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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ISSA).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 9, 2003.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1308. An act to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 1308) ''An Act to amend the Internal Revenue Code of 1986 to end certain abusive tax practices, to provide tax relief and simplification, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GRASSLEY, Mr. NICKLES, Mr. LOTT, Mr. BAUCUS, and Mrs. LINCOLN, to be the conferees on the part of the Senate.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

HONORING PRESIDENT CHEN OF TAIWAN

Mr. STEARNS. Mr. Speaker, I would like to take this opportunity to congratulate Chen Shui-bian, president of Taiwan, on his third anniversary in office. On March 18, 2000, Mr. Chen Shui-bian and Ms. Annette Lu were elected as the 10th-term president and vice president of the Republic of China.

With their inauguration on May 20, 2000, the peaceful transfer of presidential power to another political party is a profound reminder to all of us that the democratic process is rapidly maturing in Taiwan. In fact, it is an outstanding example for developing democracies around the world, as well as in the Chinese mainland.

Mr. Chen's story is one that is often heard in America, but it is an extraordinary one considering the political climate in Taiwan at the time he was born. He was born in 1950, but because he was a sickly child and not expected to live, his family did not officially register his birth until 1951. He was born to a tenant farmer family in rural Taiwan; but despite serious poverty, his family encouraged their son to pursue a brighter future. So important was education to him and his family that the family borrowed money to help pay for his schooling. He excelled academically all through grade school and finally into law school where he first developed his deep passion for true democracy in Taiwan.

Now, in 1980, there was an incident. It was called the ''Kaohsiung Incident,'' and what happened is it resulted in the arrests of many activists after a mass demonstration turned violent with hundreds injured. Now, the defendants were sent for trial under martial law. The arrests and trials clearly articulated a need for changes in the government and focused world attention on the political situation in Taiwan.

Mr. Chen used his legal skills to defend their right to protest an authoritarian government. For his service, he was imprisoned for 8 months.

President Chen has served as a Taipei city council member and, of course, as the mayor of Taipei and in the legislative Yuan. Now, all of these experiences helped him to govern Taiwan in a way in which I think will prioritize peace and security without relinquishing democratic principles.

He has continuously expressed his good will to the Chinese mainland and opened the possibility of holding a dialogue and conducting cooperation, under the premise of maintaining Taiwan's sovereignty, its dignity and security.

Taiwan and the United States have enjoyed a close relationship with each other for almost 50 years. It is a politically, economically, and culturally rich association for both. In fact, despite its size, Taiwan is our eighth largest trading partner, and we are Taiwan's largest trading partner. For this and other reasons, the United States must unabashedly stand behind the Taiwan Relations Act, which will communicate our resolve for a peaceful resolution in Taiwan.

Taiwan also deserves our congratulations on the recent accession to the World Trade Organization, though that is only the first step. We must support Taiwan's movement to gain membership in the International Civil Aviation Organization and especially observer status in the World Health Organization. The recent outbreak of SARS is a good demonstration of what Secretary

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of State Colin Powell said recently: ''Infectious disease knows no borders and requires an effective and coordinated response at local, national, and international levels.''

Taiwan is a part of the world that has been impacted by SARS and needs to play its proper role in preventing the spread of the disease.

For this reason, Mr. Speaker, it is clear that Taiwan deserves active participation in the World Health Organization. We must lend Taiwan support of Taiwan's democracy at home in its campaign to join international organizations abroad.

Taiwan is a reliable ally of the United States. Taiwan stood with us shoulder to shoulder right after 9–11 and has given us support with our war in Iraq and promised humanitarian aid to support postwar Iraq.

Mr. Speaker, I had the privilege of meeting with President Chen and was impressed with his vision and commitment to the continual democratization of Taiwan. I want to congratulate him on his past accomplishments and wish him continued success.

JOBS AND ECONOMIC GROWTH PACKAGE HELPS MARRIED COUPLES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, I would really like today to take a few minutes to celebrate the enactment into law of the Jobs and Economic Growth Package legislation that was passed by a majority of this House and a majority of the Senate and signed into law just 2 weeks ago, legislation that will help every Federal income tax payer. It will help revitalize our economy. It takes the approach that if you put extra money in the pocketbooks of consumers, they will have more money to spend to meet their families' needs and also to give incentives to businesses to invest. It will create jobs.

One of the benefits of this package is it not only helps everybody who pays Federal income taxes, but also 3 million low-income families who 2 weeks ago paid income taxes will no longer be required to pay income taxes because we lowered the rate so they no longer have to pay Federal income taxes benefiting 3 million low-income taxpayers.

I would like to focus on one provision that was a key and central part of the Jobs and Economic Growth Package and is really a provision that not only put extra money in the pocketbooks of families, but it also brought fairness now, fairness this year to the Tax Code, and that is the provision which wipes out the marriage tax penalty this year for 42 million married working couples. As one of those who has raised this issue over the last several years, I congratulate President Bush for signing this legislation into law. It is really an issue of fairness. Is it right, is it fair that under our Tax Code 42 million married working couples on average paid $1,700 more in higher taxes just because they were married?

Think about that. Husband and wife, they are both in the workforce, they file their taxes jointly when they are married; and because of that, our Tax Code previously pushed them into a higher tax bracket and required them on average to pay $1,700 more. If you think about it, that is a lot of money.

Take Jose and Magdalena Castillo of Joliet, Illinois. A working family in Joliet. They work hard. They have two children, Eduardo and Carolina. They are construction workers. For this family, for Jose and Magdalena Castillo, their marriage tax penalty was about $1,450. Now here in Washington, for some that is chump change; and they would rather spend the Castillos' income here in Washington rather than allow the Castillo family to keep more of what they earn to meet their needs.

If you think about it, $1,450, that is a semester's worth of tuition at Joliet Junior College. It is several months of day care for Eduardo and Carolina while mom and dad are at work. It is several months' worth of car payments. It is a mortgage payment or two for the average family in Joliet, Illinois. So by eliminating the marriage tax penalty, we really help the Castillo family.

So I want to thank the President for signing into law the Jobs and Economic Growth Package because as a result of the President signing the Jobs and Economic Growth Package into law, 42 million married working couples like Jose and Magdalena Castillo of Joliet, Illinois, they no longer pay the marriage tax penalty this year.

We help married couples in two ways. There are two kind of taxpayers. Those who itemize and those who do not itemize. If you own a home, if you donate to your church or charity or synagogue, you probably itemize. And the way we benefit those who are married and are both in the workforce and who have suffered the marriage tax penalty before is we widen the 15 percent tax bracket so that a two-earner couple, a married couple, could earn twice as much as one single person. And by earning twice as much, they would still stay in that 15 percent tax bracket. So we essentially eliminate the marriage tax penalty for 42 million couples.

For those who do not itemize, we have doubled the standard deductions. If you do not itemize, you use the standard deduction; and we make the standard deduction twice that for joint filers, for married couples. Twice the size of a single filer's standard deduction.

The bottom line is, we eliminate the marriage tax penalty for 42 million married working couples. Whether they itemize their taxes or whether they do not itemize their taxes, we eliminate their marriage tax penalty. And for a married couple like Jose and Magdalena Castillo, who like 42 million other married couples across this country suffer the marriage tax penalty, they will have extra money that really, rightfully should be theirs. The Castillo family should not have to pay higher taxes just because they chose to get married. It is not right. It is not fair. And really it punishes society's most basic institution, to punish marriage.

I want to thank the President. I want to thank the majority of this Congress for passing the Jobs and Economic Growth Package. And we should be celebrating the fact that 42 million married working couples will see their marriage penalty tax eliminated this year.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 44 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEARNS) at 2 p.m.

PRAYER

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

After Moses, Your servant, died, Lord, You spoke again to Joshua and You speak to Your people even today. ''I will be with you, as I was with Moses. I will not leave you, nor forsake you.''

