issued by the Occupational Safety and Health Administration, OSHA, for alleged violations with which, in good faith, they take genuine issue.

This matter of fundamental fairness is achieved through several key amendments to the Occupational Safety and Health Act of 1970. This proposal targets only those situations when an employer must defend against heavy-handed or arbitrary enforcement of health and safety laws. This measure is especially targeted to help small employers who do not have the means to defend themselves against the substantial resources and formidable power of the Federal Government.

With this in mind, Mr. Speaker, the amendments we propose are designed to level the playing field so that these employers are: (1) Not deprived of their day in court due to legal technicalities; (2) not forced into settlement when they believe OSHA is wrong, just because it is the most cost-effective option available; (3) aware of the legal standards under which they will be judged; and (4) extended legal consideration for their unique situations and good-faith efforts to comply with the law.

Each reform in this proposed legislation is designed to make what I believe is a narrow, precise, and sensible adjustment for an omission regrettably not caught by Congress at the time of original passage of the Occupational Safety and Health Act of 1970. In my mind, Mr. Speaker, all of the provisions in this legislation lend themselves to bipartisan support, and I ask each of my colleagues to support this proposal.

A CELEBRATION OF YOUTH IN HONOR OF FRANCES DIANE SMITH

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise today in honor of the birth and life of my grandchild, Frances Smith, born on November 4, 1998. My wife, Bonnie, and I join with Frances' other grandparents, Neville and Jennifer Monteith from Kitchener, ON, in celebrating this young life.

Three days after Frances was born, John Glenn returned from his second trip into space at 76 years of age. Medical futurists predict that a person born in 1998 may very well live to an age of 110 or even 120 years old.

The system of free enterprise in our country makes it possible for Frances Smith, and all our children and grandchildren, to make dreams a reality.

As we stand in this chamber each day we must remember the potential of our youth and the strength of the free enterprise system. Those two things, bonded together, will continue the tradition of prosperity we have so long enjoyed.

It is my hope that Frances Smith, the daughter of Brad and Diane, will never forget the achievements possible through the free enterprise system that can take us much further than John Glenn ever dreamed we could go.

REVISED COST ESTIMATE FOR H.R. 21, THE UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OXLEY. Mr. Speaker, I am submitting a revised cost estimate from the Congressional Budget Office for H.R. 21, the Unlawful Internet Gambling Funding Prohibition Act. This revised estimate, dated April 2, 2003, describes the private-sector mandate that would be imposed by the legislation. The CBO's estimate of its impact on the Federal budget and on State and local governments is unchanged.

The original estimate was included in the Committee's report on H.R. 21 (H. Rept. 108–51, Part I) and was dated March 27, 2003.

APRIL 2, 2003.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed revised cost estimate for H.R. 21, the Unlawful Internet Gambling Funding Prohibition Act. This cost estimate supersedes the previous estimate. The cost estimate provided to the committee on March 27, 2003, did not identify or describe the private-sector mandate that would be imposed by H.R. 21. Our estimate of the bill's impact on the federal budget and on state and local governments is unchanged.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Mark Hadley (for federal costs), and Cecil McPherson (for the impact on the private sector.

Sincerely,

DOUGLAS HOLTZ-EAKIN,
Director.

Enclosure.

H.R. 21—Unlawful Internet Gambling Funding Prohibition Act

Summary: H.R. 21 would prohibit gambling businesses from accepting credit cards,

checks, or other bank instruments from gamblers who illegally bet over the Internet. The bill also would require financial institutions to take steps to identify and block gambling-related transactions that are transmitted through their payment systems. The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the National Credit Union Administration (NCUA) would enforce the provisions of H.R. 21 as they apply to financial institutions.

CBO estimates that implementing this legislation would result in no significant cost to the federal government. The bill could affect direct spending and revenues, but CBO estimates that any impact on direct spending and revenues would not be significant.

H.R. 21 would create no new intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. The bill would impose a private-sector mandate, but CBO estimates that the direct costs of the mandate would fall below the annual threshold established in UMRA ($117 million in 2003, adjusted annually for inflation) in any of the next five years.

Estimated cost to the Federal Government: CBO estimates that the government would incur no significant costs under H.R. 21. CBO estimates that implementing H.R. 21 would increase administrative costs of the Department of Justice, but any such costs would be negligible. The bill also would have a small effect on the operating costs of the FDIC and the Federal Reserve System. Finally, the bill would have a negligible effect on the collection and spending of criminal penalties.

Basis of estimate

The bill would have only minor budgetary effects, as described below.

Spending subject to appropriation

Because H.R. 21 would establish new federal crimes relating to Internet gambling, the federal government would be able to pursue cases that it otherwise would not be able to prosecute. CBO expects, however, that most cases would be pursued under existing state laws. Therefore, we estimate that any increase in federal costs for law enforcement, court proceedings, or prison operations would not be significant. Any such additional costs would be subject to the availability of appropriated funds.

H.R. 21 would require the Department of the Treasury to submit an annual report on deliberations with other countries on issues related to Internet gambling. CBO estimates that preparing and completing the report would cost less than $100,000 a year, subject to the availability of appropriated funds.

Direct spending and revenues

The NCUA, the OTS, and the OCC charge fees to cover all their administrative costs; therefore, any additional spending by those agencies to implement the bill would have no net budgetary effect. That is not the case with the FDIC, however, which uses deposit insurance premiums paid by banks to cover the expenses it incurs to supervise state-chartered institutions. (Under current law, CBO estimates that the vast majority of thrift institutions insured by the FDIC would not pay any premiums for most of the 2004–2013 period.)

The bill would cause a small increase in FDIC spending but would not affect its premium income. In total, CBO estimates that H.R. 21 would increase direct spending and offsetting receipts of the NCUA, OTS, OCC, and FDIC by less than $500,000 a year over the 2002–2006 period.

Budgetary effects on the Federal Reserve are recorded as changes in revenues (governmental receipts). Based on information from the Federal Reserve, CBO estimates that enacting H.R. 21 would reduce such revenues by less than $500,000 a year.

Because those prosecuted and convicted under the bill could be subject to criminal fines, the federal government might collect additional fines if the bill is enacted. Collections of such fines are recorded in the budget as governmental receipts (i.e., revenues), which are deposited in the Crime Victims Fund and spent in subsequent years. Any additional collections are likely to be negligible because of the small number of cases involved. Because any increase in direct spending would equal the amount of fines collected (with a lag of one year or more), the additional direct spending also would be negligible.

Estimated impact on state and local governments: Although H.R. 21 would prohibit gambling businesses from accepting credit card payments and other bank instruments from gamblers who bet illegally over the Internet, the bill would not create a new intergovernmental mandate as defined in UMRA. Under current federal and state law, gambling businesses are generally prohibited from accepting bets or wagers over the Internet. Thus, H.R. 21 does not contain a new mandate relative to current law and would impose no costs on state, local, or tribal governments.

Estimated impact on the private sector: H.R. 21 would impose a new federal mandate on the private sector. The bill would require designated payment systems to establish policies and procedures designed to identify and prevent transactions in connection with unlawful Internet gambling. Designated payment systems are defined in the bill to include any system utilized by businesses such as creditors, credit card issuers, or financial institutions to effect a credit transaction, an electronic fund transfer, or other transfer of funds. Information provided by representatives of the financial services industry indicates that such transactions can currently be identified through the use of codes. Most financial institutions are currently able to identify and block restricted transactions by using the coding system. Thus, CBO estimates that the private sector's cost to comply with the mandate would be small. There also could be direct savings to those entities subject to the mandate as the bill limits their liability arising from their compliance with the requirement. CBO estimates that the total direct costs for private-sector mandates in this bill would fall well below the annual threshold ($117 million in 2003, adjusted annually for inflation) established in UMRA.

Although section 3 would prohibit gambling businesses from accepting credit card payments and other bank instruments from gamblers who bet illegally over the Internet, those provisions would not create a new private-sector mandate as defined in UMRA. Under current federal and state law, gambling businesses are generally prohibited from accepting bets or wagers over the Internet. Thus, those provisions do not contain a new mandate relative to current law.

Previous estimate: The cost estimate for H.R. 21 transmitted to the House Committee on Financial Services on March 27, 2003, did not identify or describe the private-sector mandate that would be imposed by the bill. This cost estimate supersedes that previous estimate. The estimate of the bill's impact on the federal budget and on state and local governments is unchanged.

Estimate prepared by: Federal spending: Ken Johnson and Mark Hadley; federal revenues: Mark Booth; impact on state, local, and tribal governments: Victoria Heid Hall; impact on the private sector: Cecil McPherson.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

BOUNDARY COUNTY DISTRICT LIBRARY IN BONNERS FERRY, ID

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OTTER. Mr. Speaker, I rise today to bring to the attention of the House the distinguished accomplishments of the Boundary County District Library in Bonners Ferry, ID. Under the leadership of Director Sandy Ashworth, the Boundary County District Library received the 2002 National Award for Library Services. The Institute of Museum and Library Services and First Lady Laura Bush bestowed this well-deserved honor upon the library at a White House ceremony.

Established in 1956, the Boundary County District Library was the first countywide library district in the State of Idaho. The library is dedicated to using innovative collaborations in raising both the quality and quantity of library resources while helping to overcome the rural isolation of Boundary County's residents.

The Boundary County District Library is a model for the community and the State of Idaho, as well as for other libraries trying to meet increasing demand for services with less money. The library and the community work together toward the common goals of providing excellent service and improving the quality of life in northern Idaho.

Mr. Speaker, I was honored to nominate the Boundary County District Library for this special award. Furthermore, I am very proud of the independent nature of Boundary County, ID, and citizens, whose hard work and sense of community should serve as an inspiration to us all. I wish to convey a special thanks to the Boundary County District Library for leading that effort.

INTRODUCTION OF THE SCHIP WEB-BASED ENROLLMENT ACT OF 2003

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SCHIFF. Mr. Speaker, I rise today to announce the introduction of a piece of legislation that will provide an e-government solution to the complicated process of signing kids up for health insurance, the SCHIP Web-Based Enrollment Act of 2003. This bill provides a simple, targeted method for expanding access to children's health care by giving States the flexibility they need to implement web-based enrollment programs for SCHIP.

The Balanced Budget Act of 1997 established the State Children's Health Insurance Program (SCHIP), a program that allows States to cover uninsured children in families with incomes that are above Medicaid eligibility levels. Like Medicaid, SCHIP is a Federal-State matching program, but spending

has fallen well below allotment levels for a variety of reasons. One of the most striking reasons is that States have had difficulty enrolling enough children to meet the allotment standards. Enrollment in SCHIP has involved lots of redtape, and the complexity of the application has discouraged families from signing up.

To address this problem, States are beginning to utilize new technology and the Internet to streamline enrollment in SCHIP and Medicaid. This new technology has enabled States to reduce program enrollment time, improve accuracy, increase access for applicants, and centralize social service applications in State government. States that have launched or are planning to launch web-based enrollment in SCHIP include: California, Arizona, Florida, Michigan, Georgia, Pennsylvania, Texas, and Washington.

While web-based enrollment is promising, many States are challenged by high start-up costs. This bill would provide States with more flexibility to use their Federal SCHIP funds for this kind of activity, and would create a grant program to help States promote web-based enrollment.

The SCHIP Web-Based Enrollment Act of 2003 meets these objectives in the following ways:

First, it would allow States to use unused, ''retained'' (redistributed from the Federal Government back to the State) SCHIP money for this effort. Under current law, a State may use up to 10 percent of retained 1998 allotments for outreach activities approved by the Secretary. The bill adds an additional provision under that section that allows States to use any amount of their retained funds for web-based enrollment outreach.

Second, the bill establishes a separate grant program, allowing States to apply for additional funds (separate from SCHIP money) for this purpose. The grant program would make $50 million available over 5 years, and grants would be subject to a match rate. The match rate would be tied to their SCHIP match rate, but States would be eligible for up to 20 percent more than their rate, not to exceed 90 percent.

Finally, this legislation provides assistance to States from HHS for development and implementation of the web-based enrollment system by providing information and technical assistance.

There are 9 million uninsured children in the United States. In fact, a child is born without health insurance every minute in this country. We must do everything we can to make it easier for families to enroll children in the health insurance programs available to them. I believe that this bill will provide the necessary means to help states expand enrollment in SCHIP. I urge my Colleagues to support this important legislation.

LEGISLATION TO ESTABLISH AN OFFICE TO OVERSEE RESEARCH AND COMPLIANCE WITHIN THE VETERANS HEALTH ADMINISTRATION

HON. STEVE BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. BUYER. Mr. Speaker, today, I am introducing legislation to establish an office to oversee research compliance and assurance within the Veterans Health Administration of the Department of Veterans Affairs. I am pleased that this legislation has bipartisan support, including CHRIS SMITH, Chairman of the Committee on Veterans' Affairs; Representative LANE EVANS, Ranking Democratic Member of the Veterans' Affairs Committee; Representative TERRY EVERETT, the former chairman of the Veterans' Affairs Subcommittee on Oversight and Investigations; Representative MICHAEL BILIRAKIS, Vice Chairman, Veterans' Affairs Committee; Representatives MICHAEL MICHAUD, JULIA CARSON, BOB FILNER, MICHAEL MCNULTY, BOB BEAUPREZ, JEFF MILLER, JOHN BOOZMAN, CLIFF STEARNS, JOHN SWEENEY, JACK QUINN, HENRY BROWN, GINNY BROWN-WAITE, and JOHN MCHUGH.

The VA has made tremendous contributions in the field of medical research. I think we all recognize the many accomplishments made by the VA in discovering new drug therapies and developing medical devices that have benefited not only veterans but all Americans. For instance, the VA invented the implantable cardiac pacemaker, developed the nicotine patch, performed the first successful liver transplant, and assisted in the development of the first oral vaccine for smallpox.

The intent of this legislation is to ensure that all research funds are directed with focus and accountability. It does not seek to impede the VA from continuing with the research it conducts.

Before I summarize the bill, I want to provide some pertinent background information as to why this legislation is necessary. In April 1999, the Subcommittee on Oversight and Investigations held a hearing to examine violations of human research protections that occurred in the West Los Angeles and Supulveda Veterans Affairs medical facilities that resulted in the shutdown of all research activity at those two facilities. These violations were traced as far back as 1993 and came to light in 1998. The subcommittee's hearing reviewed what happened and what was being done to correct the situation.

At the hearing, the VA announced that it had created a new Office of Research Compliance and Assurance (ORCA). Then-Under Secretary for Health Kenneth Kizer stated at the April 1999 hearing, ''I want to emphasize that this new Office of Research Compliance will be an independent, objective, and unbiased entity in its compliance and oversight activities.'' Dr. Kizer also said, ''By placing the Office of Research Compliance outside of the Research Office, and directly reporting to top management within the Veterans Health Administration, it is my intention to minimize any real or perceived weakness of this type.'' In subsequent hearings, Dr. Thomas L. Garthwaite, who succeeded Dr. Kizer as Under Secretary for Health, and Dr. Robert H. Roswell, the current Under Secretary both echoed the sentiments expressed by Dr. Kizer in his April 1999 testimony.

ORCA served as the primary advisory component for the Under Secretary for Health on all matters affecting the integrity of research in the protection of human subjects and welfare of laboratory animals, promoting enhancements in the ethical conduct of research in conformance with regulations and policies and investigating any allegations of research improprieties and scientific misconduct. ORCA's major responsibilities included providing direction, guidance, and oversight to its field offices that perform their delegated roles and responsibilities, in promotion of the office's mission.

ORCA conducted a follow-up review of the Greater Los Angeles Health Systems Research Program and recommended lifting its probationary status. The review also made recommendations for improvements in the research programs. ORCA oversaw the implementation of these recommendations.

Further oversight hearings conducted by my subcommittee produced GAO recommendations on necessary VA actions to strengthen the protection of human research subjects. GAO recommended that VA identify adequate funding levels needed to support human subject protection activities at medical centers and ensure an appropriate allocation of funds to support the activities.

The VA's Office of Research Development also provided preliminary guidance to VISN Directors on the needed Independent Review Board, IRB, staffing levels. The IRBs approve and monitor research protocols for all projects at the facility level.

In January, 2003, it came to the committee's attention that the VA intended to combine the oversight responsibility for all human and animal research within the Office of Research Development, ORD, the very body it was supposed to oversee. I, along with several other members of the Oversight Subcommittee, including Representative LANE EVANS, strongly objected to the proposal and requested the Department review its decision and brief the subcommittee before any further action was taken.

The move to combine ORCA with ORD came after a report of alleged research misconduct involving human subjects at the VA medical center in Albany, NY. My colleagues and I want to insure that oversight of human subject research remains truly independent.

The bill I am introducing would:

First, create an independent office to oversee research compliance and assurance.

Second, require that the new office have a director who reports directly to the Under Secretary for Health.

Third, provide that the missions of the new office be to offer regular counsel to the Under Secretary for Health on all matters related to the protection of human research subjects, research misconduct, laboratory animal welfare and bio-safety; to promote and enhance the ethical conduct of research; to investigate allegations of research impropriety and misconduct; to suspend, restrict, or modify research to ensure the safety, and ethical treatment of human subjects; to preserve integrity and validity of research; to prevent mistreatment of laboratory animals used in research; and to assure compliance in the conduct of research.

The bill would require that the director of the office conduct periodic inspections at research facilities; observe external accreditation site visits; investigate allegations of research improprieties, research misconduct, and noncompliance with research policies and regulations. The bill would also require the immediate notification of the Under Secretary for Health when endangerment of human research subjects is evident or suspected and requires that Congress be notified when impropriety of misconduct of research conducted by the Department has been found.

The bill will provide that funding for the new office would come from the medical care account of the Veterans Health Administration rather than from ORD funding.

Finally, the legislation mandates that the Comptroller General of the United States conduct a study of the effectiveness of the new office and submit a report to Congress by January 1, 2005.

I urge my colleagues to cosponsor this important legislation to improve protection for our Nation's veterans who participate in VA medical research

COMMENDING SHERIFF HAROLD N. HAL BARKER

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. DOOLITTLE. Mr. Speaker, today I wish to commend and thank Sheriff Harold N. ''Hal'' Barker for his public service as the Sheriff of El Dorado County, California. His retirement in January of this year marked the end of a law enforcement career that lasted four and a half decades and spanned from Southern to Northern California.

Law enforcement is one of the most basic and honorable services provided by government. Those who put their own lives on the line to uphold peace and order and protect their fellow citizens deserve the thanks and respect of all. It is in this spirit that I thank Hal Barker for his leadership and hard work in helping make California safe and prosperous.

Hal's professional service has consisted of both excellent training and extensive experience. His formal education includes an Associate of Arts degree in Police Science from Ventura College, a Bachelor of Science degree in Police Administration from California State University at Los Angeles, and a Master of Public Administration degree from the University of Southern California. Additionally, he graduated from the P.O.S.T. Command College and graduated first in his class from the FBI National Academy, earning the Hoover Medal.

Hal first hit the street as a reserve officer in the Santa Paula Police Department in 1958, ultimately rising to the rank of captain and assistant chief. From 1974 to 1984, he was the San Mateo County Assistant Sheriff. During that time, he acted as the San Francisco International Airport Police Chief for 18 months. Then, in 1984, he began a 12–year tenure as Chief of the Folsom Police Department. In this capacity, he led the department through a period of unprecedented growth.

In 1997, Hal was appointed Sheriff in El Dorado County, and was elected to the position for a full term the following year. As Sheriff, he managed 400 employees and a $30 billion budget in a growing county.

I join with the communities he has protected to thank Hal Barker for his long and distinguished service. I am proud to call him a friend, and I wish him well in all of his future endeavors.

WHERE THE AMERICANS COME, THEY MAKE ORDER

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues the March 31, 2003, editorial from the Norfolk Daily News entitled ''Unharmed.''

The North Atlantic Treaty Organization (NATO) remains critical to Slovenia and other countries who until recently suffered under the yoke of tyranny. Such countries have made difficult, immediate sacrifices to gain the long-term protection which NATO membership provides and should be recognized for their efforts.

UNHARMED

SLOVENIA'S VOTE INDICATES NATO NOT HARMED BY WAR ON IRAQ

Critics of Bush administration policy have feared, that the war in Iraq and U.S. ''unilateralism'' might damage critical alliances like NATO.

From tiny Slovenia—population 1.9 million—comes heartening evidence that this may not be so. Slovenia is the most successful of the Balkan nations to come out of the breakup of Yugoslavia, and from the beginning, its leaders decided the future lay with the West.

In recent referendums, Slovenes voted to join both NATO and the European Union. The E.U. vote was never in doubt, but Slovenia's leaders, who fully understand that NATO membership has real obligations, feared the effect of the war on that vote. In the end, two-thirds of the voters approved:

An economist, Milan Cadez, gave the New York Times a reassuring reason why as he left a polling place: ''Only America is capable of doing anything for peace. The E.U. is not capable of doing anything. They watched the crimes in Bosnia and when the Americans come, they make order.'' And, it should be noted, are still there to help maintain order.

The Slovenes might have their doubts about the war in Iraq, but they have few reservations about the benefits of the U.S.-led military alliance.

A CELEBRATION OF YOUTH IN HONOR OF CHAUNCY FLOYD SMITH OF MICHIGAN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of Michigan. Mr. Speaker, I rise on this occasion to honor the life and birth of our tenth grandchild, Chauncy Smith. Born on March 20, 2001, to Brad and Diane Smith, Chauncy is a source of great joy to both me and my wife Bonnie, in part because he was named after my brother who was killed 44 years earlier when his jet fighter went down. We celebrate with Chauncy's other grandparents, Neville and Jennifer Monteith from Kitchener, ON.

It is for this young life, and many others just like it, for which we make decisions in Congress each day. In 2001, the year of Chauncy's birth, we passed one of the largest tax cut packages in history bringing historic levels of tax relief to working families in America. I'd like to think that we did that to help assume a strong economic future.

In that same year the events of September 11' forever changed the diplomatic landscape in ways still unknown to us. Today, we face great challenges as we seek a world without terror in an effort to avoid the fear we knew during the Cold War.

As we consider the first pieces of legislation of this Congress, let us also consider the children and grandchildren who will bear the burden of our debt and the fears of our miscalculations. We must consider each bill with all the wisdom possible so that future generations do not bear our burdens and fear our fears, but, instead, live their dreams.

As Abraham Lincoln said on December 3, 1861, ''The struggle of today, is not altogether for today—it is for a vast future also. With a reliance on Providence, all the more firm and earnest, let us proceed in the great task which events have devolved upon us.''

In this time of constant change may we remember and take hope in the great potential of our children and grandchildren and remember that our struggle today is for their vast future also.

TRIBUTE TO CHIEF MASTER SERGEANT DAVID L. BENSON

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. WALSH. Mr. Speaker, I rise today to honor the career of Chief Master Sergeant David L. Benson. Originally from Chittenango, NY, Chief Benson enlisted in the United States Air Force in 1962 and subsequently has spent over 38 years with New York Air National Guard. Chief Benson has been decorated with numerous medals, awards and service distinctions. It is my honor to recognize such a distinguished citizen and soldier.

Chief Benson's career began as an Aircraft Mechanic at Amarillo Air Force Base, Texas. Soon after he was assigned to the 4626th Support Squadron, Sage, Air Defense Command at Topsham Air Force Station in Brunswick, Maine. After completion of his four year tour of duty, Chief Benson was granted his release from active duty and became a member of the 174th Fighter Wing of the New York National Guard. Here he preformed duties as an Aircraft Crew Chief on the F–86H Sabrejet Fighter Aircraft and the A–37B Dragonfly. He was also an Egress Shop Chief and Accessories Element Supervisors. Concluding his career, Chief Benson served as a Noncommissioned Officer In-charge of the Component Repair Flight.

Mr. Speaker, Chief Benson has served our nation proud in many military arenas. He has been deployed to Saudi Arabia in support of the Persian Gulf War and once again to the Middle East during Operation Northern Watch as part of contingency operations enforcing the no-fly zone over Northern Iraq. He also participated in Operation Noble Eagle after the September 11th attacks.

During these times and throughout his career, Chief Benson has displayed honorable character and service to the 174th and our country. His military decorations include the

Meritorious Service Medal, the Air Force Commendation Medal, and the Air Force Achievement Medal. He also holds the Joint Meritorious Service Award with one oak leaf cluster, and the Air Force Outstanding Unit Award with Combat ''V'' device and four oak leaf clusters. His service awards include the Air Force Good Conduct Medal, the Air Reserve Forces Meritorious Service Medal with ten oak leaf clusters, the National Defense Service Medal with two bronze service stars, the Southwest Asia Service Medal with three bronze campaign stars, the Air Force Longevity Service Award with eight oak leaf clusters, the Armed Forces Reserve Medal with the gold hourglass device and three Mobilization ''M'' devices, the Small Arms Expert Marksmanship Ribbon and the Air Force Training Ribbon. His Foreign Service awards include the Kuwait Liberation Medal from the Kingdom of Saudi Arabia and the Kuwait Liberation Medal from the Government of Kuwait. Chief Benson's New York State military awards include the New York State Long and Faithful Service Award with five shield devices, the New York State Desert Storm Service Medal, the New York State Defense of Liberty Medal and the New York State Exercise Support Ribbon with two ''E'' devices.

Without question Mr. Speaker, Chief Benson is a very special person. He willingly served his nation, exuding loyalty and pride. For his unrelenting service, Chief Benson can retire knowing he has earned such a status. I would like to wish him well in his retirement years, as he will now be able to spend more free time with his Stephanie, daughter Natalie and two sons, David and Jason. Thank you Chief for all your years of hard work and dedication.

TRIBUTE TO MR. ROBERT COULTER ''DINK'' ELDRIDGE

HON. JOHN J. DUNCAN, Jr.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. DUNCAN. Mr. Speaker, I rise today to offer a tribute to one of Knoxville, Tennessee's finest citizens. Many in this body and around the Country will not recognize his name, but when Mr. Robert Coulter ''Dink'' Eldridge, Sr. passed away at the age of 85 on February 21, 2003 this Nation lost a great American. Many Knoxvillians join me in mourning his death.

Dink Eldridge graduated from the University of Tennessee in 1940. During his final years at the University, he managed the Volunteer Football team as they went undefeated in regular season play and participated in the Orange Bowl, the Rose Bowl and the Sugar Bowl. More than victory marked his time with the Volunteers however. Those who knew him at this time also remember his dedicated leadership and desire to see every athlete reach his fullest potential.

In addition to his time managing the Volunteers, Dink managed the East Army All Star football team at Yale University with the great General R.R. Neyland.

In 1942 Dink Eldridge was called to serve his Nation in the United States Army where he served with distinction as a second lieutenant in the Tank Corps. Here again, Dink proved his willingness to serve his fellow man and was awarded both a Purple Heart and Bronze Star medal for his efforts. After a brief period away from the military, Dink was called on again, this time in the Korean War.

During his professional career, Dink demonstrated a deeply held commitment to excellence. Following his early days as a lineman for Bell Systems, Dink steadily rose in his career. While his supervisory work for Bell took him to cities across the State, Dink was eventually able to return to Knoxville where he served as District Engineer until his retirement in 1971.

Like many leaders, Dink was unable to remain retired for long. In 1986, he was named president of the Concord Telephone Exchange. Dink provided steady leadership to this organization during a period of tremendous growth and remained president until his second retirement in 1993.

With this said, Dink is possibly best known to the people of East Tennessee for his dedicated work in the community. His generosity of time touched countless lives. Through his work on the executive board of the Great Smoky Mountain Council of the Boy Scouts of America and as President of the Bearden Little League Baseball league alone, Dink passed his love of Country and community onto a generation of young people.

In everything Dink did, he strove for excellence in himself and sought to inspire the same in those around him. I am proud to have known Dink for many years, but I am even more proud to have called Dink Eldridge a personal friend.

To his wife Anna Yvonne I say thank-you for being such a supportive and loving part of his life and to his children, grandchildren and great-grandchildren, I simply say continue carrying the banner of service your father and grandfather held so high.

HONORING HUNTINGTON HISTORICAL SOCIETY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. ISRAEL. Mr. Speaker, I rise today to acknowledge the 100th anniversary of the Huntington Historical Society.

The Huntington Historical Society was founded by the local community as an outgrowth of the collection of artifacts gathered together in 1903 for exhibition at the celebration of the Town of Huntington's 250th anniversary. The exhibition was so well received by the community that the exhibition committee decided to keep its collection together and found a Society whose mission would be to preserve the heritage of the Town of Huntington, by maintaining museums, collections and a research center, by educating the public about Long Island's regional history, and by promoting the preservation of historic buildings and sites.

The society serves the dual role of being a repository for the treasures of Huntington's founding families while also reaching out to the community to provide a sense of place and identity in a rapidly changing area proud of its deep historic roots. In addition, the Huntington Historical Society is distinguished as one of the oldest repositories of local history in the New York metropolitan area.

I commend the Huntington Historical Society for their dedication to the historical preservation of the great town of Huntington, and congratulate them on their 100th anniversary.

PRESIDENT SHEVARDNADZE'S STATEMENT WELCOMED, BUT ACTION ALSO NEEDED

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SMITH of New Jersey. Mr. Speaker, today I want to acknowledge and welcome the March 14th statement of the President of Georgia, Eduard Shevardnadze, pledging his commitment to religious freedom for all Georgians and promising the punishment of individuals complicit in mob attacks on religious minorities. (I am submitting the statement for the RECORD below.) President Shevardnadze made this pledge during an ecumenical service in Tbilisi's Evangelist-Baptist Cathedral Church, attended by leaders of the Georgian Orthodox, Armenian Apostolic, Roman Catholic, Lutheran and Baptist churches and many individuals from the diplomatic community. The U.S. Ambassador to Georgia, Richard Miles, also attended and addressed the gathering. Reportedly, so many people came that hundreds had to listen via loudspeakers in the churchyard.

The service was initially planned for late January, but defrocked priest Basil Mkalavishvili and his crowd of thugs assaulted worshipers and clergy an hour before it was scheduled to begin—as they have been doing with impunity since 1999. Individuals were beaten as they tried to leave, with rocks and stones being reportedly thrown. While President Shevardnadze quickly condemned that attack, ordering the Interior Minister, the Prosecutor General, State Chancellery Head, and the Security Council Secretary to investigate and punish the perpetrators, no arrests or prosecutions followed.

Despite Georgia's appalling record on religious tolerance for the last few years, I hope President Shevardnadze's speech at the Baptist church signals a new determination to arrest and aggressively prosecute the mob leaders and their henchmen. He promised that ''as the President of Georgia and a believer, I shall not restrict myself only to a mere expression of resentment. I do promise that the President and the Authorities of Georgia will do their utmost to grant every person freedom of expression of faith.'' Driving home the point further, Mr. Shevardnadze declared, ''the state will exert its pressure on whoever comes in defiance of this principle. You may stand assured that the aggressors will be brought to justice.''

As Co-Chairman of the U.S. Helsinki Commission, over the past three years I have watched with increasing alarm the escalation of mob violence. On September 24th I chaired a Commission hearing focused on this disturbing pattern. The Jehovah's Witnesses have borne the brunt of attacks, along with Baptists, Pentecostals, Adventists and Catholics. Most disheartening has been the government's indifference; victims throughout the country have filed approximately 800 criminal complaints, without one criminal conviction.

Despite a series of statements by President Shevardnadze, Georgia's Minister of Interior

and Prosecutor General appear unwilling to effectively enforce the rule of law, refusing to arrest mob leaders like Mkalavishvili and Paata Bluashvili and not attempting serious prosecutions. For example, the trial of Mkalavishvili has dragged on for more than a year, without a single piece of evidence considered yet. I would hope the provision of adequate and visible security, which took months to organize, will continue and that the prosecutor will begin his case shortly. Also, the inauguration of trial proceedings against Bluashvili in Rustavi is positive; I trust the delays and shenanigans seen in Mkalavishvili's trial will not be repeated there. I also urge the Government of Georgia to arrest and detain Mkalavishvili, Bluashvili and other indicted persons who continue to perpetrate violent criminal acts against religious minorities.

Undoubtedly, President Shevardnadze's presence at the March 14th service and his statement illustrate his personal commitment to religious tolerance and basic law and order. Yet, while I appreciate his gesture, it is time for real action. If the attacks are allowed to continue, it will only become more difficult to rein in this mob violence. If presidential orders are repeatedly ignored, it will only further weaken the government's ability to enforce the rule of law. And, of course, we must not forget the plight of minority religious communities that continue to live in a state of siege, without any real protection from their government. Ironically, it appears that minorities religious communities are freer to profess and practice their faith in regions of Georgia not under the control of President Shevardnadze's government.

In closing, I urge President Shevardnadze to fulfill his most recent commitment to punish the aggressors, thereby restoring Georgia's international reputation and upholding its international commitments as a participating State in the Organization for Security and Cooperation in Europe.

I and other Members of Congress are acutely interested in seeing whether the Government of Georgia will actually arrest the perpetrators of violence and vigorously prosecute them.

REPRESENTATIVES OF ALL RELIGIONS AND NATIONS HAVE TO RAISE PRAYERS FOR PEACE TOGETHER

My dear friends, Christians, dear Ambassadors: I am here to give utterance to my contentment and admiration, which derives from seeing you, all Christians, or, to be more precise, representatives of all Christian folds, assembled here, under the same roof of this temple, in the capital of Georgia famed as the Virgin's lot.

I am happy to be a witness to this occurrence. I am happy because you are together, because we are together. But all of us have our own faith.

I am an Orthodox believer, but we are all Christians. It is what we should always bear in mind and keep intact this wholeness and unity.

Georgia is one of those countries on the planet whose roots go back the farthest in history. Tolerance has become particularly entrenched in its history and nature since the days we embraced Christianity.

Christ granted that we be together. And more than this: Georgia is a multinational country, where Muslims and followers of other confessions have dwelt along with Christians in the course of centuries.

We live presently in a world of stark contradictions. It remains anybody's guess when a bomb may blast. You probably understand what I mean. Therefore, we should pray for peace, and these prayers should be raised by all of us: Christians, Muslims, representatives of every religion, confession and nation.

But prayers alone will not keep us together. We have also to struggle, in order that, through our benevolence, faith, love and respect to one another, we may put up resistence to the eradicating processes of which I already made a mention.

As was customary with my great ancestors, I go to an Orthodox church. But nor do I keep distance from synagogues, mosques or churches of different Christian confessions.

I feel respect for all who have confident belief in kindness and its victory.

I am happy to see, along with Georgian citizens, the attendance of the distinguished ambassadors and diplomats accredited in Georgia, who have come this evening to share our happiness.

I cannot but express a deep sense of regret, even resentment at the gross infringement of our unity, mutual respect and freedom of faith by some of the aggressors.

As the President of Georgia and a believer, I shall not restrict myself only to a mere expression of resentment. I do promise that the President and the Authorities of Georgia will do their utmost to grant every person freedom of expression of faith.

The state will exert its pressure on whoever comes in defiance of this principle. You may stand assured that the aggressors will be brought to justice.

I would like to greet you once more and wish you happiness and advancement of goals. So as with Georgia, a multinational country of various religious confessions, my wishes are for joy, happiness and prosperity.

MEDICARE OUTPATIENT CO-PAYMENT REDUCTION ACT OF 2003

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. STARK. Mr. Speaker, I rise today with my colleagues, Representatives MCDERMOTT, KLECZKA, DELAURO, FRANK, FROST, JACKSON-LEE, MCNULTY and ABERCROMBIE to introduce legislation to expedite the timeframe for reducing to 20 percent the coinsurance amounts that Medicare beneficiaries are required to pay for hospital outpatient services. I'm honored that this bill has the support of the National Committee to Preserve Social Security and Medicare and Families USA.

For most Medicare services, beneficiaries are required to pay 20 percent of the allowed payment amount, and Medicare pays 80 percent. However, for hospital outpatient services, Medicare beneficiaries are required to pay much higher co-payments—up to 55 percent for some services.

This is an anomaly due to an error in legislative drafting many years ago. Based on earlier legislation I helped enact into law, Congress has already taken some partial steps to correct this wrong. Under current law, hospital outpatient co-payments will reduce to 40 percent by 2006, but they will not reduce to the typical 20 percent level until 2029. We didn't solve the full problem because Congress didn't want to spend the money.

The Medicare Outpatient Co-payment Reduction Act of 2003 will speed up this reduction process by decreasing beneficiary coinsurance rates in increments of 5 percent each year beginning in 2007 until the coinsurance rate for all hospital outpatient services is 20 percent by 2010. This expedited reduction is consistent with a recent recommendation made by the Medicare Payment Advisory Commission or MedPAC—the expert body that advises Congress on Medicare.

While high coinsurance rates affect all Medicare beneficiaries, they are particularly devastating for the approximate 3.6 million beneficiaries who have no supplemental insurance. Most of these individuals are the ''near poor''—with incomes too high to qualify for Medicaid or the Qualified Medicare Beneficiary or QMB program, but with incomes too low to be able to afford supplemental insurance. This group is made up of a disproportionate number of minorities and women.

Furthermore, coinsurance amounts are much higher for certain services than others. Those with the highest coinsurance are the ''high-tech'' services, such as radiology services and cancer chemotherapy services. Thus, high coinsurance greatly limits affordable access to these life saving services for many Medicare beneficiaries.

Mr. Speaker, the Medicare Outpatient Co-payment Reduction Act of 2003 is a simple bill. We've charged seniors outrageous amounts for too long already for hospital outpatient services. Seniors shouldn't have to wait another 26 years before they are fairly charged for outpatient services. This is an incremental approach that lowers the co-payment level to 20 percent by 2010. It's a small, but important step to improve health care access for seniors. I look forward to working with my colleagues to enact it as soon as possible.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. BARRETT of South Carolina. Mr. Speaker, on rollcall No. 100, I was unavoidably detained. Had I been present, I would have voted ''no.''

HONORING BEN BERLINGER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to recognize Ben Berlinger of La Junta, Colorado. Ben has worked with the Natural Resource Conservation Service for over 25 years, and I would like to recognize his accomplishments before this body of Congress and this nation.

Ben started his job with Natural Resource Conservation Service in 1975, becoming an area rangeland management specialist in 1981 when he moved to Eastern Colorado. He has served in La Junta for 14 years, working with his agency and local ranchers and agricultural producers to ensure good rangeland management and to develop and implement sound technology on grazing land resources. This year NRCS named Ben its rangeland

Conservationist of the Year, one of two national awards presented by the agency. Ben was nominated for the award by co-workers and still attributes much of his success to them and to the ranchers with whom he works.

Mr. Speaker, rangeland management is a significant challenge facing the West and Ben Berlinger has tackled that challenge head-on. He has done much to promote awareness of conservation issues and to promote good stewardship of Southeastern Colorado's grazing land. His dedication is an inspiration to others and an immense benefit to his community. I thank him for his efforts.

IN HONOR OF GEORGE E. LEDFORD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of George E. Ledford, United States Veteran, beloved husband to the late Marjorie Jean; dedicated father, grandfather, educator, community volunteer, and friend and mentor to many.

Mr. Ledford's life reflected a true example of an outstanding citizen—he lived each day with a consistent and deep commitment to his family, his community and to his country. He was an inspiring teacher for many years, and later, he was an effective and dedicated high school principal.

Mr. Ledford graduated from the Merchant Marines Academy in 1946. After serving in WWII, Mr. Ledford served for many years as a reservist in the United States Navy, and remained committed to the Marines throughout his life. Beginning in the nineteen seventies—and continuing after his retirement as an educator—Mr. Ledford volunteered his time and expertise in the role as admissions officer with the Merchant Marine Academy.

In that capacity, Mr. Ledford hosted informational ''College Nights'' for students considering a career in the military and also volunteered a significant amount of time that focused on outreach work for military families. And for many decades, Mr. Ledford represented the Merchant Marine Academy at the annual Military Academy Service Days, held at the Congressional District office. Mr. Ledford's kindness, honesty, openness, and willingness to share his personal experiences provided local students with a realistic glimpse of life in the military, and assisted them in making a sound decision regarding their future.

Mr. Speaker and colleagues, please join me in honor and remembrance of George E. Ledford, an outstanding American citizen whose integrity, warmth, wit and concern for others have served to uplift our entire Cleveland community. I extend my deepest condolences to Mr. Ledford's cherished daughters, Barbara and Cathy; cherished son, David; and also to his beloved grandchildren, and extended family members and friends. Although he will be deeply missed, George E. Ledford's spirit will live on in the hearts and memories of everyone he loved and inspired—especially his family, students, and closest friends—today, and for generations to come.

INTRODUCTION OF BILL DEALING WITH CLAIMS FOR RIGHTS-OF-WAY UNDER R.S. 2477

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. UDALL of Colorado. Mr. Speaker, I am today introducing a bill to establish a process for orderly resolution of one of the most important problems associated with management of the Federal lands—claims for rights-of-way under a provision of the Mining Law of 1866.

That provision was later embodied in section 2477 of the Revised Statutes, and so is usually called R.S. 2477. It granted rights-of-way for the construction of highways across Federal lands not reserved for public uses. It was one of many 19th-century laws that assisted in the opening of the West for resource development and settlement.

More than a century after its enactment, R.S. 2477 was repealed by the Federal Land Policy and Management Act of 1976, often called ''FLPMA,'' and was replaced with a modern and comprehensive process for establishing rights-of-way on Federal lands.

However, FLPMA did not revoke valid existing rights established under R.S. 2477—and, unfortunately, it also did not set a deadline for people claiming to have such rights to file their claims.

As a result, there is literally no way of knowing how many such claims might be filed or what Federal lands—or even lands that once were Federal but now belong to other owners—might be subject to such claims. But I have no doubt that potential claims under R.S. 2477 could involve thousands of square miles of Federal lands, not to mention lands that now are private property or belong to the states or other entities.

This is obviously a serious problem. It also is the way things used to be with regard to another kind of claim on Federal lands—mining claims under the Mining Law of 1872. However, that problem was resolved by section 314 of FLPMA, which gave people 3 years to record those claims and provided that any claim not recorded by the deadline would be deemed to have been abandoned.

The courts have upheld that approach. I think it should have been applied to R.S. 2477 claims as well. If it had been, R.S. 2477 would be a subject for historians, not a headache for our land managers or a nightmare for private property owners.

I think that now, finally—more than a quarter of a century since it was repealed—the time has come to let R.S. 2477 sleep in peace. And that is the purpose of the bill I am introducing today.

My bill is based on legislation proposed by Secretary of the Interior Bruce Babbitt in 1997, but is somewhat broader because it would apply not just to States or their political subdivisions with R.S. 2477 claims, but also to those individuals now able to assert such claims. It follows the sound example of FLPMA by providing that any R.S. 2477 claim not filed with the government within 4 years will be considered abandoned.

I think this is more than reasonable, because those interested in claiming rights-of-way under R.S. 2477 already have had ample time to decide whether they want to file a claim.

The bill also recognizes that as things stand now, R.S. 2477 claims are a potential threat to the National Parks, National Wildlife Refuges, units of the National Trails and National Wild and Scenic Rivers Systems, designated wilderness areas, and wilderness study areas as well as to lands that the United States has sold or otherwise transferred to other owners. It specifically addresses this threat by providing that any claim for such lands will be considered to have been abandoned when the lands were designated for conservation-purpose management or when they were transferred out of federal ownership unless a claimant can establish by clear and convincing evidence that there was a well-established right-of-way whose use for highway purposes was intended to be allowed to continue.

The bill also spells out what information must be included in a claim, how claims are to be considered administratively, and the rules for judicial review of administrative decisions about the validity of R.S. 2477 claims.

Mr. Speaker, this is a fair, balanced bill. It gives claimants under R.S. 2477 ample opportunity to come forward and seek to have their claims upheld, with an opportunity to seek ultimate redress from the courts if necessary. At the same time, it gives the American people—the owners of the Federal lands—and private property owners assurance that the time will come when they will know what they own, without having to worry about new R.S. 2477 claims being made against their lands.

In my opinion, such legislation is long overdue, and deserves the support of every Member of Congress.

For the information of our colleagues, I am attaching a brief outline of the main provisions of the bill.

OUTLINE OF R.S. 2477 RIGHTS-OF-WAY ACT OF 2003

The bill is based on a legislative proposal sent to Congress by Secretary of the Interior Bruce Babbitt in 1997. Here is a section-by-section outline of its provisions:

Section 1 provides a short title, has findings about the bill's background, and states its purpose of setting a deadline for filing claims and specifying how claims will be handled.

Section 2 defines key terms used in the bill.

Section 3 deals with the filing of claims for rights-of-way based on R.S. 2477:

Subsection (a) sets a deadline of 4 years after enactment for filing.

Subsection (b) specifies where claims must be filed: in the state or regional office of a federal agency responsible for management of claimed Federal lands; with the commanding officer of a military installation subject to a claim; or with the Bureau of Land Management if the claimed lands are no longer in Federal ownership.

Subsection (c) provides that claims not filed by the deadline shall be deemed abandoned—this parallels Section 314 of the Federal Land Policy and Management Act of 1976, which required recordation of unpatented mining claims. A claimant would have 3 years to file a lawsuit challenging the effect of this provision on a claim.

Subsection (d) provides for coordination among federal agencies.

Subsection (e) provides that R.S. 2477 claims by non-Federal parties can only be validated in accordance with the process established by the bill.

Section 4 provides procedures for handling R.S. 2477 claims:

Subsection (a) specifies that claimants have the burden of proof and that claims for

lands in conservation, wilderness study, or inventoried roadless areas or for lands not owned by the Federal government are presumed to have been abandoned unless a claimant can show that continued use of a right-of-way for highway purposes was clearly intended to continue after conservation designation or transfer of title by the United States.

Subsection (b) specifies what information must be included in a filing by a claimant.

Subsection (c) specifies procedures for review of claims by federal officials.

Subsection (d) requires reviewing officials to consult regarding pending claims.

Subsection (e) provides for issuance of a draft decision about a claim's validity, followed by a period of public comment

Subsection (f) provides for issuance of a final decision on a claim within one year after release of the draft decision.

Subsection (g) requires a lawsuit challenging a final agency decision on a claim to be filed within 3 years after the decision and limits judicial review to review of the administrative record. It also provides that the Federal Government can decide to purchase a right-of-way that a court determines belongs to another party.

Subsection (h) requires a successful claimant to file information about the right-of-way with BLM and the relevant State within 5 years, and specifies that a failure to do so will constitute abandonment of the right-of-way.