Relying on Your Word, we seek Your companionship today. Lord, be present to us in the House of Representatives. Guide the Members in right judgment, that they may respond in the very best ways to the deepest needs of Your people. Make them bold in goodness and practical in service.

Because You have laid upon their shoulders the burden of power, just as You did to Joshua, sustain them also in virtue and fashion them as good leaders of the American people. Confirm within them a sense of direction that will bring this Nation to an exploration of the future which will bring You glory, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. TURNER)

come forward and lead the House in the Pledge of Allegiance.

Mr. TURNER of Ohio 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

WALT DISNEY POST OFFICE BUILDING

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1610) to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the ''Walt Disney Post Office Building''.

The Clerk read as follows:

H.R. 1610

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

SECTION 1. WALT DISNEY POST OFFICE BUILDING.

(a) REDESIGNATION.—The facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, and known as the Marceline Main Office, shall be known and designated as the ''Walt Disney Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Walt Disney Post Office Building.

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

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

GENERAL LEAVE

Mr. TURNER of Ohio. 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. 1610.

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

There was no objection.

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

Mr. Speaker, H.R. 1610, introduced by my distinguished colleague, the gentleman from Missouri (Mr. GRAVES), redesignates the facility of the United States Postal Service located at East Ritchie Avenue in Marceline, Missouri, as the Walt Disney Post Office Building. The entire delegation from the State of Missouri has cosponsored this legislation.

Mr. Speaker, this legislation honors the great pioneer of animation and entertainment, Walt Disney. From Mickey Mouse to Donald Duck, from Snow White and the Seven Dwarfs to ''Finding Nemo,'' and from Disney World to Disneyland, and, yes, even Euro Disney, what other name is more synonymous with family entertainment than Disney?

Born in Chicago, Illinois, on December 5, 1901, Walter Elias Disney transformed the initially struggling motion picture industry into the producer of the preeminent modern American art form. The list of Disney's classic animated films reads like an all-time favorites list of kids everywhere: ''Cinderella,'' ''Pinocchio,'' ''Bambi,'' ''Alice in Wonderland,'' ''Beauty and the Beast,'' ''Dumbo,'' ''101 Dalmations,'' ''The Jungle Book,'' ''Aladdin,'' and ''The Lion King.''

The corporation founded by Walt Disney also has succeeded in appealing to a new generation of animated movie lovers with recent hits such as ''Toy Story,'' ''Pocahontas,'' ''The Hunchback of Notre Dame,'' ''Mulan,'' ''Monsters Inc.,'' ''The Emperor's New Groove.'' And, finally, one cannot forget such timeless live-action films like ''20,000 Leagues Under the Sea,'' ''Swiss Family Robinson,'' ''Treasure Island,'' ''Honey, I Shrunk the Kids,'' and ''The Santa Claus,'' to name a few.

Despite the American people's familiarity with him and his countless works, it may not be widely known that Walt Disney was a production pioneer as well. He invented the multiplane camera, which was a breakthrough in the movie production field. It created the illusion of depth that greatly improved the picture quality of his animated films. The three-dimensional effects offered by the multiplane camera were first seen in ''Snow White and the Seven Dwarfs,'' which premiered December 23, 1937, as the first full-length cartoon in history.

Mr. Speaker, Walt Disney died in 1966 following a battle with lung cancer; but clearly his legacy has been firmly established for years in the minds of young people throughout the world, and those slightly more grown up who remain young at heart. I regret that debate is limited to only 20 minutes on our side for consideration of this bill, because in that period of time one can only give the briefest overview to all of the achievements and impact of Walt Disney's outstanding life.

I urge all Members to vote in favor of H.R. 1610. I thank my colleague, the gentleman from Missouri, for introducing this important measure that honors a man whose creative genius continues to entertain children and adults throughout the world.

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

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

As a member of the House Committee on Government Reform, I am pleased to join my colleague, the gentleman from Ohio (Mr. TURNER), in the consideration of a measure which names a postal facility after Walt Disney. H.R. 1610, which was introduced by Representative SAM GRAVES on April 3, 2003, has met the committee policy and has been cosponsored by the entire Missouri congressional delegation.

Walt Disney was born on December 5, 1901. Shortly after his birth, his family moved to the peaceful town of Marceline, Missouri, where they lived in a small house on farmland owned by an uncle. It was during his boyhood years in Marceline that little Walt began to draw pictures. He continued to pursue his interests in art while attending McKinley High School in Chicago, Illinois. There he studied art, often selling his drawings to make extra money, and photography.

At the age of 16, Walt tried to enlist in the military. Unfortunately, he was too young, so he joined the Red Cross and spent time driving an ambulance. It was not until after the war that Walt began to use his artistic talent as an advertising cartoonist.

As a young man, Walt created his first animated cartoon and moved to Hollywood to create another first, an animated live-action film. From there, things continued to spiral up. Walt created three cartoons featuring a character he dreamed up, Mickey, as in Mickey Mouse. Walt Disney continued to make animated films, going on to create ''Snow White and the Seven Dwarfs,'' ''Pinocchio,'' ''Fantasia,'' ''Dumbo,'' and ''Bambi.'' Walt Disney went on to create theme parks and is a pioneer in animated film production. A long-time smoker, Walt Disney died of lung cancer on December 15, 1966.

Mr. Speaker, I commend my colleagues for seeking to memorialize Walt Disney by naming a postal facility in his hometown of Marceline, Missouri. By all accounts, Walt cherished the time he spent in the little house on the farm.

I want to say as a representative of Southern California, which is a place that we feel is very much part of Walt Disney's life, we have Disneyland, we have Disney Studios, we are soon going to have Disney Hall. We feel that it is only fair that we allow a post office to be named after him in the town in which he was raised.

I urge my colleagues to pass this legislation. I think it is another of many tributes that this country can hope to pay, but never completely repay, Walt Disney for the enormous contribution he has made to America and to the world.

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

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

Mr. Speaker, I only want to add that I have my daughters with me, Jessica, 11, and Carolyn, who is 8. Jessica, who is 11, says that her favorite Walt Disney movie is ''Pocahontas''; Carolyn

says that hers is ''Mulan.'' So certainly, looking at their favorites, it is in further support of this bill.

Mr. Speaker, I again want to thank the gentleman from Missouri for introducing this important legislation. I know he regrets that he was unable to be here today for the consideration of H.R. 1610. I urge all Members to support the adoption of this measure.

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

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

Mr. Speaker, I am pleased that the gentleman from Ohio (Mr. TURNER) has his children here with us today, especially in this tribute to Walt Disney, whose life and career meant so much to all children all over the world. It is a fitting tribute that we pay to him to name a postal facility after him in the town in which he was raised. I urge passage of the legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 1610.

The question was taken.

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

Mr. TURNER of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

HONORING DAYTON, OHIO, AND ITS MANY PARTNERS FOR HOSTING ''INVENTING FLIGHT: THE CENTENNIAL CELEBRATION''

Mr. TURNER of Ohio. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 162) honoring the City of Dayton, Ohio, and its many partners, for hosting ''Inventing Flight: The Centennial Celebration'', a celebration of the centennial of Wilbur and Orville Wright's first flight.