Subsection (i) provides that the Federal government can choose to purchase a right-of-way determined to belong to another party.

Section 5 specifies that administrative decisions about claims are to be based on federal law and state laws that are consistent with federal law. It also provides that prior adjudications of R.S. 2477 rights-of-way are to be recognized.

Section 6 provides that nothing in the bill will affect provisions of FLPMA or the Alaska Lands Act related to rights-of-way.

TRIBUTE TO ROBERTO CLEMENTE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SERRANO. Mr. Speaker I rise today to pay tribute to Mr. Roberto Clemente, an outstanding athlete and a very successful baseball player. Thirty years ago, in 1973, the National Baseball Hall of Fame held a special election for Roberto Clemente, who had died on New Year's Eve, 1972, while attempting to deliver supplies to earthquake victims in Nicaragua. He was the first Latino elected to the Baseball Hall of Fame.

Born on August 18, 1934 in Carolina, Puerto Rico, Roberto Clemente Walker's pride and humanitarianism won him universal admiration. Despite an unorthodox batting style, the Pirates' great won four batting crowns and amassed 3,000 hits. He was equally brilliant in right field, where he displayed a precise and powerful arm. Clemente earned National League Most Valuable Player honors in 1966, but achieved his greatest fame in the 1971 World Series, when he batted .414. Tragically, Clemente's life ended at age 38—the victim of a plane crash while flying relief supplies to Nicaraguan earthquake victims.

Mr. Speaker, in 1952 Roberto Clemente attended an open tryout in Santurce, sponsored by the Brooklyn Dodgers' Al Campanis. There were seventy-two kids at the tryouts that day. First Campanis had everyone line up in center field and throw to home plate. Throw after throw fell short until young Roberto's turn. He came up and threw a straight hard throw that hit the catcher directly in the mitt with a loud pop. So Campanis had him throw another one, which was as good as the first. Campanis then told the rest of the 71 young men to go home and asked Roberto to stay. Next, Campanis had Roberto run the 60-yard dash. He was amazed when Roberto ran it in a sizzling 6.4 seconds. Next, they moved to the batting cages. For 20 minutes, Roberto hit one line drive after another. Campanis and the Dodgers wanted to sign him right then, but he was only 17 and he had to be 18 before he would be able to play in the Major Leagues. Three days later, he signed with a local semi-pro team the Santurce Crabbers.

Clemente played with the Crabbers for 1 season before signing with the Brooklyn Dodgers in 1954. After spring training he did not join the Dodgers in Brooklyn, he was sent to the Dodgers' farm team, the Montreal Royals. Roberto was not happy and was homesick and in 1954, he was drafted by the Pittsburgh, Pirates.

Clemente was only 20 years old and spoke almost no English at all. Pittsburgh was not integrated in 1955. When he went to Forbes Field he saw only two other black players. He encountered a lot of racial discrimination, starting in spring training when a Pittsburgh sportswriter labeled him a ''Puerto Rican hot dog.'' His answer to all the social injustices he encountered was: ''I don't believe in color; I believe in people.''

Clemente got off to a great start with the Pirates. He had an inside-the-park home run against the Yankees, and drove in a run that gave the Pirates their first win of the season. He played right field for the Pirates.

Clemente played 5 seasons with the Pirates before they finally won the World Series. The year 1960 was the year the Pirates could do no wrong. Led by Roberto Clemente, Kick Groat, Bill Mazeroski, Bill Virdon, and Dick Stuart, Pittsburgh snatched first place in May and never let go. They won 23 games by their final at-bat. In May, Clemente had a.353 batting average. In one game at Forbes Field, he caught a ball and went head first into a concrete wall but somehow managed to throw his head back and only cut his chin. The Pirates faced the New York Yankees in the 1960 World Series. The Pirates took the series into the seventh game. Few people expected the Pirates to win, but sure enough, they pulled it off. The Pirates won the game in the ninth inning when Bill Mazeroski smashed the ball over the fence for a home run.

The next season Clemente won the National League batting title and a Gold Glove for the bestfielding right fielder. In 1966, he won his first MVP award.

Four years later, in 1970, Clemente was honored on Roberto Clemente Night at the Pirates' new Three Rivers Stadium. He was given a lot of awards and gifts including a scroll signed by over 300,000 people in Puerto Rico. Thousands of dollars were also donated in his name to his favorite charity in Pittsburgh. The entire ceremony was broadcast on radio and TV in Puerto Rico.

In 1971, the Pirates again won the World Series again with Clemente finishing the series with a .414 batting average and several spectacular catches. In 1972, he had another great season. During the season, he hit his 3,000th career hit. Only 10 players before him had done that.

In December 1972, a massive earthquake struck the Central American country of Nicaragua. An estimated 7,000 people were killed, and thousands of people were left without food, shelter, or water. Nicaragua badly needed help. So Clemente was asked to be an honorary chairman of the Puerto Rican Earthquake Relief Committee, and he immediately agreed.

He started to raise money as fast as he could. Contributions of food, money, clothing, and medicine poured in and were sent to Nicaragua. However, some of the supplies were being stolen and sold for high prices. When Roberto heard what was going on he was furious, and decided to accompany the next planeload of supplies to Managua and supervise their distribution himself.

On December 31, 1972 at 9:22 p.m., the old DC–7 rumbled down the runway and took off. Before long, there was trouble. One of the engines exploded so the pilot turned the plane around and started heading back. However, there were more explosions and the plane went down in the Caribbean Sea. Unfortunately, Roberto Clemente was not rescued and died at sea.

Through his dedication, discipline, and success in baseball, Roberto Clemente served as a role model for millions of youngsters in the United States and Puerto Rico who dream of succeeding, like him, in the world of baseball.

Mr. Speaker, I ask my colleagues to join me in remembering Mr. Roberto Clemente for his contributions and dedication to baseball, as well as for serving as a role model for the youth of Puerto Rico and the U.S.A.

PAYING TRIBUTE TO ROBERT OGBURN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Robert Ogburn and thank him for his extraordinary contributions to both the 12th Judicial District of Colorado and the greater San Luis Valley. Judge Ogburn officially retired from his job as a District Judge in January after more than twenty-six years on the bench. Today I would like to honor Judge Ogburn's long and distinguished career of service to his community before this body of Congress and this nation.

Judge Ogburn began his legal career in the Army's Judge Advocate General's office. In 1966 he entered private practice and later served as a District Attorney. Judge Ogburn was appointed to the bench in 1976, at the same time taking over duties as District 3 Water Judge. The longest tenured judge on the 12th Judicial District bench, Judge Ogburn presided over many of the major San Luis Valley water cases in the past quarter century, as well as the area's high-profile criminal cases.

In addition to his career on the bench, Judge Ogburn has offered his time and talent as a teacher at the National College of Court Trial Judges in Reno, Nevada and at Adams

State College. He was one of only about thirty judges from across the United States to attend an advanced seminar in Anglo-American Jurisprudence at England's Oxford University in 1988. An amateur historian, Judge Ogburn has authored numerous articles for historical journals and serves on the boards of both the San Luis Valley Historical Society and the state historical society. He and his wife, Ann, have been married over forty years and have three children and six grandchildren.

Mr. Speaker, Robert Ogburn is an exemplary servant to his community and to the State of Colorado, and it is with great pride that I recognize his career before this body of Congress and this nation. Judge Ogburn's presence will be greatly missed in the courtrooms of the 12th Judicial District, and I would like to extend to him my congratulations on his retirement and wish him the best in his future endeavors.

HAPPY 100TH BIRTHDAY, ANASTACIO A. CISNEROZ

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to my constituent, Anastacio A. Cisneroz, who celebrates his 100th birthday on April 15, 2003 at Pico Adobe Historical Park in Mission Hills.

Born in Purandido, Michoacan, Mexico, Anastacio and his family fled to the United States in 1918 to avoid the hardships caused by the Mexican Revolution and to find a better life. Anastacio was 15 years old, and the hunger and suffering endured by his family remains fresh in his mind.

During their journey to the San Fernando Valley, Anastacio's mother, Refujio Armenta, and youngest brother, Perfidio, died of a particularly virulent strain of influenza which also killed millions of others. His father, brother, sister and he continued by train through Ciudad Juarez to El Paso on December 25,1918.

In 1932 he married Jessie Menjares and purchased a home in San Fernando where he lives to this day. He has nine children, 31 grandchildren, 52 great grandchildren and 5 great, great grandchildren—5 wonderful generations.

Because of his determination, work ethic, and spirit, Anastacio thrived in the United States even though things were not always easy. In 1942, he began working for Lockheed. The hours were long and the work was hard, but Anastacio took pride in his efforts and was extremely successful. He retired with the respect and admiration of his peers and supervisors after 27 years of service.

Today, Anastacio likes to travel, work in his vegetable garden, shop in supermarkets and walk to the barbershop. He attributes his longevity to hard work, good food, sleeping well and never smoking or drinking. He says that the secret of his long life is ''living with common sense.''

We respect and honor Anastacio and hopefully, we will all learn from his wisdom.

Mr. Speaker, I am proud to ask my colleagues to join me in saluting Anastacio Cisneroz on his 100th Birthday.

HONORING SERGEANT GAYLE D. MILLER COOPER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Sergeant Gayle D. Miller Cooper, Officer in Charge of Communications, on the occasion of her retirement from the Cleveland Police Department that spans twenty-five years of service to the Cleveland community.

Raised in Cleveland, Sergeant Cooper graduated from John F. Kennedy High School in 1969. She attended Cuyahoga Community College and Case Western Reserve University, then joined the Cleveland Police Department in 1977. Sergeant Cooper was one of the first female officers assigned to work in zone cars—a pioneering and courageous achievement in a formerly male dominated profession. Her determination and ability to make a difference as a police officer opened many doors for women who followed in her path.

Sergeant Cooper's outstanding work and personal dedication to helping others was clearly reflected throughout her tenure of service. In 1980, she was promoted to Detective in the Vice Unit of the 5th District. Her varied professional experience also included positions as Police Academy recruiter, instructor, and background investigator. Officer Cooper focused her commitment, courage and intellect on issues involving women and children. She became the Domestic Violence expert for the Cleveland Police Academy, and in 1993, was appointed as Detective in the Youth Gang Unit. Later, Officer Cooper became the Juvenile Liaison Officer for the City of Cleveland. Promoted to Sergeant in 2001, she was also appointed to the position of Officer in Charge of Communications that same year.

Mr. Speaker and Colleagues, please join me in honor, gratitude and recognition of Sergeant Gayle D. Miller Cooper upon her retirement from the Cleveland Police Department. Sergeant Cooper's exceptional and courageous service on behalf of the citizens of Cleveland, have served to lift the spirits and the lives of countless individuals, families—and the entire Cleveland community.

INTRODUCTION OF BILL TO ASSIST OWNERS OF CERTAIN FAMILY BUSINESSES

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing a bill to make it easier for people who share ownership of an unincorporated business with a spouse to comply with the tax laws and also receive Social Security and Medicare benefits they have earned. The problems the bill addresses arise from the fact that under current law an unincorporated business owned by a married couple is classified as a partnership for purposes of the federal income tax. That means the business is subject to complex record-keeping requirements and the owners are supposed to file a partnership income-tax return.

However, the Internal Revenue Service estimates that it can take a partnership as much as 200 hours to complete and file that kind of tax return—enough work to keep a person who works a 40–hour week busy for more than a month. And this has to be done every year. When we think of everything else they have to do to keep their businesses running, it is not surprising that many of these couples take what looks like an attractive shortcut. They do that by filing as if their businesses were sole proprietorship—a kind of filing that the IRS estimates can take as little as 2 hours. But, attractive as that shortcut seems, it can lead to serious trouble.

First, of course, it is a technical violation of the tax laws, which means a couple taking that shortcut could be subject to penalties for failing to file as a partnership. But that's not the worst part. Because spouses who own and run a business are self-employed, they need to complete self-employment tax forms to report and pay their Social Security and Medicare taxes. But to file as if their business were a sole proprietorship, they must report all income from the business under the name of just one spouse—and, if they do that, only that named spouse can receive credit for paying into Social Security and Medicare. That means the other spouse—the one not named as the ''sole proprietor''—should become disabled, he or she would not qualify for Social Security disability benefits. It also means that if the ''unnamed'' spouse dies, the named spouse and his or her children would not qualify for Social Security survivor benefits. And it means that the ''unnamed'' spouse would not qualify for Medicare.

Further, in the event of a divorce, it can be very difficult for an ''unnamed'' spouse to prove that he or she owns a share of the business for purposes of dividing the assets.

My bill will help couples like these to avoid these problems by enacting several recommendations outlined by Nina E. Olsen, the National Taxpayers Advocate, in her most recent annual report to Congress.

Under the bill, if a married couple filing a joint tax return are the only owners of an unincorporated business, they could decide what part of the business's profits or losses each spouse would claim, and that share would be taken into account in determining their self-employment earnings. That way, each spouse could receive some credit for Social Security and Medicare. And, depending on state law, this also could facilitate more equitable divisions of property in the event of divorce.

The Taxpayer Advocate's report indicates that while this change in the law would mean a major reduction in the record-keeping requirements applicable to many people, it would have little or no effect on federal revenues.

I am not sure how many people in Colorado stand to benefit from this bill. However, according to the IRS, it appears that more than 2,000 Colorado couples who operate ranching or farming businesses would be covered by its provisions, and that it could also assist thousands of other Colorado couples who operate other kinds of unincorporated businesses.

So, considering that Colorado is far from the most-populous State, I am not surprised that the Taxpayer Advocate's report indicates there could be as many as 2 million couples across

the country who could benefit from enactment of this legislation.

In short, while my bill would make only a relatively simple change in the tax laws, it has the potential to help many people and cut a lot of red tape at the same time. I greatly appreciate the Taxpayer Advocate's bringing it to our attention, and I think it deserves the support of every Member of the House.

For the benefit of our colleagues, Mr. Speaker, I am attaching an excerpt from the report of the Taxpayer Advocate that explains the recommendation upon which my bill is based.

EXPLANATION OF RECOMMENDATION

The National Taxpayer Advocate recommends that Internal Revenue Code section 761(a) be amended to allow husband and wife co-owned businesses to elect out of Subchapter K—Partners and Partnerships. At this time, we recommend that the election be made available only to married couples who file joint income tax returns. By making the election, the business would be exempt from the application of the complex rules of subchapter K and the husband and wife would be entitled to file a Schedule C instead of a Form 1065, (U.S. Return of Partnership Income). Internal Revenue Code section 761(a) already allows certain categories of taxpayers to opt out of subchapter K, so there is precedent for this approach.

Amending IRC §761(a) to allow a husband and wife co-owned business to elect out of subchapter K would not require an additional amendment to Internal Revenue Code section 6031 regarding filing partnership returns. Treasury Regulations currently state that a taxpayer who has made an election to be exempt from subchapter K is not required to file a partnership return except in the year of the election. In the election year, the taxpayers would only need to file a partnership return with the election statement. All income and deductions would then be reported on a Schedule C in the election year and for all subsequent years.

If this proposal is enacted into law, we recommend that the IRS design a form to supplement Schedule C for married co-owners who make the election to opt out of subchapter K. It could be called Schedule C–MC (for ''Married Couple''). The business entity's income and expenses would be reported on Schedule C. The net profit (or loss) would then be allocated between the husband and wife on Schedule C–MC.

The supplemental form would serve three important purposes. First, the amount of income allocated to each spouse—and thus carried to separate Schedules SE—would be shown on the form.

Second, the form could be used to record each spouse's respective interest in the business. This could become important if, for example, one spouse dies and the value of his or her interest must be determined for purposes of computing the estate tax.

Third, the form could be designed to allow the business to make certain tax elections that are only available at the entity level. This issue arises because even if a business co-owned by a husband and wife is excluded from the definition of a partnership for purposes of subchapter K, the business generally remains a partnership for all other purposes of the Code.[62] The principal significance of partnership classification outside the context of subchapter K is that a partnership may make certain tax elections available only to an entity and not to individuals. For example, a partnership may make an election under IRC §179 to expense depreciable business assets. We see no reason to prohibit husband-and-wife-owned partnerships that elect out of subchapter K from making tax elections of this nature.

In sum, our legislative proposal would reduce the tax compliance burden on many husband-and-wife-owned businesses, would facilitate the coverage of both spouses under the Social Security and Medicare systems and, depending on state law, could facilitate more equitable divisions of property in the event of divorce. The revenue impact of the proposal should be negligible. Regardless of how the net earnings from the business are reported—either as a flow-through item from the partnership return or as net earnings from Schedule C—the income tax liability of the husband and wife generally will be the same. Social Security and Medicare receipts generally will also be the same.

PAYING TRIBUTE TO JOE COORS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of Joe Coors—a man of unmatched dedication to his family, his community, and his beliefs. Joe died recently at the age of 85, and as his family mourns this loss, I would like to take this opportunity to acknowledge his life before this body of Congress and this nation.

Joe is a legend in my home state of Colorado and indeed across America. His grandfather, Adolph Coors, founded the Coors brewery in 1873. Joe began his career as a chemical engineer when his grandfather's company in Golden, Colorado was a small operation producing 300,000 barrels a year. He returned to Golden to begin working at the brewery in 1946, helping to develop the signature Coors cold-filtration process and eventually pioneering use of the aluminum can and the nation's first large-scale recycling program. When Joe retired from his job as chief operating officer in 1988 after 41 years of service, Coors had grown into the nation's third-largest brewer.

In addition to his role as a business leader, Joe was an active American citizen. In the 1970s he helped to found the Heritage Foundation, an influential think-tank and actively worked for other conservative groups and causes. Among the organizations he supported were the Independence Institute in Golden, Colorado and the Mountain States Legal Foundation, a public interest law firm. In the late 1960s, Joe served for 6 years on the Board of Regents for the University of Colorado. Throughout his life, Joe boldly fought for what he believed in; never for recognition but simply because he thought it was right.

Mr. Speaker, we are all terribly saddened by the loss of Joe Coors though we take comfort in the knowledge that our grief is overshadowed by his legacy of success and accomplishment. His life is the very embodiment of the American dream, and I am deeply honored to be able to stand before this body of Congress and this nation to recognize Joe's life and many accomplishments.

RECOGNITION TO MR. LUIS RODRIGUEZ MAYORAL FOR HIS LONG TIME DEDICATION TO THE LIFE AND ACHIEVEMENTS OF ROBERTO CLEMENTE

HON. JOSÉ E. SERRANO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. SERRANO. Mr. Speaker, 30 years ago, in 1973, the National Baseball Hall of Fame held a special election for Roberto Clemente, who had died on New Year's Eve while attempting to deliver supplies to earthquake victims in Nicaragua. He was the first Latino elected to Baseball's Hall of Fame. In celebrating this milestone, my dear friend Mr. Luis Rodriguez Mayoral wrote a very fitting tribute to Clemente that is posted on the National Baseball Hall of Fame's website. Mr. Rodriguez Mayoral has written, and continues to write extensively, on the long and distinguished career of Mr. Clemente.

The National Baseball Hall of Fame gave special thanks to Luis Rodriguez Mayoral for his account of Roberto Clemente. After 9 years as a Texas Rangers and Detroit Tigers official, Luis is in his 34th year in baseball. He is the author of five baseball books and he coordinated Major League Baseball's Latin American Baseball Players' Days for 25 years. A veteran of over 2,000 MLB radio broadcasts, he has been honored by the Puerto Rican, Mexican and Laredo-Texas Halls of Fame.

Mr. Speaker, I ask unanimous consent to insert into the RECORD the latest tribute to Roberto Clemente by Mr. Rodriguez Mayoral, and I ask my colleagues to join me in paying tribute to Roberto Clemente and congratulating Luis Rodriguez Mayoral for a well written piece.

ROBERTO CLEMENTE

(By Luis R. Mayoral)

Early one December 1987 morning, while chatting over breakfast at a golf course in Dorado, Puerto Rico, golfer Chi Chi Rodriguez said of Roberto Clemente, ''If I were half of the man that he was, I would say I was a very fortunate man.''

Those words impacted me so profoundly that since then I began thinking of the Pittsburgh Pirates Hall of Famer, more than ever, as an inspirational icon rather than as a superbly gifted player.

Clemente's death on December 31, 1972, provoked bereavement, for I faced the reality of no longer sharing precious time with a dear friend trying to ''fix'' the world, while knowing that the international world of baseball had forever lost a figure that personified excellence.

Many thought of him as Latin America's Jackie Robinson in search of equality for Hispanic players...but I also saw him as our Joe DiMaggio, for he gave us hope with his touch of a perfect hero.

Roberto was a man of simple, yet profound words who had a genuine interest in humanity.

The last time I saw him was several days prior to his untimely death while at Hiram Bithorn Stadium in San Juan. He directed the collection of goods destined to earthquake victims in Nicaragua.

That afternoon, in his eyes I saw the seriousness and dedication I had seen so many times while he wore a baseball uniform.

Moments before leaving the stadium, he invited me to his home on New Year's Eve.

That never came to be; as the second 1973 arrived he had been dead for some two hours

and forty-five minutes in the depths of the Atlantic Ocean a mile north of Puerto Rico. Roberto lived 38 years, 4 months and 13 days. That's how long it took him to become a Hall of Famer, a better person and a legend.

IN HONOR OF SAINT WENDELIN PARISH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the parish community of Saint Wendelin Church, as they celebrate one hundred years of healing and hope in Cleveland's Ohio City neighborhood. Throughout the past century, Saint Wendelin's has served as a spiritual refuge, opening its doors to any soul in search of guidance and peace,

The ministry of Saint Wendelin's began in 1903, originally serving the Slovak community of Cleveland's near west side. On May 3rd of that same year, the community received permission to found Saint Wendelin Parish. A small church was soon constructed and on December 6, 1903, Father Koudelka celebrated Saint Wendelin's first mass. Not long after, the Sisters of Notre Dame established Saint Wendelin's School. The order would continue to provide quality Catholic education for the next seventy years.

In 1925, the current church and school complex was dedicated. Always reaching outward, Saint Wendelin's welcomes all believers to join in worship. It is a testament to the Saint Wendelin ministry that Catholics from all corners of the city heed the call to celebrate at the little church on Columbus Avenue.

Cleveland's vital tradition of Catholic education is reflected at Saint Wendelin's with their active participation in the Urban Community School. Saint Wendelin's facilities serve as a second home to over three hundred students of Urban Community School.

My fellow colleagues, please join me in honor and recognition of every member of Saint Wendelin Church, and its leaders-Pastor Jerome Lajack and Deacon James J. Armstrong, as they celebrate mass with Bishop Anthony Pilla in commemoration of one hundred years of service to God and community. Saint Wendelin parish continues its dedication to social justice and spiritual healing—within the neighborhoods of Ohio City, and the world community beyond.

PASSENGER VAN SAFETY ACT OF 2003

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. UDALL of Colorado. Mr. Speaker, today, I am introducing the Passenger Van Safety Act of 2003, legislation to enhance the safety of large passenger vans, which are highly susceptible to rollovers and have been associated with more than 500 fatalities since 1990.

In the last Congress, I introduced the School Bus Safety Act which had been designed to prevent schools from taking advantage of a loophole that allowed them to purchase used 15–passenger vans even though it was illegal for them to purchase new 15–passenger vans because of safety issues. The bill I am introducing today goes farther and addresses the safety of these vehicles.

I became alarmingly aware of the safety problems of these vehicles when a church group from Westminster, Colorado rolled the 15–passeneger van they were driving 2½ times en route to a religious retreat. This tragedy resulted in four people dying. I found out later that these vans were notorious for getting out of the drivers control and were highly susceptible to rolling. These kinds of accidents seem to be symptomatic to these kinds of vehicles. Early last summer another one of these vans, full of firefighters, rolled over numerous times killing four of the passengers in western Colorado. Accidents will happen, but I believe if these people had been in different vehicles their deaths may have been avoided.

When these vans are fully loaded they become highly prone to rollovers. In 2001, the National Highway Traffic Administration (NHTSA) conducted a study that demonstrated the dramatic increase in rollovers when these vehicles carry increasingly larger loads. A fully loaded van has a rollover risk that is six times higher than if there are only five people in the van.

The bill I am introducing today would require NHTSA to include 15–passenger vans in their Dynamic Rollover Testing Program required by the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, which currently does not include these vehicles. It does not make a lot of sense to me to exempt them from the same safety standards that NHTSA will apply to other passenger cars and sport utility vehicles. This information will give drivers information they need in order to safely operate certain vehicles under different conditions.

This legislation would also require 15–passenger vans to be included in NHTSA's New Car Assessment Program (NCAP). NCAP provides consumers information on how different vehicles withstand crashes, and was recently expanded to include the risk of rollover. Currently, NCAP does not do rollover testing for vehicles that carry more than 10 people.

In addition, the bill requires NHTSA to work with van manufacturers to evaluate and test the potential of new technologies to help drivers maintain control of their vans. Specifically, NHTSA would look at Electronic Stability Control (ESC) systems that some SUVs are already equipped with and rear-view mirror-based rollover warning systems. These kinds of innovative technologies could significantly reduce rollovers and save lives.

''Fifteen-passenger'' vans were initially designed to carry cargo, not people. But now these vans are widely used by airports, hotels, and other commercial interests to transport customers from one location to another. People using these vans may not realize that the Federal Motor Carrier Administration (FMCA) has not completed rulemaking on Federal motor carrier safety regulations for 15-passenger vans that are used for commercial purposes. This bill would require the FMCA to complete their rulemaking, which began in 1999, to ensure that commercial passengers get to their destinations safely.

This bill was built on the foundation of my School Bus Safety Act of 2001 and it still addresses the van loophole created in 1974 when organizations were banned from purchasing new 15-passenger vans to transport school age children but were allowed to purchase the vans used.

This legislation removes this nearly 30-year-old loophole in the Federal regulations and extends the ban to include leasing, renting, and buying of these vans, thereby making the buyers accountable, as well as the seller. These changes will insure that the intent of the 1974 law is finally realized. The bill would also strengthen the penalties on those who violate this important safety provision.

The legislation raises the prescribed penalty for breaking this law from ''not more than $1000'' to ''not more than $25,000,'' thereby giving the enforcement agencies something to make it worth their while to pursue. This provision is important because from 1974 until 1997, NHTSA, which had responsibility for administering the law, did not initiate a single enforcement proceeding in the entire country.

Safety transcends party lines. Senator SNOWE and I have had tragic events take place in our states that have unfortunately made us very aware of the dangers of 15-passenger vans. Last year there was a tragic accident in the State of Maine that cost the lives of 14 forestry workers who were killed when their 15-passenger van rolled off of a bridge, killing all but one. This was the single worst motor vehicle accident in Maine's history. So we are introducing identical bills in the House and the Senate. With bipartisan support we hope to end these kinds of needlessly tragic accidents.

Mr. Speaker, one of the government's roles is to ensure the safety of its citizens. This legislation gives consumers the information they need to know about the safety of these vans and it eliminates a loophole that allows people to get around a child safety law. I strongly urge my colleagues to support this common sense legislation.

TRIBUTE TO THE SAN FERNANDO CATHEDRAL

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GONZALEZ. Mr. Speaker, last week the San Fernando Cathedral celebrated the completion of its renovation. Today I am introducing a resolution honoring the San Fernando Cathedral—the oldest cathedral in the United States and the oldest standing structure in my district of San Antonio, Texas. I and my fellow colleague from San Antonio, CIRO RODRIGUEZ, want to pay tribute to this exquisite building, and the great history and culture that it embodies.

San Fernando Cathedral is both literally and figuratively the geographic centerpoint of San Antonio. This cathedral is not only revered by the people of San Antonio, but by all the people of this Nation, who remember the strength and sacrifice of those who built this country. As I mentioned before, just last week, the renovation of this magnificent building was completed. I stand here today to mark this achievement.

The San Fernando Cathedral is a grand structure, rich in its history and meaning. Like

many of America's greatest institutions, it was built by the worn hands of the very poor. Fifteen Spanish families, sent by the King of Spain to establish a mission in Texas, laid the cornerstone of the church in 1731. They called it ''La Villa de San Fernando.'' Like most of us, they were immigrants, looking towards a new future, looking to build a new home. What they ultimately built was a nation. A nation of many people, of many backgrounds.

They united under the cathedral's roof. As a symbol of their unity, the congregation joined Old World and New World saints—Our Lady of Candlemas and Nuestra Señora de Guadalupe—as patrons in addition to the town's official patron, King Fernando III of Spain. San Fernando Cathedral is a place where all people still come together each week, by the thousands, to meet and pray. Like the generations before them, they also come to the cathedral to seek refuge from a world too often ravaged by hunger and violence, as soldiers did during the Battle of the Alamo.

I honor the San Fernando Cathedral today because I believe that, like the immigrants that built it, this building has an honored place in our history and most certainly has an honored place in our future.

HONORING THE LIFE OF CORPORAL PATRICK NIXON

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. GORDON. Mr. Speaker, I rise today to honor the life of Corporal Patrick Nixon, who gave the ultimate sacrifice to his country while serving in the United States Marine Corps. Patrick died in fighting near Nasiriyah, Iraq.

Patrick's parents, Debra and David Nixon, live in Gallatin, Tennessee, where I have the honor of representing them in this most esteemed body. My thoughts and prayers are with Debra and David and the rest of Patrick's family and friends. Full of hope and promise and sense of duty to his country, Patrick joined the Marine Corps after graduating high school in 2000.

Like his grandfather Joseph and his two brothers, Bill Hudson and Joe Nixon, before him, Patrick chose to serve his country by joining the Armed Forces. Patrick was a dedicated and courageous Marine. He understood the risks of serving in the military and did so with honor. This nation owes Patrick and all of the young men and women serving in our Armed Forces a huge debt of gratitude.

Our brave fighting men and women go in harm's way so the rest of us can enjoy the liberties of this great democracy. We should never take their service to this country for granted. Patrick was a young man who dreamed of teaching history one day. Our children will miss the opportunity to learn from such a courageous man.

I have deep admiration for Patrick, who has touched the lives of so many. His family, friends and community will never forget him and the sacrifice he made to protect the United States of America. God bless Patrick and all the men and women who sacrifice so much to protect this nation from harm.

INTRODUCTION OF THE UNITED STATES INTERNATIONAL LEADERSHIP ACT OF 2003

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. LANTOS. Mr Speaker, I rise today to introduce a critical and comprehensive initiative—the Uniited States International Leadership Act of 2003—aimed at strengthening American leadership at the United Nations and at other international organizations.

Mr. Speaker, let me first express my sincere gratitude to the bill's cosponsor, the distinguished Chairman of the Rules Committee, and a dear friend from my home state of California, Congressman DAVID DREIER.

Many of the ideas for our bill came from a Council on Foreign Relations report that Chairman DREIER co-authored last year with our former International Relations Committee Chairman, Lee Hamilton.

The report, ''Enhancing U.S. Leadership at the United Nations,'' focused attention on a critical problem in American foreign policy—our inability consistently to promote our interests and values in multilateral fora such as the UN. It also offered concrete steps to rebuild our influence.

The United States International Leadership Act builds on the Dreier-Hamilton report and is designed to give our diplomats the tools they need to ensure that America once again punches at its weight in the UN.

Specifically the bill:

Creates a Democracy Caucus at the UN to encourage other democracies to join us in promoting positions at the UN that support freedom and oppose tyranny and hatred.

Requires the State Department to pay high level visits each year to key countries to make sure that their leaders understand that support for our positions at the UN is critical to their overall relationship with us.

Directs the President to use U.S. influence to reform the criteria for leadership and membership at the UN bodies to ensure that rogue regimes and authoritarian governments cannot continue to thwart the noble purposes that each body was created to advance.

Provides increased training to our Foreign Service Officers to help them develop the skills they need to conduct effective diplomacy at the UN and other multilateral organizations.

Affords Foreign Service Officers—for the first time ever—an opportunity to advance their careers by undertaking assignments to represent the U.S. to the UN and to other multilateral institutions.

Creates a new Office on Multilateral Negotiations to be headed by a Special Representative with the rank of ambassador who has the responsibility to make sure that we have the resources and the strategies needed to prevail in each critical negotiation and decision we face at the UN and in other multilateral negotiations.

Mr. Speaker, it is an undeniable fact of life that our participation in the UN and other international organizations is critical to achieving our foreign policy goals. Right now the UN is helping us to advance our war against terrorism by obligating all countries to freeze the assets of terrorist groups. UN treaties and inspectors are also an important part of our effort to prevent the proliferation of chemical, biological, and nuclear weapons. UN agencies are also critical in spearheading the fight to combat the ravages of infectious diseases such as HIV/AIDS and now the terrifying new sickness, SARS (severe acute respiratory syndrome).

Despite these and many other examples of critical benefits we obtain from our engagement at the UN, the U.S. has often been blocked in its attempts to take action in these institutions to advance its goals and objective. A recent example is the United Nations Human Rights Commission, where Libya—a gross human rights violator—was elected chairman, and the United States temporarily lost a seat. Another was the UN's World Conference Against Racism, where rogue regimes successfully hijacked a critical forum on race and turned it into an ugly anti-Israeli and anti-American circus.

A big part of the problem is that decisions at many international organizations, including membership and leadership, are made by regional groups where there is intensive cooperation by repressive regimes. The International Leadership Act, by building a Democracy Caucus and by developing expertise in the United States Government in the area of multilateral diplomacy, represents the beginning of what will be a long effort to rationalize and strengthen the UN, and other international organizations, by systematically reducing the leverage of repressive regimes and ensure that these organizations serve rather than thwart U.S. national interests.

Mr. Speaker, it is my sincere hope that this measure will be quickly enacted and signed by the President, so that we can begin this critical project.

HONORING MARINE CORPORAL RANDAL ROSACKER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. McINNIS. Mr. Speaker, it is with a heavy heart that I stand before you today to honor a young man tragically taken from us while in the service of his country. Last Monday, Marine Corporal Randal Rosacker, a native of Alamosa, Colorado, was killed while serving in the conflict in Iraq. I am truly humbled to honor him before this body of Congress and this Nation. The sacrifice of Randy and his fellow Marines will be long remembered by our grateful Nation.

Randy was the oldest of three children and was known as a born leader. In High School, his teammates voted him captain of the baseball team. Randy had always wanted to become a marine and joined when he turned 18, despite scholarship offers to play college football. By doing so, Randy was upholding the finest military traditions of both his family and this Nation and I know Randy's family and friends take pride in the uniform he wore and the ideals for which he fought. Our Nation will long endure due to the strength and character of men and women like Randy who serve our country.

Each generation must renew its commitment to defend our liberties. Today in Iraq, a new generation of young Americans is fighting

bravely for freedom's cause. I know that those who seek the true meaning of duty, honor, and sacrifice will find it in dedicated servants like Marine Corporal Randal Rosacker.

Mr. Speaker, I cannot fully express my deep sense of gratitude for the sacrifice of this young Marine and his family. Throughout our history, men and women in uniform have fought our battles with distinction and courage. At the dawn of this new century, the United States military has once again been called to defend our freedom against a new and emerging threat. Marines like Randy embody America's determination to lead the world in confronting that threat, and Marine Corporal Rosacker's devotion to that cause will not be forgotten. Randy has done all Americans proud and I know he has the respect and admiration of all of my colleagues here today.

SMALLPOX, EMERGENCY PERSONNEL PROTECTION ACT OF 2003

SPEECH OF

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 2003

Mr. MOORE. Mr. Speaker, I rise in opposition to H.R. 4613.

It is imperative as we prepare our communities for biological and chemical warfare that we do all that we can to encourage health professionals to be vaccinated for smallpox and ensure that they are taken care of if they fall ill or die due to the vaccination. That is the least we can do for those who may be called upon to protect us at home.

I support a smallpox vaccination compensation policy—but it has to be done right the first time. The bill before us does not provide for adequate education, prescreening, and surveillance for nurses, first responders and other health care professionals who take the vaccine. For example, members of the armed services who received the smallpox vaccine were entitled to personalized education and free and confidential prescreening prior to the administration of the vaccine. This important process properly screened out one-third of the potential recipients. The recent deaths of vaccine recipients with heart disease only underscore the need for a strong education, prescreening, and surveillance effort—the CDC and government agencies need to be given the tools to track and eventually screen out individuals who are at risk.

As the husband of a nurse, I understand the commitment that health care professionals have to their patients and their communities. I know that most of them are eager to provide their expertise to help protect their neighbors should the unthinkable occur. It is unreasonable and unfair, however, to ask them to risk their lives and health, and that of their families, without guaranteeing that the federal government will take care of them in the event of an adverse event. Health care professionals are anxious about taking the vaccine—and for good cause. The smallpox vaccine has a long record of negative side effects to both vaccinated individuals and secondary contacts. It is absolutely essential those individuals who are vaccinated understand the risks of the vaccine and have confidence in their government to care for them should they become ill or die—this is the least we can offer them.

H.R. 1463 includes an unacceptable lifetime cap on wage replacement and fails to ensure that funds will be available in the future for the compensation fund. It does not guarantee that states will have the money to implement the program or that compensation benefits will be paid—instead, this legislation forces these health care workers to fight for funds each year in the appropriations process. It is unfair and insulting to ask them to compete each year with other national spending priorities and our ever-growing national debt.

I support a substitute that would provide guaranteed funding to individuals injured by the smallpox vaccine. It would also implement a strong screening and follow-up regime, and includes language that will alert workers to the most likely side effects and speed up the qualification process. This proposal provides greater security, both psychological and financial, for health care workers and other first responders who are being asked to take this vaccine to help their communities.

It is a shame that the House leadership would not allow this substitute to be debated on the floor. I believe that bringing up such important legislation on the suspension calendar, which is ordinarily reserved for non-controversial legislation, is a thinly-veiled partisan ploy. This important issue deserves a robust debate. Nurses, first responders, and other health care professionals who volunteer to take the smallpox vaccine, at great risk to themselves and their families, deserve more than lip service and empty promises.

LESBIAN AND GAY IMMIGRATION RIGHTS TASK FORCE ANNUAL MEETING

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Ms. NORTON. Mr. Speaker, I rise today to recognize the Lesbian and Gay Immigration Rights Task Force, which holds its Annual Meeting this weekend in Washington, DC. The LGIRTF advocates for the rights of HIV positive immigrants, persons seeking asylum because of sexual orientation, and bi-national couples.

The Lesbian and Gay Immigration Rights Task Force grew out of a small group of Lambda Legal Defense and Education Fund attorneys, who, in 1993, held a meeting at the New York City Lesbian and Gay Community Services Center. Over 50 persons attended and expressed interest in forming a group to address immigration issues affecting lesbians and gays.

In December 1994, the LGIRTF was incorporated in New York City. The LGIRTF began publishing The Status Report the following year. Implementation of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 in 1997 increased the need for Gay and Lesbian specific immigration services. By 1998 the LGIRTF ceased being an all-volunteer organization and in 1999 the LGIRTF hired its first attorney. The LGIRTF has grown from one chapter to an international organization with 19 chapters in the United States, including Washington, DC and Europe.

We, who live in our Nation's Capital and are taxed without representation, feel a special affinity to any other group that is denied the full rights and privileges, which most United States citizens enjoy. While any straight married couple may petition for permanent residence for a spouse and his or her children, Lesbians and Gays cannot petition for pennanent residence for their life-partners.

I remind the House that we have the ability to correct these inequities: passage of the ''No Taxation Without Representation Act'' and the ''Permanent Partners Immigration Act.''

I ask this House to join with me in welcoming the members of the Lesbian and Gay Immigration Rights Task Force to Washington, DC.

SAN JACINTO, CA CELEBRATES 115 YEARS AS A CITY

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. LEWIS of California. Mr. Speaker, I would like today to congratulate the citizens and community leaders of the city of San Jacinto, CA, who on April 9, 2003 will celebrate 115 years of cityhood. I am happy to report, Mr. Speaker, that the friendly folks in San Jacinto have managed to preserve their past while preparing for a future as one of the fastest growing cities in California.

The San Jacinto Valley is in Riverside County, California, about 90 miles southeast of Los Angeles, in the shadow of 10,804–foot Mt. San Jacinto and the beautiful surrounding mountains. For thousands of years it has welcomed human habitation, including the ancestors of the Soboba Indians, whose reservation is adjacent to the current city of San Jacinto.

When Spanish explorers moved into California, they soon discovered the valley and by the 1770s it was a stop on Anza Trail, one of the oldest serving the Spanish colonies in California. The padres of the Spanish missions named the valley in honor of St. Hyacinth (San Jacinto in Spanish), one of the early Dominican apostles, and established an outpost there in 1820.

In 1842, Jose Antonio Estudillo received a land grant to the entire valley from the Mexican government. They built the Estudillo Mansion in downtown San Jacinto, which is today considered one of the most important historic structures in inland Southern California. In the 1860s, the Estudillo family began selling off portions of the rancho, and a small American community began to form. In 1868, local residents petitioned to form a school district, and by 1870 a store and post office had been established. In 1883, the San Jacinto Land Association laid out the modem city of San Jacinto at Five Points. The Santa Fe railroad arrived in 1888, and the city was incorporated that same year, making it the oldest incorporated community in Riverside County.

The community has primarily been an agricultural town for much of its history, and is still home to several large dairy operations. It has also worked closely with the neighboring city of Hemet to sponsor the famous Ramona Pageant, an outdoor play on early California history that is now in its 80th year. Most recently, the city has seen the beginnings of

rapid growth because it is at the edge of the Southern California urban area. Community leaders are working hard to maintain their small-town community even as they plan for growth that is expected to nearly double the population of 26,000 by 2010.

Mr. Speaker, I am confident that the citizens and leaders of San Jacinto will help their town continue to be a warm and welcoming place that combines a respect for the history of California with an eye to the state's booming future. Please join me in congratulating them on their 115th birthday, and wish them well in the years to come.

HONORING LULAC

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. FARR. Mr. Speaker, I rise today to honor the League of United and Latin American Citizens (LULAC) and in particular the local Monterey County LULAC Council 2055 LULAC is the largest and oldest Hispanic community organization in the United States. LULAC Council 2055 reflects that tradition and has enjoyed a distinguished 25-year history of community service.

LULAC Council 2055 has worked cooperatively and collaboratively with a wide array of people, organizations, and businesses to promote and advance the economic, educational, political and civil rights of the Latino population of my Central California district. Mr. Speaker, as many people from my district and in this body are aware, I am a firm believer in the power of collaboration to achieve great ends. I believe that LULAC Council 2055's continuous activism and partnership with other neighboring organizations is one example of the power of teamwork.

For the past 5 years LULAC Council 2055 has raised more than $100,000 in scholarship money for deserving high school students. In November 2002, the League worked to pass several important local school bond measures that will bring $30 million to middle schools in Salinas, California. In the upcoming years, middle students will learn in new, renovated, and modernized classrooms. This will mean great progress in relieving student overcrowding. Along the same lines, LULAC Council 2055 helped pass a bond measure to renovate Hartnell Community College, which serves the people of the Salinas Valley.

LULAC Council 2055 continues to work with various civil rights organizations such as the American Civil Liberties Rights Coalition; Coalition of Minority Organizations; National Association for the Advancement of Colored People; Women's International League for Peace and Freedom; Salinas Action League; and the United Farm Workers of America to achieve equality, justice and peace for all people.

Furthermore, LULAC embraces diversity by organizing social and cultural events for the Latino community such as the Orgullo Latino Dance, Cinco de Mayo, 16-de septiembre, and Teatro Campesino night.

I applaud the efforts of LULAC and those who support their mission to advance and maintain the rights of the Latino community as well as others. Mr. Speaker, I hope that all my colleagues will join me today in applauding the 25 years of public service that LULAC Council 2055 has brought to the community.

FCC TRIENNIAL REVIEW DECISION

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. RADANOVICH. Mr. Speaker, I come to the floor today to express my concern over the Federal Communications Commission recent Triennial Review decision. The revival of the telecommunications industry is critically important to revival of the overall U.S. economy. The FCC proceeding was an opportunity to restore regulatory certainty in the telecommunications industry.

The Triennial Review deals with rules for when competitors can share facilities of incumbent local phone companies. The courts had directed the FCC to review its regulations so that competitors could compete and so that incumbents would not be burdened with unnecessary, costly regulations when competitors no longer need to share those facilities.

Instead of carrying out its responsibilities, the FCC passed the buck to the 50 states. Now, these issues will be argued in 50 states and, no doubt, appealed in 50 state courts. Meanwhile, incumbents and competitors will have to wait to learn under what rules they must operate and what their costs will be. Incumbents understandably will hesitate to spend on maintaining and improving their facilities because of this uncertainty. In addition, generation of new services and manufacturing jobs will be delayed.

Because the FCC has forced the rulemaking job onto the states, incumbent phone companies, competitors and the states will have to pay for endless public utility commission and court proceedings. Of course, in the end, consumers in California and across the Nation will foot the bill. In the days following the FCC's decision, the telecommunications industry lost 15 billion dollars of capital value. A shudder went through the manufacturing sector, which has been waiting anxiously and desperately for incumbent telephone companies to increase their purchasing of equipment. Wall Street analysts downgraded the outlook for telecommunications service and manufacturing companies.

In its Triennial Review decision, the FCC indicated that it may impose less regulation on broadband deployment than it has done on the traditional, copper, local telephone network. I would expect nothing less with the vigorous broadband competition that currently exists between phone companies and cable companies, and because broadband services are the future for the telecommunications industry.

It is time for the FCC to remove the unnecessary burdensome regulations—actions that should have taken place with the passage of the Telecommunications Act of 1996.

A TRIBUTE TO DR. LYUSHUN SHEN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. ACKERMAN. Mr. Speaker, I am honored to rise today to pay tribute to a great man who has dedicated much of his life to improving relations between Taiwan and the United States. Dr. Lyushun Shen has served as Deputy Representative of the Taipei Economic and Cultural Representative Office (TECRO) for the past four years and will be leaving Washington soon to accept a new challenge as Director General of TECRO in Geneva. At his new post, he will be working on, among other things, finally bringing Taiwan into its rightful place as a member of the World Health Organization, a development I strongly support.

As the Deputy Representative of TECRO, Dr. Shen has carried out many responsibilities ranging from interacting with Members of Congress to serving as a senior liaison with the large and vibrant Taiwanese community in the United States. As almost all of our colleagues know, TECRO—Taiwan's unofficial embassy here in Washington—and its employees are devoted to making certain the United States and Taiwan work closely on matters of mutual concern and importance in the areas of trade, investment, commerce, culture and security.