The Clerk read as follows:

H. CON. RES. 162

Whereas 2003 marks the centennial of Wilbur and Orville Wright's achievement of the first controlled, powered flight in history;

Whereas Wilbur and Orville Wright grew up and worked at a bicycle shop in Dayton, Ohio, where they developed, built, and refined the first successful, heavier-than-air, manned, powered aircraft;

Whereas the Wright brothers developed the world's first flying field, the world's first flying school, and the world's first airplane manufacturing company in the Dayton, Ohio area;

Whereas many legacies of the Wrights' inventiveness and creativity still exists in the region, including Wright-Patterson Air Force Base, the Dayton Aviation Heritage National Historical Park, the United States Air Force Museum, the National Aviation Hall of Fame, the Wright ''B'' Flyers, the Engineers Club of Dayton, among many others;

Whereas the city of Dayton, area communities, a number of civic groups, private businesses, government agencies, and military partners, are joining together to honor the Nation's aerospace achievements;

Whereas Dayton is considered the ''Birthplace of Aviation'' and the region will host ''Inventing Flight: The Centennial Celebration'', from July 3 through July 20, 2003, which will be the largest public centennial event in Ohio celebrating the first flight and one of only 4 events nationwide endorsed as a full partner by the United States Centennial of Flight Commission; and

Whereas the celebration will feature pavilions housing aviation displays, blimp and hot-air balloon races, dance and cultural performances, river shows, historical reenactments, an international air and space symposium, National Aviation Hall of Fame ceremonies, and a military and general aviation show at the Dayton International Airport: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors the city of Dayton, Ohio, and its many partners, for hosting ''Inventing Flight: The Centennial Celebration'', a celebration of the centennial of Wilbur and Orville Wright's first flight.

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

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

GENERAL LEAVE

Mr. TURNER of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 162.

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

There was no objection.

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

Mr. Speaker, House Concurrent Resolution 162 honors the City of Dayton, Ohio, and its many partners for hosting Inventing Flight: The Centennial Celebration, a celebration of the centennial of Wilbur and Orville Wright's first flight.

Mr. Speaker, it is my pleasure to speak on behalf of Concurrent Resolution 162 as an original cosponsor, along with every member in the Ohio delegation, in honoring the City of Dayton, Ohio, as they begin to celebrate 2003, Inventing Flight: The Centennial Celebration.

On December 17, 1903, Wilbur and Orville Wright launched man's first-ever sustained and controlled flight in a heavier-than-air engine-powered aircraft at Kill Devil Hill, near Kitty Hawk, North Carolina. Although the first flight lasted only 12 seconds and covered approximately 120 feet, this achievement changed the world forever.

The Wright Brothers had been fascinated by flight from an early age. The vision they shared of sweeping across the sky without boundaries, limits or rules, led to countless hours of imagination, experiments, and pure hard work. Their lives centered around the possibility of flight.

Together they opened a bicycle shop in Dayton, Ohio, in 1892. Upon seeing the countless bicycle shops already in existence during the newly industrialized America, they began to believe in the ability of flight.

The lonely hours and late nights spent at drafting tables and workshops in Dayton fueled the brothers' obsession with making their dream a reality. With every failed trial came a new way of thinking. With every small success, they were a step closer to their vision.

In 1899, they began building kites and gliders to test the theories that had been so diligently part of their work. Eventually, they met with success and began building their own plane. They built their first plane in Dayton, Ohio, and took it to Kitty Hawk to fly it in the coastal winds of North Carolina.

□ 1415

Remarkably, a mere 11 years after the Wright Brothers opened their bicycle shop in Dayton, the first successful flight was completed.

After watching the brothers in flight, an Ohio merchant remarked, ''Imagine a locomotive that has left its track and is climbing up in the air without any wheels, but with white wings instead, and you have something like what I saw.''

In a telegram sent by the Wright Brothers from Kitty Hawk, North Carolina to their father, Reverend Milton Wright, on December 17, 1903, they said, ''Success. Four flights Thursday morning. All against 21-mile wind. Started from level with engine power alone. Average speed through air, 31 miles. Longest, 59 seconds. Inform press. Home Christmas.''

Success, their achievement, changed our world, making it smaller and bringing us all closer together. The super highways of the sky have united families, cultures, and encouraged the spread of ideas across the world. The achievement of flight, through the determination and innovation of the Wright Brothers, changed the world forever on a winter day in 1903.

Upon achieving their first flight, the Wright Brothers returned to Dayton, Ohio where they continued to study aerodynamics and perfected flight. The location where they learned to sustain flight and, most importantly, to turn the aircraft is today the location of Wright Patterson Air Force Base where the Air Force continues to perfect flight and advance our advantage in aerodynamics and composite structures for airplanes.

In his youth, Wilbur Wright was afflicted with the belief that flight is possible. Together the brothers were

crazy enough to believe that they, two men from Ohio, the heartland of America, could change the world with the achievement of flight. It is our great good fortune in their youth their hearts were touched with fire.

Leonardo DaVinci envisioned a flying machine that would be carried upward and freely roam the skies in search of adventure, new places, and far-away cultures. The Wright Brothers applied their knowledge of mechanics and motion to achieve their collective dream. Today, flight remains as magical and awe-inspiring as it did when DaVinci dreamed of flying and the Wright Brothers first took to the skies.

In honor of the Wright Brothers' flight, Dayton, Ohio invites the Nation to a celebration of the first century of powered flight with the Inventing Flight Celebration, a 17-day event starting on July 3 and ending on July 20 with the Dayton Air Show. Some of the groups performing include the U.S. Navy's Blue Angels, the U.S. Air Force Thunderbirds, and the Canadian Forces Snow Birds. This once-in-a-lifetime show will be of Olympic proportions, complete with fireworks, blimp races, acrobatic air maneuvers, special guest speakers, children's centers, and orbit zones. Attendees can enjoy the Wright Brothers National Park, which includes the original and first airplane of the Wright Brothers that was capable of sustaining flight; the United States Air Force Museum, which hosts over 1 million visitors a year; and the National Aviation Hall of Fame, which chronicles the accomplishments of our aviation history.

In closing, let me thank the members of the Ohio congressional delegation for joining me in sponsoring this legislation. I also want to thank the people of Dayton, Wright Patterson Air Force Base, and the surrounding communities for their enthusiastic support of the Inventing Flight Centennial celebration. I would also invite all Members of Congress and their families and their staffs to come to Dayton, Ohio with us to celebrate one of the world's most remarkable achievements: flight. Mr. Speaker, I urge passage of this resolution.

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

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

I want to commend the gentleman from Ohio for introducing this resolution commemorating the work of Wilbur and Orville Wright, who manned the first successful, controlled, and sustained power flight, and to signal that at this time we are going to celebrate, with a Festival of Flight in Dayton, Ohio, their accomplishments. It is fitting on the day that we commemorate Walt Disney for his flight of fancy that we also have the Festival of Flight for the Wright Brothers as part of the agenda on the schedule for today, as our rhetoric soars as well and flies ever higher in salute of great Americans.

In October of 1998, this body passed a bill to establish the commemoration of the centennial of powered flight and the achievements of the Wright Brothers. The commemoration activities set forth in that bill will come to fruition this year with the Festival of Flight. The festival will consist of four events that will be held nationwide to celebrate the first flight of the Wright Brothers.

The Wright Brothers originally had a bicycle store in Dayton, Ohio. They later moved to Kitty Hawk, North Carolina for the hills, strong and steady winds, and the soft, sandy ground, all ingredients for successful flight. They went back to Dayton and built a 6-foot wind tunnel to conduct experiments with over 200 different wing models. They developed the first reliable tables on the effects of air pressure on curved surfaces, the principles that we use today and that we see on every airplane. In 1903, the Wright Brothers completed the construction of a larger plane, powered by their own lightweight gas-powered engine, and returned to Kitty Hawk on December 17, 1903. Four men and a boy witnessed the first flight, a flight which dramatically changed the course of transportation, commerce, communication, and warfare throughout the world.

I hope that the Festival of Flight will educate Americans to the achievement of the Wright Brothers and their contributions to the development of this Nation. I want to join my colleague in urging all of the Members to support this resolution.

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

Mr. TURNER of Ohio. Mr. Speaker, I want to thank the distinguished ranking member of the Committee on Government Reform for being here for the consideration of this legislation, and I again invite everyone to come to the Wright Dunbar National Park, the United States Air Force Museum, and the National Aviation Hall of Fame as part of the celebration in Dayton.

I have no other speakers. Again, I urge all of the Members to support the adoption of House Concurrent Resolution 162.