Mr. Speaker, Dr. Shen is an old Washington hand. He is presently serving his third tour of duty in Washington, where he previously was Director of TECRO's Public Affairs Division from 1994 to 1996, as well as a Staff Consultant for Congressional Liaison from 1982 to 1986. In between his postings in Washington, Dr. Shen remained focused on U.S.-Taiwan relations. From 1996 to 1999 he was Director General, Department of North American Affairs at Taiwan's Ministry of Foreign Affairs, and from 1991 to 1993 he headed the Kansas City office of the Coordination Council for North American Affairs, TECRO's predecessor organization. This important position gave Dr. Shen a firsthand perspective on America's heartland, which oftentimes offers a different perspective than Washington.

Dr. Shen's professional experience has been built on a strong academic foundation. Dr. Shen received both his master's degree in international relations and his Ph.D. from the University of Pennsylvania. While working in Kansas City, he was a visiting professor of international relations at the University of Kansas.

Mr. Speaker, Dr. Shen has developed many friendships and a wealth of goodwill on Capitol Hill. He has served as a trusted resource of information regarding Taiwan and Cross Straight relations. Many fellow members of this body have been fortunate to have traveled to Taiwan with Dr. Shen.

Mr. Speaker, I am certain that our colleagues will join me in extending our best wishes to my good friend Lyushun as he takes up his new assignment. We also hope that he will be able to make his way back to Washington in the future. In the meantime, we expect many great things from this tireless advocate for Taiwan's interests. He is indeed an important asset for the 22 million people on Taiwan.

THE GREATEST AMERICANS WANT PEACE

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OWENS. Mr. Speaker, the shock of the hot war now raging in Iraq has traumatized many Americans who oppose this war and are ready to fight harder for peace. The dogs of war are growling louder as they seek to intimidate all peace seekers with charges of treason. The warmongers charge that those of us who oppose the war are abandoning our troops in the field. On the contrary those of us who oppose the war value all human life greatly including the life of each American soldier. We support the troops and we want to see them return home as soon as possible not in body bags but smiling on their own two feet. Although we are presently in the minority, the advocates for peace are the Americans with the correct vision and the right blueprint for the future. Despite the world outcry against it, the U.S. has launched the war in Iraq. Peace at this moment is not possible; nevertheless, the struggle to return to a state of peace as soon as possible must continue. Without a doubt, the U.S. military will overwhelm the Iraqi military and the long occupation will begin. The challenge for peace advocates is to make the occupation not a continuation of the evils of the war. A strong peace movement in America has the potential to turn the occupation of Iraq into a major component of a larger world peace blueprint. Instead of allowing the oil resources of Iraq to be plundered and divided among the oil barons of the world, peace advocates must build a multilateral alternative governing structure to confront the U.S. master plan for looting. In the long term war for a world peace Iraq will be only a starting point. There will be no rest for those who dare to stand up to the architects of a new world order which camouflages dominance by a new world elite of the greediest. Peace advocates must conjure up the same fervor and determination as our adversaries. We must plan, work and act with relentless vigilance. This is a call for an army of ''fanatics for peace''. The following Rap poem sets forth the credo of the Fanatics for Peace.

WE ARE FANATICS FOR PEACE

We citizens volunteer to do our part—
Never mind the military purple heart,
We are fanatics for peace!
Our holy assault must never cease;
Forward to the civil liberty lines,
Blast the voting fraud mines,
The constitution light still shines,
Launch spit into the fascist face
Our maneuvers will save the human race.
Against warmongering lies
A truth revolution will rise;
Deep wells of anger
Pump bitter tears into our eyes;
Fervor for the future,
Democratic civilization fanatics
Wrestle with partisan acrobatics,
Smothered in its star spangled bed
Voter apathy is now real dead.
We are fanatics for peace!
For perpetual war
Dig wide trenches deep
Victims come fight with us
Before you weep.
Contempt is heaped upon the humble,
Wise men merely sit and grumble,
Only we thugs for freedom
March to the never ending front lines.
Pledge Allegiance
To the human race,
Military machines
Are an obsolete disgrace.
Commanders of abuses
Must face the Nurenberg nooses.
We are fanatics for peace!
Pledge allegiance
To the civilization
Our children deserve,
This is the cause
We swear to serve.
Victory without blood
In Gandhi's name,
Celebrate Mandela's fame,
The spirit of Martin King,
Again will reign,
Resist a government
Now gone insane.
Commanders of abuses
Must face the Nurenberg nooses.
We are fanatics for peace!
Run and broadcast the brave news,
Divine mobilization we choose,
Surrender we unconditionally refuse,
Our vision will not decrease
Our passion will never cease
We are fanatics for peace!

TRIBUTE TO DOROTHY SHANNON

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Ms. BALDWIN. Mr. Speaker, I rise today to honor the life of Dorothy Shannon, one of Wisconsin's most passionate progressive leaders and a model of civic activism. For over 50 years, Dorothy Shannon was on the front line of every Federal and State election in Wisconsin. She was a tireless supporter of progressive causes. Everyone who knew her remembers her fondly and she will be greatly missed.

Dorothy Shannon was born in Toledo, OH in 1918. Her father worked for the National Supply Company in charge of the shipping department. But when the great depression hit, he was among the millions of Americans who found themselves without a job. After enduring many hard years, Dorothy was given hope with the election of President Roosevelt. Her father found work with Roosevelt's Public Works Administration turning a landfill into a public park. As the nation listened to Roosevelt's ''fireside chats,'' Dorothy's political fire was kindled.

In 1936, Dorothy went to college on another of Roosevelt's creations, a National Youth Administration Scholarship. During World War II she volunteered for the Navy's Women Appointed for Voluntary Emergency Service. After serving our country, she attended graduate school at Yale, where she met Ted Shannon, who would later become her husband.

The Shannons moved to Madison in 1950 when Ted found a job with the University of Wisconsin. They played a key role in shaping the modern day Democratic Party of Wisconsin. Even while raising three children, Dorothy never stopped volunteering. Whether marching at a peace rally or attending a League of Women Voters event, she was recognized everywhere as a passionate voice for progressive Democrats. In 2000, she was honored as the oldest delegate to the Democratic National Convention.

When I close my eyes, I can see Dorothy Shannon sitting in the front row of nearly every political debate, every community forum, and every Democratic Party event. She cared so deeply about public affairs—whether they involved local or global issues. If ever there was an embodiment of civic participation, it was Dorothy Shannon.

HONORING THE LIFE AND ACHIEVEMENT OF A RENOWNED EDUCATOR: RAJA ROY-SINGH

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. LEACH. Mr. Speaker, I rise on behalf of the House of Representatives to express my respects to a renowned international educator, Mr. Raja Roy-Singh, on the occasion of his 85th birthday. As a member of the House Committee on International Relations and as a former Co-Chairman of the United States Commission on Improving the Effectiveness of the United Nations, I can attest that improving the quality of education in the world is a prerequisite to the establishment of effective cooperation and mutual understanding in the international community. In this context, the career-long dedication of Mr. Roy-Singh to international education deserves the attention of Congress.

Raja Roy-Singh was born on April 5, 1918 in Pithoragarh, a remote town in the Himalayan foothills near India's frontier with Nepal and Tibet. One imagines that the young Roy-Singh was inspired by panoramic views of snow-topped mountains that framed the beautiful valley of his birthplace. These same mountains were the source of many streams and rivers that flowed southward onto the plains of India. Perhaps as he walked the long mountainous paths to school he wondered where those rivulets and mountain streams flowed and dreamed about following them one day.

His father was a Methodist preacher who worked in a number of mission assignments along the Himalaya territory almost 250 miles from end to end. His mother's Rajput forbears had lived in the Pithoragarh district for generations. His father died early leaving Raja and his mother alone in Pithoragarh while his older sisters were away at boarding school.

As a boy Raja Roy-Singh attended the district school by day and read by kerosene lamp at night. Under the watchful eye of his mother and Mary Reed, a dedicated Methodist missionary from California, he won a series of district scholarships that sent him off to college at Agra and finally to Allahabad—a sacred place for Hindus and Buddhists at the confluence of the Ganges, the Yamuna and the Saraswati Rivers.

Achieving distinction in philosophy and English, with a particular interest in T.S. Eliot, Mr. Roy-Singh took his bachelor's and master's degrees as the convulsions of the Second World War began. Placing high on the civil service exams, he entered the Indian Administrative Service in 1942 and was assigned to Agra where he met his wife Zorine Bonifacius. In the vibrant period immediately following Indian independence his civil service postings took him to Kanpur, Bombay,

Mathura and Lucknow. These assignments afforded him valuable experience at various levels of government. In 1954, he was appointed state director of education in Uttar Pradesh. Thus, he entered the educational service, initially as a ''posting,'' but soon his dedication to his profession took on the dimension more of mission than occupation.

Mr. Roy-Singh was appointed education adviser at the Federal Ministry of Education where he served from 1957–1964. In a period of changing demands on education in India, Mr. Roy-Singh focused his energies on developing new ways to harmonize educational activities between the Federal and the state governments. This effort led to the establishment of the Counsel of Educational Research and Training, a network of educational institutions for research, training and service. Several prominent U.S. educators were closely associated with its planning in the founding years, notably the Teacher's College formed under the direction of Columbia University. In the last four decades, the India Council of Educational Research and Training, which Mr. Roy-Singh provided such visionary leadership, has played an innovative role in advancing education and educational opportunity in India.

Another significant program he helped to found was the Science Talent Search begun in 1959, Boys and girls ages 15–17 with high science aptitudes were identified through specially devised tests and awarded full scholarships through their entire schooling, including higher education. In its early years, there was close technical collaboration between this India program and similar ones in the United States sponsored by the Ford Foundation. From a modest but promising beginning the program greatly expanded in subsequent years and substantially increased the number of science teachers and the quality of science education in India.

Mr. Roy-Singh was invited to join UNESCO in 1964. For the next 20 years, he served as UNESCO's Regional Director of Education in Asia and later as Assistant Director-General of UNESCO for Asia and the Pacific. In 1985, after completing his service with UNESCO, he retired to the United States, taking up permanent residence in Evanston, Illinois.

At UNESCO Mr. Roy-Singh's principal responsibility was to coordinate the educational agenda in member Asian countries. The Asian and the Pacific region is extensive and diverse. It comprises 30 countries extending from Iran and Afghanistan in the west to Korea and Japan in the east, to Mongolia in the north and Australia and New Zealand in the south. Mr. Roy-Singh's strategy was to manage this far-flung region by focusing on common educational problems and fostering inter-country cooperation. He carried out this strategy by recognizing the unique cultural differences within and between countries yet encouraging each to share educational experiences and expertise. This approach found its full expression in the Asian and Pacific Program of Educational Innovation for Development which continues to make significant contributions to educational development in the Asian region.

Mr. Roy-Singh will be remembered as a pioneer in the educational field in Asia having encouraged cooperation between national and local governments and education ministries and with international organizations. His life to date has spanned two major wars and several continents. His career has brought him into contact with heads of government as well as with educators throughout the world.

In the course of his career Mr. Roy-Singh has authored numerous publications including Education in Asia and the Pacific (UNESCO/Bankok, 1966), Adult Literacy as an Educational Process (Internal Bureau of Education, Geneva, 1990), Educational Planning in Asia (UNESCO—Internal Institute for Educational Planning, Paris, 1990).

Of particular interest to this body is his educational philosophy. In ''Changing Education for a Changing World'' (1992), Mr. Roy-Singh outlined how we might prepare young people for life in an ever-changing world:

> There are two universes of change. One is change in the world of objects, externality. Science and technology and socio-economic organizations are examples of externality. The truths of the external world are non-cumulative; a new discovery may wipe the slate clean of all that went before. Continuity in this kind of ''universe'' is fortuitous and certainly minimal. The other kind of change is pivoted on the human being, individual or group. Change in the interior 'universe' of human existence is cumulative; it is expressed in culture, in the quest for knowledge, and in the striving for heightened moral awareness.
>
> What could change and what has to continue and what continues even in change are issues of judgment and discernment. This is where education has a role.
>
> The Asian societies in transition have to find for themselves a path which does not traverse the wasteland of rootless modernism on the one hand and mindless conservation on the other. The best in the living tradition of the Asian cultures, their moral loftiness, their universality and their profound insights into human nature, may provide the continuity in the flux of change that must necessarily come in the wake of science and technology and the liberating human spirit.

Change is a dominating force in the world. Some welcome it and see it as an opportunity. Others fear change because it threatens the established order. Like a powerful rush of water crashing down a mountainside, the force of change can wash away all living things in its path. To survive we all need strong roots with which to cling. Education is a life preserver. It allows us to harness the creative energy of change by instructing us what to keep from the past, what to undertake in the present, and what to seek in the future.

All societies have strengths and weaknesses in their education systems. The need for self-examination and improvement is a constant. But as the anarchy of terrorism has demonstrated, no country is an island, invulnerable to the frustration and despair of those who are not provided the ability that education provides to lead their own societies in progressive directions and manage or at least cope with the discombobulating challenges of modernity.

One of the many lessons of the international traumas of the past few years is that Americans cannot be concerned solely with the education of our young. If we ignore the educational inadequacies of other cultures, we jeopardize our own security.

There is no simple or single methodology, but there must be a singular commitment to advance the most powerful force for constructive change in the world: a decent and universal concern for educating every generation in every society.

For his dedication to international education and for his wisdom of purpose we thank Mr. Roy-Singh and congratulate him as well on reaching the ripe age of 85.

FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2003

SPEECH OF

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 2, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 522) to reform the Federal deposit insurance system, and for other purposes:

Mr. SANDLIN. Mr. Chairman, I rise today in strong support of H.R. 522, the Federal Deposit Insurance Reform Act of 2003. I appreciate the efforts of Chairman OXLEY and Ranking Member FRANK to bring this important bill to the floor, and I thank them for their continued support for this legislation. I would also like to thank Chairman BACHUS and Ranking Member WATERS of the Financial Institutions Subcommittee for their leadership on this bill.

In my East Texas district, deposit insurance aids community bankers in attracting and maintaining core deposits, which are often used locally to fund mortgages, development projects, student loans and small businesses.

H.R. 522 will increase deposit insurance coverage from $100,000 to $130,000 and will index this limit for inflation in future years. With a declining rural population and customer base in many areas of the country, including my district, raising the coverage limit will help small-town bankers keep up their core deposits. The current $100,000 coverage ceiling can force bank customers in rural areas to move deposits over that amount outside of their region or state. This should not have to be the case, particularly for our older citizens.

As the AARP noted in its recent letter of support for this legislation, existing coverage limits have unfortunately created a situation where ''the alternative is to bank at more distant institutions or invest in the more volatile securities markets.'' To help remedy this problem, H.R. 522 will increase coverage for certain retirement accounts to $260,000, which will help keep customer deposits, especially seniors' funds, in local institutions.

The bipartisan Federal Deposit Insurance Reform Act is reasonable, necessary legislation that will promote growth and stability in rural communities while maintaining consumers' confidence in the banking system at the same time. I urge my colleagues to vote yes on final passage of this legislation.

THE EVEN START QUALITY IMPROVEMENT ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. DAVIS of California. Mr. Speaker, I am pleased to offer a bill today designed to assure that literacy training is available to those who work with some of our youngest and most

vulnerable children, those who are part of the Even Start program.

These children's families qualify for Even Start because they are low socioeconomic families who may also be English learners. Program liaisons work with the families from the children's infancy until they are in school. Even Start funds approximately 1,400 programs and serves approximately 50,000 families across the Nation.

Without this existing William F. Goodling Even Start Family Literacy Program, these children would arrive for their first day of school without the literacy skills to compete at that starting line. They are unlikely ever to catch up, even if they are able to be served in the Head Start program before actually entering school, unless the adults who work with them in these critical early years learn literacy teaching skills and learn to value the role of education.

Over 86 percent of parents in the Even Start program have not completed high school upon entering the program (compared with about 27 percent of Head Start parents). Eighty percent of participants have a family income below $15,000 and over 40 percent have income below $6,000. This is clearly a high-needs population.

What the program offers is both literacy-training classes for the children and family literacy programs for the parents. Children participating in Even Start are provided with age-appropriate educational services to ensure that they will achieve at a level similar to that of their age peers who come from socio-economically enriched backgrounds.

Liaison advisors work with each family to promote strong literacy support experiences, to help parents learn ways they can develop their own English literacy skills, and to provide support groups for parents to share the challenges and skills of parenting.

In developing their own literacy, adults in these family literacy programs tend to participate longer than those in regular adult education programs because they can link their literacy growth to that of their children. They not only see benefits in improved literacy skills but also reduced dependency on federal/state assistance programs and enhanced employment opportunities. Most importantly, they are empowered to be successful as their child's first and most important teacher.

This bill will set aside funding to establish nationwide programs to assist in the training of program directors and facilitators in recently developed, research-based literacy training skills.

President Bush has declared his support for helping parents, day-care centers, and preschools teach more learning skills to children before they get to kindergarten. Even Start provides just such a program for parents to develop the literacy skills that enable them to perform this task. Because of new legislation, particularly the new qualifications for personnel, performance objectives, and ''scientifically-based reading research'' requirements for instructional programs, local Even Start programs also need to benefit from this type of high-quality training.

I have requested an evaluation to provide a longitudinal look at the achievement of children assisted by the program because I believe that evaluation must be embedded in all such programs.

It is overwhelming to bear heart-felt expressions of appreciation for the program and its leaders when I have visited Even Start programs. Adults marveled at the change in their children's feeling about reading and learning when they were able to make reading together a daily activity. One mother told me how she thought she couldn't help her 5 year old with reading, but, thanks to the program, she realized that reading together enabled them to help each other with the words each didn't know.

All children deserve an even start. This bill will assure that Even Start facilitators will be well-trained to help parents learn the skills that enable their children to be competitive at the starting line.

AUBURN UNIVERSITY SWIM TEAM

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. ROGERS of Alabama. Mr. Speaker, last week the Auburn University swim team dominated the NCAA Swimming and Diving Championships by winning the men's national title.

The Tigers routed their nearest competitors by 196.5 points and qualified 11 swimmers for the championship finals and four more for the consolation finals. This was the men's team third national title ever.

But the men were diving on the heels of the Auburn women's swim team, who during the previous week, won their first-ever National Championship.

Mr. Speaker, these young men and women symbolize the strength of the human spirit and the joy of achievement. Let us congratulate them for their victories by acclaiming together in the House: ''WAR EAGLE!''

Thank you, Mr. Speaker, for your consideration of these Americans. As a tribute for the families of these proud young men and women, please enter their names into the CONGRESSIONAL RECORD:

Auburn University Men's Swim Team: Lyle Babcock, Chad Barlow, Seth Barry, George Bovell, Fred Bousquet, Will Brandt, Matt Bricker, Kurt Cady, Patrick Calhoun, Justin Caron, James Galloway, Mark Gangloff, Caesar Garcia, Derek Gibb, Joseph Gonzales, Andy Haidinyak.

Auburn University Women's Swim Team: Jenni Anderson, Maggie Bowen, Sally Brown, Demerae Christianson, Eileen Coparropa, Kirsty Coventry, Lauren Duerk, Magda Dyszkiewicz, Erin Gayle, Margaret Hoelzer, Kelly Jones, Heather Kemp, Jana Kolukanova, Rachel Korth, Alessandra Lawless, Leslie Lunsmann, Cassidy Maxwell, Jeri Moss, Kelsey Patterson, Ashley Rubenstein, Becky Short, Laura Swander, Erin Volcan, Amy Wheatley.

TRIBUTE TO FORMER CONGRESSMAN TENO RONCALIO

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. CUBIN. Mr. Speaker, I rise with sadness today to note the passing of one of Wyoming's most prominent and able public servants—former Congressman Teno Roncalio. Congressman Roncalio died on March 30 at the age of 87. He will be forever remembered for a body of legislative accomplishments that truly benefitted the state he loved so well.

Known to all in Wyoming as simply Teno, the Congressman was born in 1916 in Rock Springs, WY, the eighth of nine children of an immigrant Italian family. He attended the University of Wyoming, graduated in 1939, and then went to Washington to work for Wyoming Senator Joe Mahoney. He enrolled in Catholic University Law School, only to have his studies interrupted by World War II. He served with distinction in the 18th infantry, and saw combat in seven campaigns including Africa, Italy, France and Germany. He earned a Silver Star for gallantry during the D–Day Invasion at Normandy.

After World War II, he returned to his beloved state and earned a law degree at the University of Wyoming. After practicing law and serving a stint as a deputy county attorney, he was elected to Congress first in 1964 and then, after losing a Senate race, won our House seat again in 1970. He served another four terms with distinction, retiring in 1978.

During his time in Congress, Teno worked diligently on critically important issues to Wyoming. He helped boost Wyoming's share of mineral royalties, a driving force in our state's economy to this day. He wrote legislation to create a number of recreational areas in the state, including Flaming Gorge, Big Horn Canyon and Fossil Butte. After he left Congress, he continued to serve Wyoming, acting as Special Master in the adjudication of water rights on the Big-Horn-Big Wind River. His commitment to environmental concerns and preserving the beauty and history of Wyoming constitute a lasting contribution to the state.

Only last year, the Wyoming congressional delegation was successful in securing approval of legislation to name the United States Post Office in Rock Springs in Teno's honor. It was a privilege to have a part in recognizing a man with such a distinguished career of devoted public service to our state.

My thoughts and prayers are with Teno's family. He was a man of great heart and compassion who will truly be missed. Though he is gone, his legacy in Wyoming will live forever.

CHILD ABDUCTION PREVENTION ACT

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 27, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1104) to prevent child abductions, and for other purposes:

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in reluctant support of H.R. 1104, the Child Abduction Prevention Act. I support H.R. 1104 reluctantly because while the resolution improves upon the AMBER Alert system, it is not a clean AMBER Alert Bill.

The provisions of H.R. 1104 that improve the AMBER Alert system are critical steps in making America safer for children. The AMBER Alert provisions of H.R. 1104 direct

the Attorney General to assign a National Amber Alert Coordinator. The Coordinator will establish minimum standards for the issuance of AMBER Alerts, including the extent of dissemination of alerts. The minimum standards will require vital information relating to the special needs of the child, including the child's health care needs, to be provided to the appropriate law enforcement and public health officials. Also, the dissemination of the AMBER Alert will be limited to the geographic area most likely to facilitate the recovery of the abducted child.

H.R. 1104 also requires the Secretary of Transportation to provide grants to states for the development or improvement of AMBER Alert communication or notification systems along America's highways. It requires the Attorney General to provide grants to States for the development or enhancement of programs and activities for support of the AMBER Alert communications plans.

I whole-heartedly support all of the AMBER Alert provisions of H.R. 1104. These provisions improve the AMBER Alert system and help to reduce the likelihood that children who are kidnapped will also be physically abused, sexually abused, or murdered. These provisions also improve the chances that abducted children will be returned to their families.

I have reservations about supporting H.R. 1104 because it is not a clean AMBER Alert bill. I believe that the Amendments to the bill dealing with prison sentence guidelines, pretrial release, and law enforcement investigation powers should be dealt with in separate legislation.