Mr. HOBSON. Mr. Speaker, I rise in support of this resolution to honor the city of Dayton, Ohio, and its many partners, for hosting "Investing Flight: The Centennial Celebration," commemorating the 100th Anniversary of Wilbur and Orville Wright's first flight.

It is with great excitement that the U.S. House of Representatives is considering this resolution. It is rare that the United States, or the entire world for that matter, can come together in celebration of one truly historic and life changing event. This event occurred 100 years ago on December 17th, and lasted for an unprecedented 12 seconds. During those 12 seconds, Wilbur Wright sustained the first controlled, powered flight in history.

Events are already in full swing for the Centennial of Flight. The new Huffman Prairie Interpretive Center at Wright-Patterson Air Force Base is now open to visitors, the flying replica of the Wright Brothers original aircraft is making its first flights, and with the support of Congress, the Dayton Aviation Heritage National Historic Park is ready to receive thousands of enthusiastic visitors.

The year promises to hold many special events that will bring national attention and provide a fitting tribute to the aviation pioneers of Ohio. North Carolina can claim the location of the first flight by the Wright Brothers, but it is their hometown that saw the laborious construction and endless testing that are required to allow it to take to the sky.

Best of all will be the main event. I encourage all of you to mark your calendars for July 3 as we begin the festivities to celebrate this great achievement in human history. The entire event will last from July 3 to July 20, 2003, and will be the largest public centennial event in Ohio celebrating the first flight. Additionally, it will be one of only 4 events nationwide endorsed as a full partner by the United States Centennial of Flight Commission.

From the Wright Brothers to today's cutting edge aerospace research at Wright-Patterson Air Force Base, Dayton has a rich aviation tradition that will be evident to all of this year's activities and commemorative events. One cannot help but ponder what the next 100 years will hold for flight, but I am certain that Ohio will continue to play a major role in our ongoing quest to push the limits of air and space flight.

As an Ohioan, I am proud to reside in the same state as the two brothers whose invention changed the world.

Mr. Speaker, I join today with my colleagues, aviation enthusiasts, and people across the country in support of this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, in October 1998, this body passed a bill to establish a commemoration of the centennial of powered flight and the achievements of the Wright brothers.

The commemoration activities set forth in that bill will come to fruition this year with the Festival of Flight. The Festival of Flight will consist of four events that will be held nationwide to celebrate Wilbur and Orville Wright's first flight.

Wilbur and Orville Wright manned the first successful controlled and sustained powered flight. The Wright brothers, originally bicycle store owners from Dayton, Ohio, moved to Kitty Hawk, North Carolina for the hills, strong and steady winds, and the soft-sanded ground—ingredients for successful flight.

They went back to Dayton and build a six-foot wind tunnel to conduct experiments with over 200 different wing models. They developed the first reliable tables on the effects of air pressure on curved surfaces, the principles that we use today and that you see on every airplane.

In 1903, the Wright brothers completed the construction of a larger plan powered by their own lightweight gas-powered engine and returned to Kitty Hawk. On December 17, 1903, four men and a boy witnessed the first flight—a flight which dramatically changed the course of transportation, commerce, communication, and warfare throughout the world.

I hope that the Festival of Flight will educate Americans to the achievements of the Wright brothers and their contributions to the development of this nation.

I urge my colleagues to support this resolution.

Mr. BOEHNER. Mr. Speaker, I rise today in strong support of H. Con. Res. 162, honoring the City of Dayton, Ohio for its Inventing Flight celebration commemorating the 100th anniversary of powered flight.

In addition to commending Dayton's efforts this year, efforts which actually began back in 1989, we would be remiss if we neglected to pay tribute to the dedication Dayton, the Miami Valley community, and the military and civilian personnel at Wright Patterson Air Force Base have shown in both preserving Wilbur and Orville Wright's legacy and advancing the dream of human flight.

One hundred years ago, the Wright Brothers made Ohio the ''Birthplace of Aviation.'' It was in their bicycle shop in Dayton, now part of the Aviation Heritage National Historical Park, that the Wright Brothers researched and designed the first successful, heavier-than-air, manned, powered aircraft. It was there in Dayton, on the Huffman Flying Prairie, where the brothers learned to fly—where they learned to control and maneuver their aircraft.

Today, the tradition of the Wright Brothers lives on in the Dayton community. Engineers, scientists, and inventors continue to research, develop, and test the latest advances in airpower at the Wright Patterson Air Force laboratories. At the Air Force Institute of Technology, they learn the technical skills to build the aircraft of the future. At the United States Air Force Museum, three hangars attest to the commitment the community has to preserve the history of the Air Force and its contributions to the advancement of powered flight.

July 3, 2003 marks the beginning of the month-long Inventing Flight activities, transforming Dayton into an international hub of aviation entertainment. The Centennial Celebration, the largest public centennial event in Ohio celebrating the first powered flight, is one of only four nationwide events endorsed as a full partner by the United States Centennial of Flight Commission. The Centennial Celebration includes the Dayton Air Show at the Dayton International Airport. This year's show will include an unprecedented joint appearance by all three North American jet demonstration teams: the Air Force Thunderbirds, the Navy Blue Angels, and the Canadian Forces Snowbirds.

I am proud to represent communities working so tirelessly to preserve and promote powered fight, a community where the Wright Brothers lived, dreamed, invented, and perfected man's first powered aircraft. In Dayton, the legacy of aviation is celebrated for its critical contributions to the economy, to business and personal travel, and to our military. I salute Dayton' legacy and extend an invitation to everyone throughout our country to visit this city and all of the Southwest Ohio and to join the celebration where Imagination Takes Flight.

Mr. GILLMOR. Mr. Speaker, today, I rise in support of H. Con. Res. 162, a resolution honoring the City of Dayton, Ohio for its celebration of Wilbur and Orville Wright's first flight in 1902. This important resolution is supported by the entire Ohio delegation.

From military aircraft to NASA shuttles, these brothers are responsible for the foundation of the modern aviation industry and they deserve our gratitude. In their hometown of Dayton, the brothers worked in a bicycle shop, which would become their aviation laboratory. Although they were not the first to conceive a fixed-wing aircraft, their tinkering eventually led them to design the first craft that could be controlled. Aircraft, robots and even submarines rely upon the principles the brothers developed to control yaw, pitch and roll. Their innovations have allowed our world to become connected by rapid air travel.

Today, the City of Dayton, and the State of Ohio, remain an important aviation center, with Wright-Patterson Air Force Base and NASA facilities Glenn and Plum Brook Station near my district.

I want to thank my colleague for introducing this important resolution and the City of Dayton.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 162.

The question was taken.

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

Mr. TURNER of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

BIRCH BAYH FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 763) to designate the Federal Building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the ''Birch Bayh Federal Building and United States Courthouse''.

The Clerk read as follows:

S. 763

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

SECTION 1. DESIGNATION OF BIRCH BAYH FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

The Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, shall be known and designated as the ''Birch Bayh Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Indiana (Ms. CARSON) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

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

Mr. Speaker, S. 763, which is identical to H.R. 1082 introduced by the gentlewoman from Indiana (Ms. CARSON), designates the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana as the ''Birch Bayh Federal Building and United States Courthouse.'' This bill has the bipartisan support of the entire Indiana delegation.

Senator Birch Bayh was born in Terre Haute, Indiana in 1928 to schoolteachers; and it is from them that he inherited an ethic of public service. Upon graduation from high school, Senator Bayh volunteered for and served in the United States Army from 1946 to 1948.

Upon his return, he attended and graduated from the Purdue University School of Agriculture at Lafayette in 1951. This education served him well, since throughout his long career, he always found time to work on and oversee the family farm, growing corn and soybeans for more than 4 decades.

Senator Bayh's political career began in 1954 when at the age of 26 he was elected to serve in the Indiana House of Representatives. While serving in that body, he served as Speaker in 1959 and as Democrat floor leader in 1957 and 1961. Despite these responsibilities, he also found time to attend and graduate from Indiana University School of Law in 1960 and was admitted to the bar in 1961.