More importantly, the extraneous provisions will delay the ultimate passage of the AMBER Alert Bill. Every day that goes by without a national AMBER Alert system in place puts the lives of children at risk. According to an October 2002 U.S. Department of Justice Report titled the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMART Report), 12,222 children were the victims of traditional kidnappings in the year 1999 alone. That amounts to approximately 33 children kidnapped nationwide per day.

While the members of the House debate extraneous amendments, hundreds of children are being kidnapped and murdered. As the Chair of the Congressional Children's Caucus, I strongly believe that the best way to save children's lives is to vote in support of H.R. 1104, even if I do so reluctantly.

That is why, Mr. Chairman, I reluctantly vote in favor of H.R. 1104.

HONORING PAUL BETANCOURT

HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. DOOLEY. Mr. Speaker, I rise today to recognize Paul Betancourt, who is being honored as the outgoing president of the Fresno County Farm Bureau, FCFB. Paul Betancourt has spent more than a decade serving my district through his activities with the Fresno County Farm Bureau, which represents over 6,000 members, produces more than 300 crops and grosses more than $3.2 billion annually. Paul Betancourt has set an example through his dedicated commitment to our community.

Since completing his 2-year role as president of the FCFB, Mr. Betancourt continues to serve on the FCFB Executive Committee and he was recently appointed to serve as the Industry Representative on the San Joaquin Valley Unified Air Pollution Control District's Citizens Advisory Committee. Before serving as FCFB President, Betancourt also served as the FCFB secretary-treasurer and second and first vice presidents.

In addition to all of his work with the FCFB, Mr. Betancourt has served in a number of various community activities. Through his Farm Bureau activities, Mr. Betancourt served on the board of directors of the Fresno Chamber of Commerce, and represented FCFB at many industry and community forums and events. Mr. Betancourt currently serves on the Kerman Unified School Board of Trustees, and is involved in the Fresno Area Collaborative Regional Initiative. Additionally, Mr. Betancourt is a noted columnist for a local business publication and he teaches Sunday school at the Kerman Covenant Church.

Mr. Betancourt currently farms more than 750 acres of cotton and almonds in Fresno County, where he has also grown crops such as tomatoes, sugar beets, cantaloupes, barley, and cattle. Paul Betancourt's intimate knowledge of farming issues and his dedicated commitment to farmers and Fresno County residents as a whole should serve as an example of leadership and dedication in the Central Valley of California.

Mr. Betancourt has contributed to the improvement of the community through his work in and out of the Fresno County Farm Bureau. Mr. Speaker, I ask my colleagues to join me today in congratulating Paul Betancourt on his retirement as president of the Fresno County Farm Bureau.

IN RECOGNITION OF MR. HARRY B. NISSLEY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Ms. SOLIS. Mr. Speaker, I rise today to recognize Mr. Harry B. Nissley, a local hero in my community who has dedicated over 50 years of his life to educating and inspiring our students.

Mr. Nissley worked as a tennis coach for the El Monte Union High School District from 1946 until his retirement in 2001. Over the course of his career, he has received numerous honors, including the San Gabriel Valley Administration Association's Service Award and the California Interscholastic Federation Award. But most enduring is the imprint he has left on the lives of hundreds of students, athletes and peers. Mr. Nissley's enthusiasm, caring and dedication is exemplary of a great educator.

Mr. Nissley went above and beyond the call of duty to make sure that students were given every opportunity to excel. Every spring, he hosted the Keeley Tennis tournament to help pay for student competition entry fees and often used his own money to help those students with financial hardships. Mr. Nissley's enthusiasm was only surpassed by his desire to enhance each student's life. He strived to instill in his students a strong and positive sense of self worth.

Earlier this year, a former student and professional tennis player, honored Mr. Nissley by organizing an event commemorating his contributions. During the event, numerous former students and athletes praised him with kind words and fond memories.

Mr. Nissley is now 90 years old. At the request of his students, colleagues, friends and family who wanted to recognize his numerous contributions, the community of El Monte recently nominated him for induction into the California Interscholastic Federation Hall of Fame. Not only is the number of years he taught at the El Monte Union School District already a state record, but his commitment and selflessness is immeasurable.

I would also like to join the community of El Monte in showing my appreciation for Mr. Nissley by asking Congress to recognize his vast contributions to our youth, and outstanding dedication to service.

INTRODUCTION OF THE ST. CROIX NATIONAL HERITAGE AREA STUDY ACT

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to introduce legislation to direct the Secretary of Interior to conduct a study of the suitability and feasibility of establishing the St. Croix National Heritage Area.

According to the National Park Service, National Heritage Areas are places that are federally designated to preserve an important aspect of America's past and share it with visitors. They are generally started at the grassroots by community members who envision places where the best of the past becomes part of a sustainable future.

National Heritage Areas are not living theme parks seeking to freeze places in time. They seek instead to conserve their special natural spaces and historic places as part of their communities' social and economic futures. The successful melding of past and future is the National Heritage Area challenge.

The unique natural, historic and cultural resources of the island of St. Croix represent distinctive aspects of American heritage that are in my view, worthy of recognition and provide outstanding opportunities for recreational and educational opportunities.

In introducing this bill I hope to utilize our spectacular natural and historic resources to spur economic development on my home island which badly needs it. As Interior Secretary Gail Norton noted during her visit to St. Croix: "We certainly want to protect the wonderful environment here and to match that great environment with a thriving economy. Heritage tourism might be one option for St. Croix".

Mr. Speaker, there are currently 23 existing national heritage areas across 17 states. As the Ranking Democrat on the House National Parks and Public Lands Subcommittee, I can confirm that heritage areas are just one of a growing number of collaborative, community-based conservation strategies that have developed in recent years to identify, preserve, and interpret resources.

I urge my colleagues to support enactment of this legislation to provide for a study to determine the sustainability and feasibility of the island St. Croix becoming the 24th National Heritage Area.

GREEK AND TURKISH CYPRIOTS ISSUES

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. WEXLER. Mr. Speaker, as the ranking Democrat on the Europe Subcommittee, I believe my colleagues in Congress will be interested in the following letter sent by the Turkish Cypriot Leader Rauf Denktas to the Greek Cypriot Leader Tassas Papadopoulos on April 2, 2003. I am hopeful that Mr. Denktas's letter and its content will be a catalyst for renewed dialogue between Greek and Turkish Cypriots and a positive step toward a comprehensive resolution to their long-standing issues.

In this letter, Mr. Denktas provides a detailed proposal to lift all overseas trade, transport, travel and cultural activities from both parts of Cyprus. He calls for freedom of movement to be facilitated between the two sides and restrictions on the movement of tourists to be lifted as well. His measures also include allowing Greek Cypriot refugees to return to the Greek Cypriot sector of Famagusta. Finally, Mr. Denktas expressed his willingness to meet with Mr. Papadopoulos to discuss the core issues of a comprehensive settlement with the objective of reaching an agreement between Greek and Turkish Cypriots.

While I understand that the long-standing Cyprus issue cannot be solved without great sacrifice by both sides, it is incredibly important that the United States and the international community work together to resolve this issue. Please know, I remain firmly committed to helping both Greek and Turkish Cypriots overcome obstacles and bring about a lasting peace for future generations.

APRIL 2, 2003.

DEAR MR. PAPADOPOULOS: Since our return from the Netherlands on 11 March 2003, I have been trying to reassess in depth the negotiating process resulting in the stalemate at The Hague.

Based on our re-evaluation and the responses given to the UN Secretary-General's proposals by both sides, I am now convinced more than ever that we have for too long overlooked the significance of the socio-psychological dimension of the problem, and especially the deep crisis of confidence between the two sides.

The Turkish Cypriot side sincerely wishes a lasting settlement to the forty year-old question of Cyprus. In achieving a sustainable and viable settlement that would be acceptable to both sides, the first meaningful step should, without doubt, be the improvement of the political environment within which we could allow for the evolution of a working relationship between the two sides through the building up of trust and confidence. This would enable us to resolve pending issues, thus preparing the ground for a comprehensive settlement. The island is, no doubt, the common home of the two co-owner peoples in Cyprus. In this context, I wish to share with you the following ideas and suggestions which I believe could initiate a process of dialogue and consultation leading to a working relationship between us. This would greatly enhance the prospects for and paved the way to a mutually acceptable comprehensive settlement based on the political equality of the two sides and bring tangible benefits to both parties.

(i) As a first step, the fenced area of Varosha south of Dhimoktrathias street, including the area extending to the UN Buffer Zone, will be transferred to the Greek Cypriot control to be opened for resettlement.

(ii) Parallel to this, all restrictions on overseas trade, transport, travel and cultural and sportive activities from or to both parts of Cyprus will be lifted. I am convinced that Turkey and Greece will also positively respond to this by removing the restrictions which they apply to the Greek Cypriot and Turkish Cypriot sides respectively. We shall invite the UN and EU to acknowledge and give effect to these arrangements.

(iii) The freedom of movement will be facilitated between the two sides, subject only to minimal procedures. The restrictions on the movement of tourists will also be lifted.

(iv) Steps will be taken gradually for the normalization of the flow of goods between the two parties on the island. Cooperation shall be also encouraged between the institutions of both sides to identify and develop joint projects.

(v) The Turkish Cypriot side will lift the measures regarding the movement of UNFICYP of July 2000.

(vi) A bilateral Reconciliation Committee will be established with the objective of promoting understanding, tolerance and mutual respect between the two parties. This Committee will make specific recommendations for promoting bilateral contacts and projects. These ideas and suggestions constitute a package and should be regarded as an integrated whole. The acceptance and implementation of this package will neither prejudice our respective positions, nor will it be a substitute to a final settlement. I am prepared to discuss with you the above points and their modalities with the aim of initiating a cooperative relationship. In doing this, we could benefit from the assistance of the UN and the EU. These measures, I believe, would bring about a positive climate to the island and to our region. On the understanding of the above, I am also ready to talk with you the core issues of the comprehensive settlement and matters related to EU membership with the objective of reaching a mutually satisfactory conclusion. As we both supported the good-offices mission, I am taking the liberty of sending a copy of this letter to the UN Secretary-General.

Sincerely,

RAUF R. DENKTAS.

SUPPORT AMERICAN-GROWN HUMANITARIAN ASSISTANCE TO IRAQ!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. FILNER. Mr. Speaker and colleagues, I recently introduced a resolution supporting humanitarian assistance from the United States to Iraq. H. Con. Res. 127 reinforces the ideal that we should send American-grown and made products to Iraq—and on American ships!

The United States obviously has a deep and enduring interest in the welfare of the citizens of Iraq who have been living under the regime of Saddam Hussein for decades. Iraq is currently suffering a humanitarian crisis that could worsen during Operation Iraqi Freedom.

An estimated 4.5 million to 10 million people in Iraq, about 40 percent of the population, will require food assistance within a few weeks. Unfortunately, most of the warehouses in Iraq that store food under the ''Oil-for-Food'' program are empty. There are few food reserves in Iraq. If action is not taken to address this shortfall, people will die of starvation.

Now that Operation Iraqi Freedom has begun, it is our duty to recognize the need for, and prepare for, the delivery of humanitarian and reconstruction assistance to the people of Iraq. It is our obligation to provide American-grown commodities, such as wheat, to Iraq!

Food security will be significant in improving the quality of life the people of Iraq. Providing United States agricultural commodities to Iraq will help alleviate the humanitarian crisis there, as well as help strengthen our Nation's economy. Our Nation's farmers would certainly be proud to supply humanitarian assistance to a country in great need. Further, our United States maritime industry would be honored to ship supplies to Iraq in order to help with this critical effort.

In addition, the Department of Defense recently created the Office of Reconstruction and Humanitarian Assistance. This office is a coordinated effort between government agencies in order to plan and implement assistance programs in a post-war Iraq. The resolution I have introduced commends the Department of Defense for recognizing the need for, and taking an inter-agency approach to, the delivery of humanitarian and reconstruction assistance for Iraq.

Mr. Speaker, we can, and must, help to improve the living conditions of the civilian population of Iraq! The fact that we can do this with American products makes this humanitarian effort all the more beneficial, significant, and crucial!

HONORING MCNEIL NUTRITIONALS, SPLENDA PLANT, MCINTOSH, ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. BONNER. Mr. Speaker, I rise today to recognize McNeil Nutritionals, Splenda Plant, a revolutionary manufacturer located in McIntosh, Alabama.

Each year the Alabama Technology Network and the Business Council of Alabama honors outstanding manufacturers with their Alabama Manufacturer of the Year Awards. This year, McNeil Nutritionals, Splenda plant, has received recognition as a Medium Manufacturer for excellence in leadership, performance, profitability and work force relations. McNeil was chosen based on its demonstration of superior performance in the areas of customer focus, employee commitment, operational excellence, continuous improvement, profitable growth and investment in training and retraining.

McNeil Nutritionals manufactures Splenda, the only no-calorie sweetener made from raw sugar which is from 650 to 750 times sweeter than sugar. This product was introduced in

2001 and within one year achieved the number two market share in low-calorie sweeteners in the world. As a result, Splenda saw more than 100 percent profit growth from 2001 to 2002. Also in that year, McNeil Nutritionals had a 110 percent sales growth from its base year and implemented ''Six Sigma'' quality projects that resulted in cost savings of $15 million.

Mr. Speaker, I proudly ask you and my colleagues to join me, the Alabama Technology Network and the Business Council of Alabama in honoring McNeil Nutritionals, Splenda Plant, for its outstanding accomplishments. I also want to recognize and thank McNeil Nutritionals for its contributions to the local economy and to the quality of life enjoyed in the State of Alabama.

PRESIDENTIAL GIFTS ACCOUNTABILITY ACT

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. OSE. Mr. Speaker, today, I rise to introduce a revised version of my ''Presidential Gifts Accountability Act.'' During the 107th Congress, I introduced an initial bill, H.R. 1081. Both versions of this good government bill establish responsibility in one agency for the receipt, valuation and disposition of Presidential gifts.

In January 2001, there were press accounts of President Clinton's last financial disclosure report, which covered calendar year 2000 and January 1–20, 2001. This report revealed that the Clintons chose to retain $190,027 in gifts, each over $260, during this period. In February 2001, there were press accounts of numerous furniture gifts to the White House residence, which the Clintons returned to the U.S. Government. These press stories led me to question how the current Presidential gifts system works and what legislative changes, if any, are needed to prevent future abuses.

I believe that the American people have the right to know what gifts were received and retained by their President. Additionally, I believe that donors should not receive an unfair advantage in the policymaking process or other governmental benefits.

To prevent future abuses, in March 2001, I introduced H.R. 1081, the ''Accountability for Presidential Gifts Act,'' which had bi-partisan support during the 107th Congress. The Government Reform Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, which I chair, spent nearly a year gathering the empirical data to support and improve such a legislative effort.

The Subcommittee found that several laws, involving six Federal offices and agencies, govern the current system. In February 2002, the Subcommittee released a 55-page document summarizing the Subcommittee's findings. The Subcommittee identified a host of problems with the Presidential gifts system, such as consistently undervalued gifts and questionable White House Counsel rulings. Since the current system is subject to abuse and political interference, I believe that there is a need for centralized accountability in one agency staffed by career employees. My bill establishes responsibility in one agency—staffed by career employees—for the receipt, valuation and disposition of Presidential gifts.

On October 28, 2002, my Subcommittee's analysis was presented in House Report 107–768, ''Problems with the Presidential Gifts System.'' The Report summarized how the current system works, my Subcommittee's investigation and findings, and recommendations made in my Subcommittee's hearing and a second hearing by the Government Reform Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations. The Report's findings included: Non-Competitive Hiring of Political Appointee for Career Job, Some Gifts Over the Reporting Threshold Were Not Disclosed, Some Gifts Were Solicited, Many Gifts Were Undervalued, Some Gifts Were Not Included in the White House Database, Some Gifts Were Lost, Questionable White House Counsel Rulings, Some U.S. Property Was Taken, Most Furniture Gifts Were Coordinated, Some Gift Certificates Were Accepted, and Huge Gifts to the Presidential Library

The total value of gifts retained by the former First Family over an 8-year period creates at least an appearance problem. The fact that so many gifts were undervalued raises many questions. The fact that gifts were misplaced or lost show sloppy management and maybe more. The fact that U.S. government property was improperly taken is troubling. And, the fact that, after the former First Lady's election to the U.S. Senate and before she was subject to the Congress' very strict gift acceptance rules, the former First Family accepted nearly $40,000 in furniture gifts and the First Lady solicited nearly $40,000 in fine china and silver is disturbing at best. Public servants, including the President, should not be able to enrich themselves with lavish gifts.

The revised version of my bill, which I am introducing today, reflects several recommendations made by public witnesses at both hearings on the earlier version. these include the President of Common Cause and the Director for Public Service of The Brookings Institution, both of which expressed support for the bill. I believe that, if enacted, this bill will provide transparency for the public, establish discipline in the multi-agency system, and ensure accountability. A section-by-section analysis of the bill's provisions is attached to this introductory statement.

The current system is clearly broken and needs to be fixed.

To expedite progress, I am also sending a letter to the President today to recommend some changes in the current system, which he can make administratively to provide transparency, discipline, and accountability. These include interagency coordination, establishment of a unified database with a single numbering system, and annual public disclosure of all Presidential gifts over $100 (except a gift from a foreign government or a relative). A copy of this letter is also attached to this introductory statement.

HOUSE OF REPRESENTATIVES,
Washington, DC, April 3, 2003.

Hon. GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Today, after a lengthy investigation and two hearings of Government Reform Subcommittees, I introduced an improved version of my ''Presidential Gifts Accountability Act.'' This good government bill establishes responsibility in one agency for the receipt, valuation, and disposition of Presidential gifts. In the meantime, I am writing you to recommend some changes in the current system, which can be made administratively.

Several laws, involving six Federal offices and agencies, govern the current system. The Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, which I chair, identified a host of problems with the system in use during the prior Administration, such as consistently undervalued gifts and questionable White House Counsel rulings. These are presented in House Report 107–768, ''Problems with the Presidential Gifts System.'' Since the system is subject to abuse and political interference, I believe that there is a need for centralized accountability in one agency staffed by career employees. My bill establishes responsibility in one agency for the receipt, valuation and disposition of Presidential gifts.

At the second hearing in June 2002, it was revealed that only minor changes were made by your Administration to address the problems revealed in the first hearing in February 22. In July 2002, my Subcommittee invited your staff and the six affected agencies to a meeting to identify changes, which could be made administravely. The attendees confirmed that, since the Subcommittee's investigation began: there has been no interagency meeting or other coordination between the six agencies; there is no unified database system in use by the six agencies for the receipt, valuation and disposition of Presidential gifts; and, there is no single numbering system for Presidential gifts. Please consider such coordination and establishment of a unified database with a single numbering system. In addition, I recommend annual public disclosure of all Presidential gifts over $100 (except a gift from a foreign government or a relative).

As the Director for Public Service at the Brookings Institution stated, ''In this moment of heightened public confidence in government, the presidential gift process offers the potential for staggering embarrassment and diminished accountability. The current fragmented process for logging, valuing, and manging gifts to the president defies bureaucratic logic, and appears designed more to frustrate accounatbility than enhance it. One could design a more unwieldy system if one started out do so.'' I agree with his assessment.

Sincerely,

DOUG OSE,
Member of Congress.

CHILD ABDUCTION PREVENTION ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 27, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1104) to prevent child abduction, and for other purposes:

Ms. MCCOLLUM. Mr. Speaker, I rise today in support of H.R. 1104 the Child Abduction Prevention Act. This legislation takes a significant step toward bringing child abductors to justice by aiding law enforcement agencies to effectively prevent, investigate and prosecute crimes against children. H.R. 1104 also provides families and communities with immediate and effective assistance to recover a

missing child through the AMBER Alert Network Plan. I believe it is important that the federal government send a clear message to child abductors that their actions will not go unpunished, and that we will take the appropriate measures to ensure the protection of our children.

I am disappointed, however, that the Republican majority chose to add a number of provisions to this legislation that I oppose, including an expansion of the death penalty, making it easier to authorize wiretaps against criminal suspects, and establishing mandatory life sentences for certain crimes. It is unfortunate that these failed, controversial provisions were added to such an important piece of legislation.

I will continue to support measures designed to keep child abductors off the street, and increase security for the children in our neighborhoods and communities. Furthermore, I remain opposed to the death penalty, expanded surveillance measures that violate our civil liberties, and mandatory sentencing guidelines that take away the discretion of a judge to decide a case fairly and justly. It's regrettable we could not pass a clean bill that reflects all of these ideas.

DENYING DEMOCRATS THE OPPORTUNITY TO OFFER AMENDMENTS ON H.R. 1559

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to this rule. The rule waives all points of order against the Majority's bill, while denying Democrats the opportunity to offer amendments.

Yesterday, during the meeting of the Rules Committee, my Democratic colleagues offered thoughtful amendments ranging from increasing funds for the U.S. Army Corps of Engineers to adding $1.7 billion for health care, education, and infrastructure in the United States; yet none of my Democratic colleagues were granted waivers. I offered five amendments addressing our homeland security needs and mental health services. None of these amendments were granted waivers.

I believe that our domestic priorities and our first responders must not be overlooked as we consider this supplemental appropriations bill. The Ranking Member of the Appropriations Committee offered an amendment to increase funding by $2.5 billion to Homeland Security programs. This was not accepted for a waiver.

These increases would have provided an additional $197 million to protect military facilities; $241 million for nuclear security (nuclear cargo detection, nuclear detection equipment, securing nuclear materials abroad and in the U.S.); $722 million for port and infrastructure security (Coast Guard personnel, port security grants, dam and bridge security, water and chemical plant security, rail tunnel security); and $1.2 billion for state and local first responders (state and local civil defense teams, first responder equipment, firefighter grants, state and local biotechnical response, military guard and reserves).

The Obey amendment, which I support, provides critical funding to Homeland Security programs. Under Article I, section 7, of the U.S. Constitution, Congress has the power of the purse. We have an obligation to have an open and democratic debate on this supplemental.

With the United States now at war to disarm Saddam Hussein, some Republicans continue to question the patriotism of anyone who has the audacity to challenge the Bush administration's foreign policy. All of us pray for a quick, successful conclusion to this war and for our troops' safe return.

However, it is our duty as members of this august body of Congress to consider fully any funding that involves our military forces and funding that could help our domestic priorities.

With the Republicans denying essential debate on this bill, we will not have full consideration of the supplemental, and this is an abomination on what should be a fair and open process.

This is a process far from what our Founding Fathers envisioned when granting Congress spending authority. I regret that we cannot have a serious Open Rule process and waivers for amendments that address this nation's needs.

PERSONAL EXPLANATION

HON. ERNIE FLETCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. FLETCHER. Mr. Speaker, on Monday, March 31, 2003, despite all my efforts, I was unavoidably detained. Had I been present for Roll Call Vote Nos. 93 and 94 I would have voted the following way:

Roll Call Vote No. 93,—''Aye''.

Roll Call Vote No. 94,—''Aye''.

OUR MILITARY SURVIVORS DESERVE FAIRNESS AND EQUITY!

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

Mr. FILNER. Mr. Speaker and colleagues, I rise today to speak about a bill to restore equity to the survivors of our nation's veterans, the Military Survivors' Equity Act (H.R. 1592).