In 1962, at the age of 34, Senator Bayh entered the United States Senate where he served three terms from 1963 to 1981. While in the Senate, he served as chairman of the Senate Select Committee on Intelligence, worked with the CIA, the National Security Agency, and the FBI. He also was a member of the Appropriations Subcommittee on Transportation, where he called for and funded efforts to build the District of Columbia's Metro subway system and to modernize the Amtrak rail system.

Senator Bayh is best known as chairman of the Constitution Subcommittee where he authored two amendments to the Constitution; the 25th amendment on Presidential and Vice Presidential succession, and the 26th amendment, which lowered the voting age from 21 to 18 years of age.

This is a fitting tribute to a dedicated public servant. I support this legislation and encourage my colleagues to do the same.

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

Ms. CARSON of Indiana. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from New Mexico.

Mr. Speaker, Senate bill 763 is a bill that designates the Federal Building and United States Courthouse in Indianapolis, Indiana as the Birch Bayh Federal Building and United States Courthouse. Our senior Senator from Indiana, Senator LUGAR, who heads the Foreign Relations Committee in the Senate, was so kind and gentle enough

to usher Senate bill 763 through the United States Senate. I had introduced the House version of this bill, H.R. 1082, which is cosponsored by the entire Indiana delegation.

Born to two schoolteachers in Shirkeyville, Indiana, but also call Terre Haute, Shirkeyville on January 22, 1928, he began his political career at the young age of 26 with his election to the Indiana House of Representatives in 1958. Having been a citizen of that State for many years, I grew to admire and respect the kind of leadership that the Senator displayed in the Indiana House of Representatives. Senator Bayh rose to become minority leader in 1957 and then went on to become Speaker of the House in 1959.

In 1962 he entered the United States Senate and distinguished himself on the Subcommittee on the Constitution of the Committee on the Judiciary. His expertise in constitutional law led him to author two amendments to the Constitution, the 25th amendment on Presidential and Vice Presidential successions which was ratified in 1967, and the 26th amendment lowering the voting age from 21 to 18 years of age, which was ratified in 1971. No lawmaker since the Founding Fathers has successfully authored two amendments to the United States Constitution.

In addition to his constitutional work, Senator Bayh wrote landmark legislation on behalf of women. He authored Title 9 of the Higher Education Act, which provided equal opportunities for women, students, and faculty. He also worked diligently on the Juvenile Justice Act and played an integral role in the passage of the landmark Civil Rights Act of 1964 and the Voting Rights Act of 1965.

At present, Senator Bayh is a partner in the Washington, D.C. law firm of Venable, Baetjer, Howard and Civiletti.

As a member of the Government Division's Legislative Group, he counsels corporate interests with business before all three branches of government, helping them to affect pending law, build coalitions, advance their causes, and to ensure that their voices and interests are considered in the public dialogue.

Senator Bayh also continues to work on behalf of his long-held passions of education, citizens' rights, and the fight against bias, bigotry, and racism in America. Senator Birch Bayh is respected and admired throughout the State of Indiana and the Nation as a man of dedication and unwavering principles.

□ 1430

This designation, Mr. Speaker, is a most fitting tribute to the outstanding career of a devoted and thoughtful and committed public servant.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of S. 763, a bill to designate the federal building located at 46 East Ohio St. in Indianapolis as the ''Birch Bayh Federal Building and United States Courthouse.'' This bill has strong bipartisan support and each member of the Indiana delegation is a cosponsor. The bill was also introduced during the last Congress, but unfortunately, it stalled at the end of the last term. I urge the 108th Congress to enact this legislation so that we may properly honor Birch Bayh.

Birch Bayh was born on January 22, 1928, in Terre Haute, Indiana. He attended public schools in Indiana and joined the Army in 1946. In 1954, he was elected to the Indiana House of Representatives where he served for eight years, including terms as Minority Leader and later, as Speaker of the House. He is a graduate of both Purdue University and the Indiana University School of Law.

In 1962, when he was only 34 years old, Birch Bayh was elected to the first of three terms in the U.S. Senate. Senator Bayh quickly became a leader on issues of education, equal rights, and Constitutional law. As Chairman of the Constitutional Subcommittee of the Senate Judiciary Committee, Senator Bayh authored two amendments to the Constitution: the 25th Amendment, which sets forth the order of Presidential succession, and the 26th Amendment, which lowers the voting age from 21 to 18 years of age. It should go without saying that authorship of two constitutional amendments is a remarkable achievement. In addition, Senator Bayh was a strong supporter of two landmark pieces of legislation—the 1964 Civil Rights Act and the 1965 Voting Rights Act. He was also highly instrumental in enacting the Juvenile Justice Act, which mandates the separation of juvenile offenders from adult prison populations.

Throughout his career, Senator Bayh was a strong champion for the rights of women, children, and minorities. He authored Title IX to the Higher Education Act, which ensures equal opportunities for women students and faculty in our Nation's schools. One result of this legislation is that women's sports teams have been given unprecedented opportunities to excel. To give just one example, the University of Minnesota-Duluth women's hockey team has excelled in the sport and has won the past three consecutive NCAA championships. It is proper that, as we honor Senator Bayh today, we should remember his commitment to equal opportunity and ensure that the Title IX funding mandates remain strong, especially in light of recent proposals to undercut this important piece of legislation.

Since leaving the Senate in the 1980s, Senator Bayh has continued his commitment to public service. He serves as a member of the William Fulbright Foreign Scholarship Board, National Institute Against Prejudice and Violence, and the University of Virginia's Miller Center Commission on Presidential Disability and the 25th Amendment.

I urge my colleagues to support S. 763 and to honor the contributions of Senator Birch Bayh to his home state of Indiana and to our Nation.

Mr. VISCLOSKY. Mr. Speaker, I first came to know Senator Birch Bayh following his election to the United States Senate in 1962, through my father, John Visclosky, the former Mayor of Gary, IN. My father has always had a deep respect and strong feelings towards Senator Bayh. Later, as a Member of Congress, I have always considered Senator Birch Bayh a friend and a mentor. As a citizen, I am grateful that he chose a life of public service.

We will forever be served by Senator Bayh through the two changes he authored to, what I consider one of the greatest documents ever written, the Constitution. Senator Bayh amended the document first by authoring the Twenty-Fifth Amendment, which created an orderly transition of power in the case of the death or disability of the President and a method of selecting a Vice President when a vacancy occurs in that office. Later, Senator Bayh authored the Twenty-Sixth Amendment, which lowered the voting age from 21 to 18 years old. To think of Birch Bayh improving this document not once but twice is breathtaking, but expected from such a unique person. The structure of the Constitution had not been so impacted by a single lawmaker since its creation by the founding fathers.

Throughout his career, Senator Bayh always remembered that he was working for the people, especially those who were never given a fair chance in life. Senator Bayh fought hard for those who wanted an honest days work at a living wage in order to support their families. For instance, he fought hard and was successful in obtaining crucial funding for a railroad track rehabilitation program that put thousands of unemployed workers back on the job, and improved our nation's infrastructure.

Senator Bayh is a person who developed every talent that God gave him to serve others and is a person of deep compassion and caring. He is also a person who never lost his perspective on life, is fun to be with, and who can always make you laugh. My father would describe Senator Bayh as a ''100 percent guy.'' I would too, and I congratulate him on this great honor.

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

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the Senate bill, S. 763.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 763.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 6:30 p.m.

Accordingly (at 2 o'clock and 31 minutes p.m.), the House stood in recess until approximately 6:30 p.m. today.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. OSE) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1610, by the yeas and nays;

H. Con. Res. 162, by the yeas and nays; and

S. 763, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

WALT DISNEY POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1610.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 1610, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 384, nays 0, not voting 50, as follows:

[Roll No. 249]

YEAS—384

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—50

Ackerman
Baird
Baker
Becerra
Berkley
Bishop (UT)
Brown (OH)
Brown, Corrine
Burr
Conyers
Cox
DeMint
Dingell
Eshoo
Fattah
Ford
Gallegly
Gephardt
Gilchrest
Greenwood
Grijalva
Gutierrez
Houghton
Istook
Janklow
Jenkins
Kennedy (RI)
Kilpatrick
Lantos
Larson (CT)
LaTourette
Lipinski
Mollohan
Nadler
Nethercutt
Pryce (OH)
Reyes
Rush
Sanders
Shimkus
Simpson
Smith (MI)
Smith (WA)
Stark
Sweeney
Taylor (NC)
Toomey
Towns
Weiner
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1851

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING DAYTON, OHIO, AND ITS MANY PARTNERS FOR HOSTING ''INVENTING FLIGHT: THE CENTENNIAL CELEBRATION''

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 162.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TURNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 162, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 3, not voting 53, as follows:

[Roll No. 250]

YEAS—378

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baldwin
Ballance
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Cole
Collins
Cooper
Costello
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom

Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—3

Ballenger
Coble
Hayes

NOT VOTING—53

Ackerman
Baird
Baker
Becerra
Berkley
Bishop (UT)
Brown (OH)
Brown, Corrine
Burns
Burr
Conyers
Cox
DeMint
Dingell
Eshoo
Fattah
Ford
Gallegly
Gephardt
Gilchrest
Greenwood
Grijalva
Gutierrez
Houghton
Istook
Janklow
Jenkins
Kennedy (RI)
Kilpatrick
Lantos
Larson (CT)
LaTourette
Lipinski
Mollohan
Nadler
Nethercutt
Pryce (OH)
Regula
Reyes
Rush
Sanders
Serrano
Shimkus
Simpson
Smith (MI)
Smith (WA)
Stark
Sweeney
Taylor (NC)
Toomey
Towns
Weiner
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1859

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BIRCH BAYH FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 763.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the Senate bill, S. 763, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 383, nays 0, not voting 51, as follows:

[Roll No. 251]

YEAS—383

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Larsen (WA)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson

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

NOT VOTING—51

Ackerman	Gallegly	Mollohan
Baird	Gephardt	Nadler
Baker	Gilchrest	Nethercutt
Becerra	Greenwood	Pryce (OH)
Berkley	Grijalva	Reyes
Bishop (UT)	Gutierrez	Rush
Brown (OH)	Herger	Shimkus
Brown, Corrine	Houghton	Simpson
Burr	Istook	Smith (MI)
Conyers	Jenkins	Smith (WA)
Cox	Kennedy (RI)	Stark
DeMint	Kilpatrick	Sweeney
Dingell	Lantos	Taylor (NC)
Eshoo	Larson (CT)	Toomey
Fattah	LaTourette	Towns
Feeney	Lewis (GA)	Weiner
Ford	Lipinski	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OSE) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1915

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DEMINT. Mr. Speaker, I was absent during rollcalls 249, 250, and 251. Had I been present, I would have voted ''yea'' on each of those rollcalls.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I regret that I could not be present today, Monday, June 9, 2003, to vote on rollcall vote Nos. 249, 250, and 251 due to a family medical emergency.

Had I been present, I would have voted: ''yea'' and rollcall vote No. 249 on H.R. 1610, to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, MO, as the ''Walt Disney Post Office Building''; ''yea'' on rollcall vote No. 250 on H. Con. Res. 162, honoring the city of Dayton, OH, and its many partners, for hosting ''Inventing Flight: The Centennial Celebration'', a celebration of the centennial of Wilbur and Orville Wright's first flight; and ''yea'' on rollcall vote No. 251 on S. 763, to designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, IN, as the ''Birch Bayh Federal Building and United States Courthouse.''

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, official business prevents me from being present for legislative business scheduled for today, Monday, June 9, 2003. Had I been present, I would have voted ''yea'' on the following rollcall votes: H.R. 1610, to redesignate the post office located in Marceline, MO as the ''Walt Disney Post Office Building,'' rollcall No. 249; H. Con. Res. 162, honoring the City of Dayton, OH for hosting ''Inventing Flight: The Centennial Celebration,'' rollcall No. 250; and S. 763, designating the ''Birch Bayh Federal Building and United States Courthouse,'' rollcall No. 251.

□ 1915

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2143, UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108–145) on the resolution (H. Res. 263) providing for consideration of the bill (H.R. 2143) to prevent the use of certain bank instruments for unlawful Internet gambling, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. OSE). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

BRINGING AMERICAN PHARMACEUTICAL PRICES DOWN TO COMPETITIVE LEVELS

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

Mr. GUTKNECHT. Mr. Speaker, once again I rise tonight to talk about the high cost of prescription drugs here in the United States, and especially the high cost relative to what the rest of the industrialized world pays for the same drugs.

I have told this story to many of my colleagues repeatedly about how about a month ago we went to Munich, Germany, and bought a list of 10 of the most commonly prescribed drugs in America. The total price tag for all 10 of those drugs compared to the average price here in the United States is about triple. It is more than double what we pay in the United States.

I have used the example of this drug, and this is the actual drug, Tamoxifen, one of the most popular, most effective anti-breast cancer drugs ever developed. The interesting thing is that the National Institutes of Health, using taxpayers dollars, paid for most of the research. What makes us even more upset is not just that the American taxpayer paid to develop the drug, but the difference now between what American consumers have to pay for this drug compared to the rest of the world.

This drug, for example, we bought at the Munich airport pharmacy for $59.05 American. To put that in context, this drug sells at pharmacies here in Washington, D.C., for $360. In other words, to round off the numbers, $60 in Germany, $360 in the United States. Worse than that, the American taxpayers paid for the research.

Like Will Rogers, though, all I know is what I read in the newspaper, and this weekend in The Washington Post there is a very compelling story. What it essentially says is it is not just Tamoxifen any more. In fact, let me just read for you from essentially what is a GAO study.

The headline is, ''U.S. Netted Little From Cancer Drug, GAO Reports.''

''The U.S. Government spent hundreds of millions of dollars to help develop Taxol, the best-selling cancer drug ever, but failed to get much money back on its investment, according to a government report issued yesterday.

''Drug maker Bristol-Myers Squibb earned $9 billion from Taxol, which has been used to treat 1 million cancer patients, but the National Institutes of Health received only $35 million in royalties, the Government Accounting Office found.''

Now, on top of that, Medicare has spent over $687 million on Taxol, so there are more taxpayer dollars going into Taxol.

Finally, the report says, and I am shortening it down to the bottom, but if you want a copy we will have this up on our Web site by sometime tomorrow afternoon, but the bottom line is the GAO, the investigative arm of Congress, said that the NIH spent $484 million in research on Taxol through 2002.

Mr. Speaker, we subsidize the pharmaceutical industry in three separate ways.

First of all, we subsidize it on all the money we spend on basic research. I am proud of the fact that here in Congress, the NIH, the National Science Foundation, even DOD, we will spend this year about 29 billion taxpayer dollars on various kinds of basic research. Much of that research goes to benefit the pharmaceutical industry. So we subsidize them through the basic research we pay for them.

Secondly, we subsidize them through the Tax Code. They receive very generous tax benefits for the research we do.

Finally, and what disturbs us the most, is we subsidize them in the prices we pay. Americans pay far more than the rest of the industrialized world for prescription drugs.

I believe Americans should pay their fair share. I think we should be willing to subsidize Sub-Saharan Africa, but I do not think we ought to have to subsidize the starving Swiss.

Americans deserve world-class drugs at world market prices. I hope Members will support my bill, which I hope to introduce later this week, to open up American markets to foreign competition to bring prices down to reasonable levels so that all Americans can afford them.