It is hard to believe that we continue to condone a system that penalizes the aging survivors, mostly widows, of the veterans of our country, but that is exactly what the Military Survivors' Benefit Plan does! When a member of the military retires, he or she may join the Survivors' Benefits Plan, known as the SBP. After paying a premium for many, many years, the retiree expects that his or her spouse will receive 55 percent of the retired military pay if the veteran dies. But this is not the case!

As I said, most of the survivors who receive SBP benefits are military widows. You may not realize that when these widows who are receiving SBP benefits turn 62, a Social Security offset causes their benefits to be reduced from 55 percent to 35 percent of their husband's military retired pay. This occurs even when the Social Security comes from the wife's employment!

What does this reduction mean to our nation's military widows? I have received many, many letters on this topic. Let me read from two:

> My husband, who served in the Army for 20 years, was on Social Security disability because of heart problems and could no longer work. He died when I was 61 years old. I was doing okay, paying my monthly bills and having enough left for groceries, but when I turned 62, I was notified that my SBP was reduced from $476 to $302. What a shock! This was my grocery money that they took away from me.

And a second—

> While my husband was alive, we worked out a budget for me in case he died. I felt secure in the knowledge that he had provided for me by joining the Survivors Benefits Plan. I could not believe it when I learned that I was not going to get the amount we were promised. I cannot believe that our government would do this to the widow of a veteran.

It is past time to change this misleading and unfair law. We must provide equity to the surviving spouses of our military retirees. My bill would fix this problem by eliminating the callous and absurd reduction in benefits and give what is expected and what is deserved: 55 percent of the military retired pay. To put it simply, no offset. A simple solution to a difficult problem, as equitable solution to a mean-spirited practice.

Colleagues, please join me in co-sponsoring H.R. 1592, the Military Survivors' Equity Act. Let us do this for our veterans and for their surviving spouses. Let us stop the pain and anguish that we are causing them.

Daily Digest

HIGHLIGHTS

Senate passed Wartime Supplemental Appropriations Bill.

The House passed H.R. 1559, Emergency Wartime Supplemental Appropriations.

Senate

Chamber Action

Routine Proceedings, pages S4733–S4787

Measures Introduced: Eighteen bills and one resolution were introduced, as follows: S. 774–791, and S. Res. 104. **(See next issue.)**

Measures Passed:

Wartime Supplemental Appropriations: By a unanimous vote of 93 yeas (Vote No. 125), Senate passed S. 762, making supplemental appropriations to support Department of Defense operations in Iraq, Department of Homeland Security, and Related Efforts for the fiscal year ending September 30, 2003, after taking action on the following amendments proposed thereto: **Pages S4838–42 (continued next issue)**

Adopted:

Bayh Modified Amendment No. 474, to provide funding for grants to States for smallpox and other bioterrorism inoculation activities.

Pages S4742–47, S4752

By 65 yeas to 32 nays (Vote No. 122), Specter Amendment No. 515, to increase funds for protection and preparedness of high threat urban areas under the Office for Domestic Preparedness.

Pages S4786–87 (continued next issue)

By 67 yeas to 26 nays (Vote No. 124), Stevens (for Kohl) Amendment No. 455, to provide humanitarian food assistance in connection with U.S. activities in Iraq. **(See next issue.)**

Stevens Amendment No. 522, to make certain improvements to the bill. **(See next issue.)**

Rejected:

Boxer/Schumer Amendment No. 472, to set aside $30,000,000 for the Department of Homeland Security for research and development and deployment of technology to protect commercial aircraft from the threat posed by man-portable air defense systems. (By 50 yeas to 47 nays (Vote No. 117), Senate tabled the amendment.) **Pages S4761–62**

By 38 yeas to 61 nays (Vote No. 118), McCain/Kyl Amendment No. 481, to remove unauthorized and earmarked appropriations.

Pages S4755–59, S4760–61, S4762–64 (continued next issue)

Breaux Amendment No. 494, to allocate additional funds for certain federal homeland security programs. (By 52 yeas to 46 nays (Vote No. 119), Senate tabled the amendment.)

Pages S4764–69, S4776–77

Byrd/Hollings Amendment No. 508, to protect the prerogatives of the Congress in the allocation of homeland security funding. (By 51 yeas to 46 nays (Vote No. 120), Senate tabled the amendment.)

Pages S4777, S4785

Hollings Amendment No. 479, to express the sense of the Senate on paying the costs of the war with Iraq. (By 79 yeas to 18 nays (Vote No. 121), Senate tabled the amendment.) **Pages S4781, S4785–86**

Schumer Amendment No. 514, to increase the appropriation for the Office for Domestic Preparedness, Department of Homeland Security, by $2,330,000,000. (By 51 yeas to 46 nays (Vote No. 123), Senate tabled the amendment.)

Pages S4786 (continued next issue)

Withdrawn:

Graham (FL) Amendment No. 459, to appropriate an additional $375,000,000 for the Department of Veterans Affairs for Medical Care for costs of medical care for certain veterans of the current conflict in Iraq. **Pages S4747–52, S4762**

Ensign Amendment No. 488, to prohibit the use of funds in a manner that benefits citizens or businesses of France and Germany unless physically located in the United States.

Pages S4752–55, S4759–60, S4762

Talent Amendment No. 499, to require certain air carriers that receive funds appropriated under this

Act to accept procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers.

Pages S4769–71

Reid Amendment No. 440, to provide critical funding to safeguard nuclear weapons and nuclear material in the United States and around the world.

Pages S4737 (continued next issue)

Landrieu/Mikulski Modified Amendment No. 504, to make applicable provisions of law requiring the use of privately owned United States flag commercial vessels for the transportation of U.S. Aid and other materials.

Pages S4775–76, S4777–81 (continued next issue)

Bond Amendment No. 500, to state the sense of the Senate regarding procedures that ensure the fair and equitable resolution of labor integration issues in transactions for the combination of air carriers.

Pages S4771–75 (continued next issue)

Stevens Amendment No. 435, to increase the National Debt Ceiling of the United States.

Pages S4737 (continued next issue)

A unanimous-consent agreement was reached providing that it be in order for the Chairman and Ranking Member of the Committee on Appropriations, with the concurrence of both Leaders, be permitted to make technical, conforming, and clarifying changes as necessary to the supplemental appropriations bill. **(See next issue.)**

A unanimous-consent agreement was reached providing that when the Senate receives H.R. 1559, House companion measure, the Senate proceed to its consideration, all after the enacting clause be stricken, the text of S. 762, as amended, be inserted in lieu thereof; provided further that the bill then be read a third time and passed, the motion to reconsider be laid upon the table, the Senate then insist on its amendment, request a conference with the House, and the Chair be authorized to appoint the following Members as conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Burns, Shelby, Gregg, Bennett, Campbell, Craig, Hutchison, DeWine, Brownback, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Reid, Kohl, Murray, Dorgan, Feinstein, Durbin, Johnson, and Landrieu; and that the passage of S. 762 be vitiated and the bill be placed back on the calendar. **(See next issue.)**

Grand Teton National Park Land Exchange Act: Senate passed S. 273, to provide for the expeditious completion of the acquisition of land owned by the State of Wyoming within the boundaries of Grand Teton National Park. **(See next issue.)**

Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act: Senate passed S. 302, to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to restore and extend the term of the advisory commission for the recreation area, after agreeing to the following amendment proposed thereto:

(See next issue.)

Frist (for Bingaman) Amendment No. 523, to correct a map reference in the bill. **(See next issue.)**

Blunt Reservoir and Pierre Canal Land Conveyance Act: Senate passed S. 426, to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission. **(See next issue.)**

Commending University of Minnesota Ice Hockey Team: Senate agreed to S. Res. 104, commending the University of Minnesota Duluth Bulldogs for winning the 2002–2003 National Collegiate Athletic Association Division I National Collegiate Women's Ice Hockey Championship. **(See next issue.)**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of Cormac J. Carney, to be United States District Judge for the Central District of California, at 5 p.m., on Monday, April 7, 2003, with a vote to occur thereon. **(See next issue.)**

Care Act Agreement: A unanimous-consent agreement was reached providing that at a time to be determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to consideration of S. 476, to provide incentives for charitable contributions by individuals and businesses, to improve the public disclosure of activities of exempt organizations, and to enhance the ability of low-income Americans to gain financial security by building assets, and it be considered under the following limitations: that there be 4 hours of debate equally divided, that the only amendments be a manager's amendment and a Nickles amendment; provided further that there be 30 minutes of debate on the amendments equally divided; that following the disposition of the previously-mentioned amendments, the bill be read a third time and the Senate vote on passage of the bill, as amended, with no intervening action or debate; that no points of order be waived by this agreement and that following passage of the bill that it be held at the desk. **(See next issue.)**

Protect Act: Senate disagreed to the amendments of the House to S. 151, to prevent child abduction and the sexual exploitation of children, and agreed to House request for a conference, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Hatch, Grassley, Sessions, Graham (SC), Leahy, Kennedy, and Biden.

(See next issue.)

Keep Children and Families Safe Act: Senate disagreed to the amendment of the House, to S. 342, to amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, requested a conference with the House, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Gregg, Alexander, DeWine, Kennedy, and Dodd. (See next issue.)

Nominations Confirmed: Senate confirmed the following nominations:

Raymond T. Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004.

Joseph Robert Goeke, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years after he takes office.

Robert Allen Wherry, Jr., of Colorado, to be a Judge of the United States Tax Court for a term of fifteen years.

Harry A. Haines, of Montana, to be a Judge of the United States Tax Court for a term of fifteen years.

Diane L. Kroupa, of Minnesota, to be a Judge of the United States Tax Court for a term of fifteen years.

Mark Van Dyke Holmes, of New York, to be a Judge of the United States Tax Court for a term of fifteen years.

Messages From the House: (See next issue.)

Measures Referred: (See next issue.)

Petitions and Memorials: (See next issue.)

Executive Reports of Committees: (See next issue.)

Additional Cosponsors: (See next issue.)

Statements on Introduced Bills/Resolutions: (See next issue.)

Additional Statements: (See next issue.)

Amendments Submitted: (See next issue.)

Authority for Committees to Meet: (See next issue.)

Privilege of the Floor: (See next issue.)

Record Votes: Nine record votes were taken today. (Total—125) Page S4762, S4763, S4776, S4785–86 (continued next issue)

Adjournment: Senate met at 9:30 a.m., and adjourned at 10:33 p.m., until 3 p.m., on Monday, April 7, 2003. (For Senate's program, see the remarks of the Majority Leader in the next issue of the Record.)

Committee Meetings

(Committees not listed did not meet)

CHILD NUTRITION PROGRAMS AUTHORIZATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine proposed legislation authorizing funds for child nutrition programs, including the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), focusing on ensuring program access, fighting hunger and obesity, after receiving testimony from Eric M. Bost, Under Secretary of Agriculture for Food, Nutrition and Consumer Services; James D. Weill, Food Research and Action Center; Douglas J. Besharov, American Enterprise Institute for Public Policy Research, and Anne Curry, Food Marketing Institute, all of Washington, D.C.; Jill Leppert, North Dakota State WIC Program, Bismarck, on behalf of the National WIC Association; Karen Caplan, Frieda's Inc., Los Alamitos, California, on behalf of United Fresh Fruit and Vegetable Association; Rod Hofstedt, Adult and Children's Alliance, St. Paul, Minnesota, on behalf of National Child and Adult Care Food Program Forum; and Don Wambles, Alabama State Farmers Marketing Authority Montgomery, on behalf of the National Association of Farmers' Market Nutrition Programs.

APPROPRIATIONS: SCIENCE

Committee on Appropriations: Subcommittee on Veterans' Affairs, Housing and Urban Development, and Independent Agencies concluded hearings to examine proposed budget estimates for fiscal year 2004 for the National Science Foundation and the Office of Science and Technology Policy, after receiving testimony from John H. Marburger III, Director, Office of Science and Technology Policy; Rita R. Colwell, Director, and Christine Boesz, Inspector General, both of the National Science Foundation; and Warren M. Washington, National Center for Atmospheric Research, Boulder, Colorado, on behalf of the National Science Board.

DEFENSE AUTHORIZATION: AIR-LAUNCHED WEAPONS PROGRAMS

Committee on Armed Services: Subcommittee on Airland concluded hearings on proposed legislation authorizing funds for fiscal year 2004 for Department of

Defense and the Future Years Defense Program, focusing on Navy, Marine Corps, and Air Force aviation and air-launched weapons programs, after receiving testimony from John J. Young, Jr., Assistant Secretary of the Navy for Research, Development, and Acquisition; Marvin R. Sambur, Assistant Secretary of the Air Force for Acquisition; Vice Admiral John B. Nathman, USN, Deputy Chief of Naval Operations for Warfare Requirements and Programs; Lieutenant General Michael A. Hough, USMC, Deputy Commandant for Aviation; and Lieutenant General Ronald E. Keys, USAF, Deputy Chief of Staff for Air and Space Operations.

CHECK TRUNCATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine the Federal Reserve Board proposal to facilitate check truncation by creating a new negotiable instrument called a ''substitute check,'' which would permit banks to truncate the original checks, to process the check information electronically, and to print and deliver substitute checks to banks and bank customers that want to continue receiving paper checks, after receiving testimony from Roger W. Ferguson, Jr., Vice Chairman, Board of Governors of the Federal Reserve System; Lindsay A. Alexander, National Institutes of Health Federal Credit Union, Washington, D.C., on behalf of Credit Union National Association, Inc.; Janell Mayo Duncan, Consumers Union, Washington, D.C.; and Danne Buchanan, Zions Bancorporation, Salt Lake City, Utah.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Thomas Waters Grant, of New York, Noe Hinojosa, Jr., of Texas, and William Robert Timken, Jr., of Ohio, each to be a Director of the Securities Investor Protection Corporation, and Alfred Plamann, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank.

HEALTH CARE

Committee on Finance: Committee held hearings to examine the issue of purchasing health care services in a competitive environment, focusing on the impact on administrative costs, profits, risk load, remote area providers, and senior citizens, receiving testimony from Abby L. Block, Senior Advisor for Employee and Family Policy, Office of Personnel Management; Tom Carrato, Deputy Assistant Secretary of Defense for Health Plan Administration; Bruce E. Bradley, General Motors, Washington, D.C.; and Lois E. Quam, UnitedHealth Group Company, Minnetonka, Minnesota.

Hearings recessed subject to call.

NOMINATIONS

Committee on Foreign Relations: Committee resumed hearings to examine the nominations of Lino Gutierrez, of Florida, to be Ambassador to Argentina, James B. Foley, of New York, to be Ambassador to the Republic of Haiti, and Roland W. Bullen, of Virginia, to be Ambassador to the Co-operative Republic of Guyana, after each nominee testified and answered questions in their own behalf.

NATO ENLARGEMENT

Committee on Foreign Relations: Committee held hearings to examine North Atlantic Treaty Organization (NATO) enlargement, focusing on qualifications and contributions, Latvia, Lithuania, Estonia, Bulgaria, Romania, Slovakia, and Slovenia and NATO membership, receiving testimony from F. Stephen Larrabee, RAND, Arlington, Virginia; and Janusz Bugajski, Center for Strategic and International Studies, and Jeffrey Simon, National Defense University, both of Washington, D.C.

Hearings will continue on Tuesday, April 8.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Edward C. Prado, of Texas, to be United States Circuit Judge for the Fifth Circuit, Richard D. Bennett, to be United States District Judge for the District of Maryland, Dee D. Drell, to be United States District Judge for the Western District of Louisiana, and Allen Garber, to be United States Marshal for the District of Minnesota, and Raul David Bejarano, to be United States Marshal for the Southern District of California, both of the Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: 64 public bills, H.R. 1580–1643; and 8 resolutions, H. Con. Res. 136–137, and H. Res. 173–178 were introduced.

(See next issue.)

Additional Cosponsors: **(See next issue.)**

Reports Filed: Reports were filed today as follows:

H.R. 760, to prohibit the procedure commonly known as partial-birth abortion (H. Rept. 108–58).

(See next issue.)

Emergency Wartime Supplemental Appropriations: The House passed H.R. 1559, making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003 by yea-and-nay vote of 414 yeas to 12 nays, Roll No. 108.

Pages H2718–57 (continued next issue)

Agreed To:

Millender-McDonald amendment that makes available $8 million of surface transportation security initiatives funding for transit security programs;

(See next issue.)

Jackson-Lee amendment that provides up to $10 million of Immigration and Customs Enforcement funding for the Student and Exchange Visitor Information System; and **(See next issue.)**

Kennedy of Minnesota that prohibits funding for reconstruction efforts in Iraq to be used to procure goods or services from any entity than includes information on a response to a Request for Proposal that indicates that the entity is organized under the laws of France, Germany, Russian Federation, or Syria. **(See next issue.)**

Rejected:

Cunningham amendment that sought to strike $1 billion funding for grants to Turkey (rejected by recorded vote of 110 ayes to 315 noes, Roll No. 105);

Pages H2747–57 (continued next issue)

DeFazio amendment that sought to prohibit any funding to be used to initiate or launch military actions except as authorized by Article I, section 8 of the constitution; **(See next issue.)**

Hoekstra amendment that sought to delete the $64 million provided to the National Service Trust of the Corporation for National and Community Service to liquidate obligations that were previously incurred;. **(See next issue.)**

McGovern amendment no. 2 printed in the Congressional Record of April 2 that sought to decrease Interdiction and Counter-Drug Activities funding and Andean Counter-Drug Initiative funding for Colombia by $61 million and increase funding for the Office for Domestic Preparedness by $34 million (rejected by recorded vote of 209 ayes to 216 noes, Roll No. 106); and; **(See next issue.)**

DeFazio amendment that sought to reduce funding for the Economic Support Fund and the allocation within that amount for Turkey by $207 million and apply that funding to establish National Guard Weapons of Mass Destruction Civil Support Teams (rejected by recorded vote of 113 ayes to 312 noes, Roll No. 107). **(See next issue.)**

Point of Order Sustained Against:

Obey amendment that sought to increase funding for homeland security programs by $2.5 billion (agreed to sustain the ruling of the Chair as a judgment of the Committee that the amendment constituted legislation in an appropriation bill in violation of clause 2 of rule XXI by recorded vote of 217 ayes to 195 noes, Roll No. 104); **Pages H2741–42**

Nadler amendment that sought to increase funding for port security by $15 billion (the Chair stated that the amendment was in violation of clause 2 of rule XXI); **(See next issue.)**

Wu amendment that sought to provide funding for an airline ticket voucher program (the Chair stated that the amendment was in violation of clause 2a of rule XXI); **(See next issue.)**

DeFazio amendment that sought to establish an unemployment assistance program for displaced air transportation employees (the Chair stated that the amendment was in violation of clause 2 of rule XXI); **(See next issue.)**

Waters amendment no. 7 printed in the Congressional Record of April 2 that sought to direct the United States Executive Director of the Inter-American Development Bank to use the influence of the United States to urge the bank to resume lending to Haiti (the Chair stated that the amendment was in violation of clause 2 of rule XXI); **(See next issue.)**

Waters amendment no. 9 printed in the Congressional Record of April 2 that sought to make available funding for urban and rural development and renewal projects (the Chair stated that the amendment was in violation of clause 2 of rule XXI); and

(See next issue.)

Waters amendment no. 8 printed in the Congressional Record of April 2 that sought to prohibit senior government officials from participating in contract negotiations or procurement of good or services from companies where they had served as a member of the board of directors or senior management official in the preceding four year period (the Chair stated that the amendment was in violation of clause 2 of rule XXI). **(See next issue.)**

Withdrawn:

Kucinich en bloc amendment was offered but subsequently withdrawn that sought to reduce funding for the Operation Iraqi Freedom Response Fund;

Pages H2744–47

Hoeffel amendment was offered but subsequently withdrawn that sought to increase funding for peacekeeping; **(See next issue.)**

Tauscher amendment was offered but subsequently withdrawn that sought to expand the use of cooperative threat reduction funds; **(See next issue.)**

Flake amendment was offered but subsequently withdrawn that sought to reduce funding for expenses related to aviation security; **(See next issue.)**

Jackson-Lee en bloc amendment was offered but subsequently withdrawn that sought to provide additional funding for substance abuse programs, domestic preparedness, and hazardous materials response teams; **(See next issue.)**

Crowley amendment was offered but subsequently withdrawn that sought to limit Foreign Military Financial Aid to Pakistan; **(See next issue.)**

Rothman amendment was offered but subsequently withdrawn that sought to establish flight restrictions to prohibit general aviation aircraft with a 15 mile radius of the City of New York, New York. **(See next issue.)**

Allen amendment was offered but subsequently withdrawn that sought to increase funding for the Individuals with Disabilities Education Act and the No Child Left Behind Act; **(See next issue.)**

Nethercutt amendment no. 11 printed in the Congressional Record of April 2 was offered but subsequently withdrawn that sought to limit funding for reconstruction efforts in Iraq by a corporation organized under the laws of France, Germany, Russian Federation, People's Republic of China or Syria; **(See next issue.)**

Kucinich amendment was offered but subsequently withdrawn that sought to prohibit funding for the procurement of goods or services without the use of competitive procedures in accordance with the Federal Acquisition Regulation and the Agency for International Development Acquisition Regulation; and **(See next issue.)**

Edwards amendment was offered but subsequently withdrawn that sought to prohibit funding to an air carrier if the carrier discontinues service to the Killeen, Texas Municipal Airport between April 4, 2003 and April 4, 2004. **(See next issue.)**

Agreed to H. Res. 172, the rule that provided for consideration of the bill by voice vote. Earlier, agreed to order the previous question by a yea-and-nay vote of 221 yeas and to 200 nays, Roll No. 103. **Pages H2709–18**

Legislative Program: The Majority Leader announced the Legislative Program for the week of April 7. **(See next issue.)**

Meeting Hour—Monday, April 7: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, April 7. **(See next issue.)**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 9. **(See next issue.)**

National Council on the Arts: Read a letter from the Minority Leader wherein she announced her appointment of Representative McCollum to the National Council on the Arts for the 108th Congress. **(See next issue.)**

Page Board: Read a letter from the Minority Leader wherein she announced her appointment of Representative Kildee to the House of Representatives Page Board for the 108th Congress. **(See next issue.)**

Board of Trustees of Gallaudet University: The Chair announced the Speaker's appointment of Representative Woolsey to the Board of Trustees of Gallaudet University. **(See next issue.)**

Senate Messages: Message received from the Senate today appears on page H2707.

Referrals: S. 380 was held at the desk. **(See next issue.)**

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H2717–18, H2741–42 (continued next issue). There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:58 p.m.

Committee Meetings

COMMERCE, JUSTICE AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, and State, the Judiciary and Related Agencies held a hearing on State Department Management. Testimony was heard from the following officials of the Department of State: Richard L. Armitage, Deputy Secretary; and Grant S. Green, Under Secretary, Management.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Center for Medicare and Medicaid Services and on Agency for Healthcare Research Quality. Testimony was heard from the following officials of the Department of Health and Human Services: Tom Scully, Administrator, Center for Medicare and Medicaid Services; and Carolyn Clancy, M.D., Director, Agency for Healthcare Research Quality.

TRANSPORTATION AND TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation and Treasury, and Independent Agencies held a hearing on Transportation Safety. Testimony was heard from the following officials of the Department of Transportation: Annette Sandberg, Acting

Administrator, Federal Motor Carrier Safety Administration; and Jeffrey Runge, Administrator, National Highway Traffic Safety Administration; and Ellen Engleman, Administrator, National Transportation Safety Board.

VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies continued appropriation hearings. Testimony was heard from Members of Congress.

NAVAL TRANSFORMATION AND FUTURE NAVAL CAPABILITIES

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Department of the Navy fiscal year 2004 research and development program in support of naval transformation and future naval capabilities. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Assistant Secretary (Research, Development and Acquisition); Vice Adm. John B. Nathman, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs; and Rear Adm. Jay M. Cohen, USN, Chief of Naval Research.

BUDGET REQUEST—DOD INFORMATION TECHNOLOGY PROGRAMS

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the fiscal year 2004 national defense authorization budget request for Department of Defense Information Technology Programs. Testimony was heard from the following officials of the Department of Defense: John P. Stenbit, Assistant Secretary, Command, Control, Communications and Intelligence; Rear Adm. Nancy E. Brown, USN, Deputy Director, Command, Control, Communications and Computer Systems (J6) Joint Staff; Lt. Gen. Harry D. Raduege, Jr., USAF, Director, Defense Information Systems Agency; Lt. Gen. Peter Cuviello, USA, Chief Information Officer, Department of the Army; John Gilligan, Chief Information Officer, Department of the Air Force; David M. Wennergren, USN, Chief Information Officer, and Brig. Gen. John R. Thomas, USMC, Director, Command, Control, Communications and Computers (C4). Chief Information Officer, Marine Corps, both with the Department of the Navy.

VIEWS FROM THE FIELD—MOBILIZED RESERVISTS PERSPECTIVES

Committee on Armed Services: Subcommittee on Total Force held a hearing on Views from the Field Perspectives of Mobilized Reservists. Testimony was heard from Sgt. First Class Steven Davis, U.S. Army Reserve; Master Sgt. Gary L. Beaver, Virginia Army National Guard; Petty Officer Robert Lehman, Naval Reserve; Master Sgt. Kevin R. Smith, U.S. Air Force Reserve; Master Sgt. Paul Needham, Arkansas Air National Guard; Staff Sgt. Johnathan Stallings, North Carolina Air National Guard; and Gunnery Sgt. Nancy Jean Koehler, U.S. Marine Corps Reserve.

FAMILY TIME FLEXIBILITY ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections approved for full Committee action H.R. 1119, Family Time Flexibility Act.

ENERGY POLICY ACT

Committee on Energy and Commerce: Ordered reported the Energy Policy Act of 2003.

FIGHTING FRAUD: IMPROVING INFORMATION SECURITY

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on Oversight and Investigations held a joint hearing entitled ''Fighting Fraud: Improving Information Security.'' Testimony was heard from Tim Caddigan, Special Agent in Charge, Financial Crimes Division; U.S. Secret Service, Department of Homeland Security; James Farnan, Deputy Assistant Director, Cyber Division, FBI, Department of Justice; J. Howard Beales III, Director, Bureau of Consumer Protection, FTC; and public witnesses.

RESTORING EXECUTIVE REORGANIZATION AUTHORITY

Committee on Government Reform: Held a hearing entitled ''Toward a Logical Governing Structure: Restoring Executive Reorganization Authority.'' Testimony was heard from Representative DeLay; David M. Walker, Comptroller General, GAO; Nancy Dorn, Deputy Director, OMB; and public witnesses.

PRESCRIPTION DRUG PARITY

Committee on Government Reform: Subcommittee on Human Rights and Wellness held a hearing entitled ''International Prescription Drug Parity: Are Americans Being Protected or Gouged?'' Testimony was heard from William K. Hubbard, Senior Associate Commissioner, FDA, Department of Health and Human Services; and public witnesses.

DEMOCRATIC REPUBLIC OF CONGO

Committee on International Relations: Subcommittee on Africa held a hearing on Democratic Republic of Congo: Key to the Crisis in the Great Lakes Region. Testimony was heard from Charles R. Snyder, Deputy Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe approved for full Committee action the following measures: H. Res. 165, amended, expressing support for a renewed effort to find a peaceful, just, and lasting settlement to the Cyprus problem; H.R. 854, amended, Belarus Democracy Act of 2003; H. Res. 154, amended, commending the Prime Minister

of Great Britain for his stalwart leadership and unwavering support of the United States in the effort to disarm Saddam Hussein of weapons of mass destruction and free the Iraqi people of the scourge of brutal dictatorship; and H. Con. Res 129, expressing appreciation for the longstanding support and friendship of the people and Government of the United Kingdom.

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

Committee on the Judiciary: Ordered reported, as amended, H.R. 1036, Protection of Lawful Commerce in Arms Act.

U.S. PATENT AND TRADEMARK FEE MODERNIZATION ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 1561, United States Patent and Trademark Fee Modernization Act of 2003. Testimony was heard from James Rogan, Under Secretary, Intellectual Property and Director, U.S. Patent and Trademark Office, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power approved for full Committee action the following bills: H.R. 901, to authorize the Secretary of the Interior to construct a bridge on Federal land west of an adjacent to Folsom Dam in California; and H.R. 1284, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to increase the Federal share of the costs of the San Gabriel Basin Demonstration project; H.R. 135, Twenty-First Century Water Commission Act of 2003; and H.R. 495, Zuni Indian Tribe Water Rights Settlement Act of 2003.

SMALL BUSINESS EXPENSING

Committee on Small Business: Subcommittee on Tax, Finance, and Exports held a hearing on Small Business Expensing: Increasing Incentives for Small Companies to Grow and Invest in their Businesses. Testimony was heard from Gregg Jenner, Deputy Assistant Secretary and Senior Advisor for Tax Policy, Department of the Treasury; and public witnesses.

FEDERAL HIGHWAY AND TRANSIT PROGRAMS AUTHORIZATION

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit, and Pipelines concluded hearings on Member Policy Initiatives and Project Requests for Reauthorization of Federal Highway and Transit Programs. Testimony was heard from Representatives Lucas of Kentucky, Stenholm, Bordallo, Case, Rodriguez, Linda T. Sánchez of California, Bradley of New Hampshire, Bono, Baca, Lampson, Carson of Indiana, Gonzalez, Goodlatte, Rush, Davis of Illinois, DeGette, Weller, LaHood, Johnson of Illinois, Kirk, Franks of Arizona, Hayes, McCollum, Pitts, Capito, Loretta Sanchez of California. Herger, Burgess, Majette, Edwards, Boozman, John, McCrery, Ross, Vitter, Rogers of Michigan, Lewis of Kentucky, King of Iowa, Kind, Kanjorski, Schakowsky, Bell and Strickland.

SERVICEMEMBERS CIVIL RELIEF ACT; COLUMBIA ORBITER MEMORIAL ACT

Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 100, amended, Servicemembers Civil Relief Act; and H.R. 1297, Columbia Orbiter Memorial Act.

ENERGY TAX POLICY ACT; TAXPAYER PROTECTION AND IRS ACCOUNTABILITY ACT

Committee on Ways and Means: Ordered reported, as amended, the following bills: H.R. 1531, Energy Tax Policy Act of 2003; and H.R. 1528, Taxpayer Protection and IRS Accountability Act of 2003.

JOINT MILITARY INTELLIGENCE/TACTICAL INTELLIGENCE AND RELATED PROGRAMS

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Joint Military Intelligence Program/Tactical Intelligence and Related Programs. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 4, 2003

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Armed Services, hearing on Iraq's violations of the Law of Armed Conflict, 1 p.m., 2118 Rayburn.

Committee on Government Reform, hearing entitled ''Project BioShield: Contracting for the Health and Security of the American Public,'' 9:30 a.m., 2154 Rayburn.

CONGRESSIONAL PROGRAM AHEAD

Week of April 7 through April 12, 2003

Senate Chamber

On *Monday,* At 3 p.m., Senate will be in a period of morning business until 5 p.m.; following which, Senate will consider and vote on the nomination of Cormac J. Carney, of California, to be United States District Judge for the Central District of California.

During the balance of the week, Senate may consider S. 476, CARE Act of 2003, S. 113, Foreign Intelligence Surveillance Act, and a POW Resolution, and any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: April 7, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department Energy's Office of Environmental Management and Office of Civilian Radioactive Waste Management, 1:30 p.m., SD–124.

April 8, Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Securities and Exchange Commission, 10 a.m., S–146, Capitol.

April 8, Subcommittee on Homeland Security, to hold hearings to examine the fiscal year 2004 Emergency Preparedness and Response Budget Overview, 2 p.m., SD–124.

April 9, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Labor, 9:30 a.m., SD–138.

April 9, Subcommittee on Transportation, Treasury and General Government, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Internal Revenue Service, 2 p.m., SD–124.

April 10, Subcommittee on Commerce, Justice, State, and the Judiciary, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Federal Bureau of Investigation, 10 a.m., S–146, Capitol.

April 10, Subcommittee on VA, HUD, and Independent Agencies, to hold hearings to examine proposed budget estimate for fiscal year 2004 for Corporation for National and Community Service and Community Development Financial Institutions Fund, 10 a.m., SD–138.

April 10, Subcommittee on Interior, to hold hearings to examine proposed budget estimate for fiscal year 2004 for the Department of the Interior, 10 a.m., SD–124.

April 10, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2004 for the Library of Congress and the Open World Leadership Center, 1:30 p.m., SD–116.

April 10, Subcommittee on Homeland Security, to hold hearings to examine proposed budget estimates for fiscal year 2004 for science and technology, 2 p.m., SD–192.

Committee on Armed Services: April 8, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense and the Future Years Defense Program, 10:15 a.m., SR–325.

April 8, Subcommittee on Strategic Forces, to hold hearings to examine proposed legislation authorizing funds for fiscal year 2004 for the Department of Defense, focusing on strategic forces and policy, to be followed by a closed session in SR–222, 2:30 p.m., SR–232A.

April 9, Subcommittee on Readiness and Management Support, to hold hearings to examine proposed legislation authorizing funds fiscal year 2004 for the Department of Defense, focusing on the readiness of the military services to conduct current operations and execute contingency plans, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: April 8, to hold oversight hearings to examine the impact of proposed RESPA rule on small business and consumers, 10 a.m., SD–538.

April 10, Full Committee, to hold hearings to examine recent developments in Hedge Funds, 10 a.m., SD–538.

Committee on Energy and Natural Resources: April 8, business meeting to consider comprehensive energy legislation, 10 a.m., SD–366.

April 9, Full Committee, business meeting to consider comprehensive energy legislation, 10 a.m., SD–366.

April 10, Full Committee, business meeting to consider comprehensive energy legislation, 10 a.m., SD–366.

Committee on Environment and Public Works: April 8, Subcommittee on Clean Air, Climate Change, and Nuclear Safety, to hold hearings to examine S. 485, to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, to provide an alternative regulatory classification for units subject to the cap and trade program, 2 p.m., SD–406.

April 10, Subcommittee on Fisheries, Wildlife, and Water, to hold oversight hearings to examine the designation of critical habitat under the Endangered Species Act, 9:30 a.m., SD–406.

Committee on Finance: April 8, to hold hearings to examine Enron, focusing on the Joint Committee on Taxation Report on compensation-related issues, 10 a.m., SD–215.

April 9, Full Committee, to hold hearings to examine the annual report for 2003 of the Board of Trustees of the Federal Old Age and Survivors Insurance and Disability Insurance Trust Funds, 10 a.m., SD–215.

Committee on Foreign Relations: April 8, to resume hearings to examine NATO enlargement, 9:30 a.m., SH–216.

April 8, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine global energy security issues, 2:30 p.m., SD–419.

April 9, Full Committee, business meeting to consider proposed legislation entitled ''Foreign Relations Authorization Act'', to authorize appropriations for the Department of State, and United States international broadcasting activities, 9:30 a.m., SD–419.

April 9, Full Committee, to hold hearings to examine the nominations of Joseph LeBaron, of Oregon, to be Ambassador to the Islamic Republic of Mauritania, Gregory W. Engle, of Colorado, to be Ambassador to the Togolese Republic, Wayne E. Neill, of Nevada, to be Ambassador to the Republic of Benin, and Helen R. Meagher La Lime, of Florida, to be Ambassador to the Republic of Mozambique, 3 p.m., SD–419.

April 9, Full Committee, to hold hearings to examine the nominations of Heather M. Hodges, of Ohio, to be Ambassador to the Republic of Moldova, Eric S. Edelman, of Virginia, to be Ambassador to the Republic of Turkey, Ralph Frank, of Washington, to be Ambassador to the Republic of Croatia, Reno L. Harnish, of California, to be Ambassador to the Republic of Azerbaijan, and Stephen D. Mull, of Virginia, to be Ambassador to the Republic of Lithuania, 4:30 p.m., SD–419.

Committee on Governmental Affairs: April 8, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Subcommittee on Civil Service and Agency Organization to examine the federal government's strategic human capital management and consider pending legislation on the federal workforce, 9:30 a.m., SD–342.

April 9, Full Committee, to hold hearings to examine Homeland Security, 9:30 a.m., SD–342.

April 10, Full Committee, to hold hearings to examine the nomination of Peter Eide, of Maryland, to be General Counsel of the Federal Labor Relations Authority, 9:30 a.m., SD–342.

April 10, Full Committee, to hold hearings to examine prosecuting Iraqi war crimes, 12 noon, SD–342.

Committee on Health, Education, Labor, and Pensions: April 8, to hold hearings to examine proposed legislation authorizing funds for programs of the Mammography Quality Standards Act, focusing on patient access to quality health care, 10 a.m., SD–430.

April 9, Full Committee, business meeting to consider proposed legislation entitled ''The Improved Vaccine Affordability and Availability Act'' and pending nominations, 10 a.m., SD–430.

April 9, Full Committee, to hold hearings to examine the Severe Acute Respiratory Syndrome Threat, 1:30 p.m., SD–430.

April 10, Full Committee, to hold hearings to examine the teaching of American history and civics in the classroom, 9 a.m., SD–430.

Committee on the Judiciary: April 8, to hold hearings to examine S.J.Res.1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, 10 a.m., SD–226.

Committee on Rules and Administration: April 8, to hold oversight hearings to examine the operations of the Sergeant at Arms, the Library of Congress and the Congressional Research Service, 9:30 a.m., SR–301.

House Chamber

To be announced.

House Committees

Committee on Agriculture, April 10, Subcommittee on General Farm Commodities and Risk Management, hearing on implementation of the 2002 Farm bill and 2003 Agriculture Assistance, 10 a.m., 1300 Longworth.

Committee on Appropriations, April 8, Subcommittee on Homeland Security, on Special Security Events, 2 p.m., 2359 Rayburn.

April 8, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, to continue on NIH, 2 p.m., 2358 Rayburn.

April 8, Subcommittee on Transportation and Treasury, and Independent Agencies, on Secretary of Transportation, 10 a.m., 2358 Rayburn.

April 8, Subcommittee on VA, HUD and Independent Agencies, on NASA, 9:30 a.m., 2359 Rayburn.

April 9, Subcommittee on Commerce, Justice, State and the Judiciary, and Related Agencies, on Supreme Court 10 a.m., and on FTC, 2 p.m., H–309 Capitol.

April 9, Subcommittee on District of Columbia, on Court Services and Offender Supervision Agency, 10 a.m., 2362A Rayburn.

April 9, Subcommittee on Foreign Operations, Export Financing and Related Programs, on AID, 2 p.m., 2359 Rayburn.

April 9, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Bioterrorism, 10:15 a.m., 2358 Rayburn.

April 9, Subcommittee on Legislative, on House of Representative, 2 p.m., on GAO, 3 p.m., on CBO, 4 p.m., on GPO, 4:30 p.m., and on Library of Congress, 5:30 p.m., H–144 Capitol.

April 9, Subcommittee on Transportation and Treasury, and Independent Agencies, on National Youth Anti-Drug Media Campaign, 10 a.m., and on FAA Personnel Costs and Management, 2 p.m., 2358 Rayburn.

April 9, Subcommittee on VA, HUD, and Independent Agencies, on public witnesses, 9:30 a.m., and 1:30 p.m., H–143 Capitol.

April 10, Subcommittee on Commerce, Justice, State and the Judiciary and Related Agencies, on Members of Congress, 10 a.m., H–309 Capitol.

April 10, Subcommittee on Homeland Security, on Science and Technology, 10 a.m., and on U.S. Coast Guard, 2 p.m., 2359 Rayburn.

April 10, Subcommittee on Labor, Health and Human Services and Related Agencies, on Secretary of Labor, 10:15 a.m., 2358 Rayburn.

April 10, Subcommittee on Transportation and Treasury and Independent Agencies, on Passenger Rail (Panel), 10 a.m., 2358 Rayburn.

April 10, Subcommittee on VA, HUD and Independent Agencies, on NSF, 10 a.m., H–143 Capitol.

Committee on Education and the Workforce, April 8, Subcommittee on Employer-Employee Relations, to mark up H.R. 660, Small Business Health Fairness Act of 2003, 11 a.m., 2175 Rayburn.

April 9, full Committee, to mark up H.R. 1350, Improving Education Results for Children With Disabilities Act of 2003, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 8, Subcommittee on Health, hearing entitled ''Designing a Twenty-First Medicare Prescription Drug Benefit,'' 10 a.m., 2123 Rayburn.

April 9, Subcommittee on Health, hearing entitled ''Strengthening and Improving Medicare,'' 10 a.m., 2322 Rayburn.

April 9, Subcommittee on Telecommunications and the Internet, to mark up H.R. 1320, Commercial Spectrum Enhancement Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, April 8. Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 1474, Check Clearing for the 21st Century Act, 10 a.m., 2128 Rayburn.

April 8, Subcommittee on Housing and Community Opportunity, hearing entitled ''Promoting the American Dream of Homeownership through Down Payment Assistance,'' 2 p.m., 2128 Rayburn.

Committee on Government Reform, April 7, Subcommittee on National Security, Emerging Threats, and International Relations, hearing on ''The President's Management Agenda: Rightsizing the U.S. Presence Abroad,'' 1 p.m., 2154 Rayburn.

April 8, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing entitled ''ONDCP Reauthorization: The High-Intensity Drug Trafficking Areas Program and CTAC,'' 10 a.m., 2154 Rayburn.

April 8, Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, hearing on ''California's Electricity Market: Refunds and Reform,'' 2 p.m., 2154 Rayburn.

April 8, Subcommittee on Government Efficiency and Financial Management, oversight hearing entitled ''The Consolidated Financial Statements of the Federal Government for Fiscal Year 2002,'' 10:30 a.m., 2203 Rayburn.

April 8, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing entitled ''Cyber Security: The Challenges Facing Our Nation In Critical Infrastructure Protection,'' 9:30 a.m., 2247 Rayburn.

April 9, full Committee, to consider immunity for William Bulger and Francis Salemme; followed by a hearing on ''The SARS Threat: Is the Nation's Public Health Network Prepared for a Possible Epidemic,'' 10 a.m., 2154 Rayburn.

April 10, hearing entitled ''Are We Ready for Prime Time? Assessing the State of Emergency Readiness in the Nation's Capital,'' 10 a.m., 2154 Rayburn.

Committee on International Relations, April 10, Subcommittee on Europe, hearing on The Balkans: Assessing the Progress and Looking to the Future, 1:30 p.m., 2172 Rayburn.

Committee on Resources, April 8, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 272, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries; H.R. 437, Coltsville Study Act of 2003; and H.R. 1113, to authorize an exchange of land at Fort Frederica National Monument, 2 p.m., 1334 Longworth.

April 10, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on H.R. 1497, Sikes Act Reauthorization Act of 2003, 10 a.m., 1324 Longworth.

April 10, Subcommittee on Water and Power, oversight hearing on CALFED's Cross-cut Budget, 10 a.m., 1334 Longworth.

Committee on Science, April 9, hearing on The Societal Implications of Nanotechnology, 10 a.m., 2318 Rayburn.

April 10, Subcommittee on Environment, Technology, and Standards, hearing on Transportation Research and Development: Investing in the Future, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 8, Subcommittee on Rural Enterprise, Agriculture and Technology, hearing on Litigating the Americans with Disability Act, focusing on H.R. 728, ADA Notification Act, 2 p.m., 2360 Rayburn.

April 9, full Committee, hearing entitled ''Will We Have An Economic Recovery Without a Strong U.S. Manufacturing Base?'' 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 8, Subcommittee on Water Resources and Environment, hearing on EPA Grants Management: Persistent Problems and Proposed Solutions, 2 p.m., 2167 Rayburn.

April 9, Subcommittee on Aviation, hearing on Reauthorization of the Federal Aviation Administration and The Aviation Programs: General Aviation, 2 p.m., 2167 Rayburn.

April 9, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on Regional economic development authority issues relating to reauthorization of the Economic Development Administration, 2 p.m., 2253 Rayburn.

April 10, Subcommittee on Coast Guard and Maritime Transportation, hearing on the Coast Guard's Consolidation of District Offices, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 9, Subcommittee on Benefits and the Subcommittee on 21st Century Competitiveness of the Committee on Education and the Workforce, joint hearing on the Troops to Teachers Program, 2 p.m., 334 Cannon.

April 10, Subcommittee on Benefits, hearing on the following bills: H.R. 241, Veterans Beneficiary Fairness Act of 2003; H.R. 533, Agent Orange Veterans' Disabled Children's Benefits Act of 2003; H.R. 761, Disabled Servicemembers Adapted Housing Assistance Act of 2003; H.R. 850, Former Prisoners of War Special Compensation Act of 2003; H.R. 966, Disabled Veterans' Return-to-Work Act of 2003; and H.R. 1048, Disabled Veterans Adaptive Benefits Improvement Act of 2003; 9:30 a.m., 334 Cannon.

April 10, Subcommittee on Health, oversight hearing on medical and prosthetic research programs in the Department of Veterans Affairs, 1 p.m., 334 Cannon.

April 10, Subcommittee on Oversight and Investigations, hearing on VA's progress in the development of the medical education program mandated by Section 3 of the Department of Veterans Affairs Emergency Preparedness Act of 2002, 10 a.m., 340 Cannon.

Committee on Ways and Means, April 8, Subcommittee on Human Resources, hearing to examine implementation of the Adoption and Safe Families Act of 1997, 3 p.m., B–318 Rayburn.

April 8, Subcommittee on Oversight, hearing on the 2003 tax return filing season and IRS budget for fiscal year 2004, 9 a.m., 1100 Longworth.

April 9, full Committee, hearing on modernizing Medicare and integrating prescription drugs into the program, 10:30 a.m., 1100 Longworth.

April 10, Subcommittee on Human Resources, hearing on the Nation's Unemployment program and the effect of benefits on recipients' returns to work, 10 a.m., B–318 Rayburn.

Joint Meetings

Joint Meetings: April 8, Senate Committee on Governmental Affairs, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold joint hearings with the House Subcommittee on Civil Service and Agency Organization to examine the federal government's strategic human capital management and consider pending legislation on the federal workforce, 9:30 a.m., SD–342.

Joint Economic Committee: April 10, to hold hearings to examine Medicare's financial crisis, focusing on the long-term financial viability of the program, proposals to add a prescription drug benefit and other reforms, 10 a.m., SD–562.

Next Meeting of the SENATE

3 p.m., Monday, April 7

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 5 p.m.), Senate will consider and vote on the nominations of Cormac J. Carney, to be United States District Judge for the Central District of California.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, April 7

House Chamber

Program for Monday: Consideration of Suspensions.

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