EXTENDING THE CHILD TAX CREDIT TO ALL CHILDREN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, once again, I rise to urge the Republican leadership of this House to bring legislation to the floor which would create the expansion of the child tax credit for many, many more families in America. Last week, many of us spoke on this floor urging the Congress to act, to act for America's children, to act for America's working families. The Senate has acted; and now the main obstacle, indeed the only obstacle to those children having the benefit of the tax credit, is the Republican leadership in the House.

Today, Senator DASCHLE, the distinguished minority leader in the Senate, and I sent a letter to the President thanking him for expressing his support for expanding the child tax credit. Unfortunately, again the Republican leadership in the House is blocking consideration of this vital legislation.

The President's immediate intervention with House Republicans is required to ensure that 12 million working and military families are eligible for the child tax credit. These families need the money now, but this tax relief will not be made available to them apparently unless the President intervenes and urges the Republican House leadership to pass this extension immediately.

How can we pass a tax bill that gives nearly $100,000 in tax cuts to people making over $1 million a year, $100,000 tax cut to those making $1 million a year, and yet say to people in our country who make the minimum wage, your children are not worthy of a $400 expansion of the tax credit?

How do we say to our men and women in uniform, whose courage and patriotism we salute on a regular basis on this floor, how can we say to them we appreciate your courage, your patriotism and the sacrifice that you are willing to make for our country, but your children are unworthy of receiving the expansion of the tax credit because your military pay is not enough to qualify you for this tax cut?

Putting money into the hands of these working and military families will help increase demand in our economy, creating jobs and stimulating the economy. There is a very practical and economic reason to do this, in addition to just a sense of decency and doing what is right for America's children.

Because of the economic benefits and the fact that it is the right thing to do, the bill passed the Senate last week 94 to 2. But this week the bill is nowhere in sight.

We want this freestanding bill to come to the House of Representatives. We want the House Republicans to stop their opposition to this tax relief for America's children. We want them to stop refusing to bring it to the floor of the House.

Asking millions of working families who need the tax credit to help make ends meet in this stagnant economy, to sacrifice in order to pay for additional tax breaks for those who need it least is simply not right. Approximately 250,000 children of our men and women in uniform are being deprived of the expansion of this $400 tax credit in order to pay for a tax cut for millionaires in our country. I do not think it is an appropriate way to go.

Who is looking after the children in our country? Clearly it is the Democrats.

LOWERING THE COST OF PHARMACEUTICAL DRUGS FOR AMERICANS

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

Mr. BURTON of Indiana. Mr. Speaker, I would like the gentleman from Minnesota (Mr. GUTKNECHT) to join me in this small 5-minute Special Order. He just read part of an article in The Washington Post about pharmaceutical products that are manufactured in part with taxpayers money, where the pharmaceutical industry is making billions and billions of dollars while the taxpayer is getting virtually nothing back in return. The American people are paying exorbitant prices for these pharmaceutical products as compared to the rest of the world.

When these products are imported by Americans when they go up to Canada and buy these products, either through the Internet or go to Canada, when they bring them home to use them because they cost one-tenth, one-fifth, or one-half of what they would cost in the United States, the Food and Drug Administration, our regulatory body, says there is a question of safety; and they actually try to block or stop the reimportation of these pharmaceutical products, where the research is paid for in large part by the taxpayers of this country.

So I would like to ask the gentleman from Minnesota (Mr. GUTKNECHT), maybe he can enlighten me on this subject. Why is it that the Food and Drug Administration is not investigating why the pharmaceutical industry is manufacturing these products with taxpayers' money, or conducting the research with taxpayers' money, making these exorbitant profits, and the money that is given back to the taxpayer in royalties in this country is very nominal, almost nothing, compared to the $9 billion the gentleman cited? Why is it the FDA is not investigating this, instead of stopping the American people from getting these pharmaceutical products at a reasonable price?

Mr. GUTKNECHT. Mr. Speaker, if the gentleman would yield, I cannot answer that question; but I think it is the question that we in Congress should try to get the answer to.

Why is it that the FDA is investigating little old ladies trying to save money on Tamoxifen? I spoke recently to the Pharmacists Association, and I asked them, how many of you have had this experience, where an elderly person comes into your pharmacy, hands you a prescription. You tell them how much this prescription is going to cost, and their head drops, and they go, oh, well, I will come back tomorrow. Because we know from research done by the Kaiser Foundation, 29 percent of seniors in America are saying that they have prescriptions that go unfilled because they cannot afford them.

□ 1930

And the answer is, the FDA is not investigating companies that make $9 billion off of Federal taxpayer research; no, they are not investigating them, they are investigating little old ladies, treating them as common criminals.

Mr. BURTON of Indiana. Yes. And the question that comes up is why they are not doing that. They are supposed to protect the American consumer and they are supposed to make sure the American consumer gets a fair deal, and it is simply not happening.

I would like to just read from what the gentleman read, real quickly. Squid made $9 billion from Taxol, Bristol-Myers Squibb, and it has been used to treat 1 million cancer patients, but the National Institutes of Health got only $35 million back in royalties. Squibb made $9 million and they only gave $35 million back for the research money that was paid for by the taxpayer. And then down at the bottom it says the GAO, the investigative arm of Congress, said NIH spent another $484 million in research on Taxol through 2002. So the taxpayers paid for all of this research, but Squibb is making all the money and the taxpayer is getting nothing for it, except a shot in the jaw when they try to buy this product from another country where they can get it cheaper. It makes no sense to me.

Mr. GUTKNECHT. It makes no sense to me. It is really time for us as Members of Congress to do something about it.

Mr. BURTON of Indiana. Mr. Speaker, I want to join the gentleman and some of our other colleagues, a growing number of our colleagues, in demanding that the GAO do an entire study of this to find out why the American people are being ripped off by the pharmaceutical companies when, in large part, the taxpayer is paying for that research. It makes no sense to me. And why is the FDA, why is the FDA protecting the pharmaceutical industry? It is something that should not be tolerated.

Any other comments from my colleague?

Mr. GUTKNECHT. Well, the FDA is also responsible for all of the fruits and vegetables coming into the country. The issue they raise is safety, yet we import 318,000 tons of plantains that come into our borders, through our borders every year, and we do almost no investigation. We are much more likely to get sick from fruits and vegetables than we are from legal prescription drugs from FDA-approved facilities around the world.

Mr. BURTON of Indiana. In fact, we found zero on the importation from Canada, we found zero problems with the reimportation, and yet they say it is the safety they are concerned about. It does not make any sense.

I thank the gentleman for all of his hard work.

HOUSE LEADERSHIP NEEDS TO GET THE MESSAGE

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

Mr. GEORGE MILLER of California. Mr. Speaker, 3 weeks ago, when the Republicans in the House and the Senate were getting together to decide the final version of the tax bill, under the direction of Vice President CHENEY, they made a very bad decision. They made a decision that families with children who earn between $10,000 and $26,000, a year who currently get a portion of the child tax credit, would not get the increase that this bill provides for families with children, a $400 increase for many, many Americans per child that they will get checks this July. For whatever reasons, and we think we know why, because they used that money to provide additional tax cuts to the wealthiest people in this country; had they given this tax cut to these families between $10,000 and $26,000 a year, to those 12 million children, people like Mr. CHENEY, instead of getting $93,000, would have gotten $88,000. But they chose instead to take $93,000 and these children did not get the tax credit.

This tax credit is terribly important to these families. What the Republicans fail to understand is that many of these families are people who the Republicans accused of being on welfare, they have accused them of not participating, but these families get up and go to work every day, and they work in difficult jobs, and they work in jobs that not a lot of people want to have. And at the end of the year, they end up basically poor. So one of the things this government did a number years ago was create the child tax credit. And a number of things we did in the last administration was to make it refundable so that we can make sure that those people would continue to have an incentive to stay in the work force.

Now, if the Republicans do not like the child tax credit, one of the things they could do is they could increase the minimum wage. They could make it easier for these families to earn more money. They would get less tax credit. But the Republicans do not want to increase the minimum wage. They do not want to provide those children health care. They do not want to provide them a tax credit, and yet, somehow, these people, they are not deserving of this effort.

It was a horrible decision they made. But now we see as that decision has come to light, as the bright light of public awareness is focused on that, last week we saw the Senate, when they realized how upset the country was, how unfair people felt this was, the sense of economic injustice that reigned in the country, that these people would not be taken care of in a tax bill that is going to spend $350 billion, they could not take care of these people for $3 billion. The Senate, on a bipartisan basis, voted overwhelmingly to correct this injustice. They passed a bill in the last days of last week to send over to the House to correct this and to give these individuals the tax credit that they should have for their children, for these families who are working very hard, and even to extend it to some individuals in higher incomes.

But yet, what do we see the reaction of the Republican leadership in the House of Representatives, is that they are not going to do this bill. They want to hold these children, they want to hold these families hostage for some other tax cut that they can give to people who may be far less deserving than these children and these families. But they want to hold it hostage so that they can unite it with something they were talking about last week in terms of a $100 billion bill or more.

These children and these families are entitled to get those checks in July just like every other family in America. It is important to our economy, it is important to the recovery of our economy, and it is important to the wherewithal of these families as they struggle to hold themselves together at low wages.

So the Republicans in the House and their leader, the gentleman from Texas (Mr. DELAY), the majority leader who has said he does not want to do this, that he was not going to take the bill, they must relent. They must relent for the benefit of these families and for the benefit of our economy.

Today, the President of the United States said he likes the Senate bill. He wants to work to see it passed. The President of the United States got the message. The Senate got the message. The Senate Republicans got the message, the Senate Democrats pushed for it, and were successful. And now what do we see? That it is the House Republicans that somehow cannot get the message that this is a matter of fairness, it is a matter of equity; that these people have played by the rules and they ought to be treated like every other American family with children. The time has come for the majority leader, the gentleman from Texas (Mr. DELAY), to step aside and let this bill be passed this week so these families can get their checks in July to help them with this economy.

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

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

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

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

HOUSE REPUBLICANS SHOULD FOLLOW SENATE LEAD AND PASS CHILD TAX CREDIT LEGISLATION FOR WORKING FAMILIES

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

Mr. PALLONE. Madam Speaker, I am coming to the House floor this evening to urge the Republican leadership to follow the Senate's lead and immediately approve the legislation that will provide a child tax credit to 12 million children, the children Republicans left out of their tax bill last month.

Included amongst these 12 million children are the children of U.S. military families. A report out last week showed nearly 1 in 5 children of active duty U.S. military families will not benefit from the increased tax credit because their parents earn too little to qualify.

Now, last week, Madam Speaker, Senate Republicans worked with Democrats to expand the child tax credit to the 12 million children they initially left out. And talk about a tale of two Chambers. While Senate Republicans were negotiating with Democrats to craft the bipartisan compromise, Republican leaders here in the House showed nothing but ambivalence towards the terribly unfair treatment of these working families. Madam Speaker, this House should follow the Senate's lead and immediately approve legislation extending the child tax credit to working families.

I hope that my Republican colleagues will follow the lead of their colleagues in the Senate and not their own leadership here in the House. Just last week, the House majority leader, the gentleman from Texas (Mr. DELAY), and many of us have mentioned it, said he would not bring up a legislative remedy to this injustice, and he justified this inaction by saying, ''There are a lot of other things that are more important than that.'' Well, I do not agree with him, and I have to say I hope that Republicans in the gentleman from Texas (Mr. DELAY's) own party recognize the injustice.

Last week, conservative syndicated columnist Arianna Huffington said in the Los Angeles Times: ''A magnetic compass always points north; a moral compass should always point out that heaping billions on the rich while ensuring that 1 out of 6 American children do not get a penny is dead wrong.''

Conservative Arianna Huffington continued: ''But that's exactly what congressional Republicans did in pushing through tax cut legislation last month, and that's what President Bush signed off on.''

When hearing about the provision being pulled from the bill and the impact it would have on 1 in every 5 active duty military families, Republican Senator JOHN MCCAIN said, ''My God, what kind of message are we sending when we leave out low-income families, exactly those who are in that category of the enlisted men and women who are fighting for us today in Iraq? It is beyond belief.''

It truly is.

White House Press Secretary Ari Fleischer probably explained it best when he said: ''Does tax relief go to people who pay income taxes, or does it go above and beyond the forgiving of all income taxes, and you actually get a check from the government for more than you ever owed in income taxes?'' That is what the House majority leader, the gentleman from Texas (Mr. DELAY) is saying. He basically is backing up Fleischer's claims and he says, ''To me, it is a little difficult to give tax relief to people who do not pay income tax.''

Well, it is simply not true. These people do pay taxes. What the President's secretary and the gentleman from Texas (Mr. DELAY) forget is that these workers pay Federal taxes. Madam Speaker, 7.65 percent of their earnings go to pay for Social Security and Medicare. These hardworking parents also pay State and local taxes as well.

But beyond the issue of whether they pay or not, and they do, it is just the issue of simple fairness. How can the Republicans say it is fair to give a millionaire a tax break of more than $90,000 while giving nothing to millions of working families? I do not understand how they even could conceive of such a thing.

Now, after realizing that the Republicans had left this provision out of their final tax bill, several of my Democratic colleagues introduced a bill early this week that would repair the damage from this irresponsible tax package. The gentleman from New York (Mr. RANGEL) has introduced legislation with many Democratic sponsors that would provide greater tax relief to the families of 19 million children, and the legislation is fully paid for, so it would not add to the record deficits created by the President and the Republicans in Congress.

Last week we Democrats in the House said we would not allow business to continue as usual around here until Republicans agreed to address the Rangel legislation. We did some procedural motions and we will continue to do that this week until the Republican House leadership stands up and says that they are going to pass this legislation.

I just do not understand where they are coming from. I do not understand how they can be so crass and so really unfeeling about these low-income working families. Obviously everybody else here agrees: The President now today, the Democrats, and the Republicans in the other House. The only thing that is holding us up here on this is the House Republican leadership. They have to stop this attack on low- and middle-class families. They have to stop this attack, bring it to an end, pass this legislation. Let us bring it up and pass it immediately.

COMMEMORATING THE 100TH ANNIVERSARY OF THE VILLAGE OF LYNDON STATION, WISCONSIN

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

Mr. KIND. Madam Speaker, this July the village of Lyndon Station, Wisconsin, in the heart of my congressional district, will be marking its centennial celebration. This beautiful, tranquil village lies in eastern Wisconsin and is surrounded by some of America's richest farmland. The village of Lyndon Station is a jewel in the crown of Juneau County. This community has been a primary contributor to the region's settlement, development of the timber industry, expansion of agriculture, and a hub of community trade and commercial growth for over 100 years.

The first settlers were native Americans who used the banks of what is now called Lyndon Creek to camp and hunt the abundant wildlife in the mixed prairie-woodland of this region. The first European settlement of the present village site was in 1849. Three brothers and two sisters of the Havey family arrived in this area to start a new life, having immigrated from Kildare, Ireland during the worst years of the potato famine. They settled near the present village location and were the beginning of a wave to discover the fertile soils of central Wisconsin.

Other settlers soon followed and established land claims in and near the growing village which became known as Kildare. In 1857, the Chicago, Milwaukee and St. Paul Railroad spurred new life into the area when it built a railroad station as it pushed its lines of commerce further west.

□ 1945

By 1870, the name Kildare Village was changed to Lyndon Station Village since the name Kildare was already being used for the township. There has been much speculation as to the origin of the name Lyndon, and it still remains a mystery; but such a mystery only adds to the community's charm. In 1903, Lyndon Station was officially incorporated as a village in the State of Wisconsin, even though the name had been on maps for nearly half a century.

The Lyndon Station Village Centennial celebrates the best of rural America. There are thousands of small rural communities across this Nation that form the backbone of rural life. These communities are the incubators of local politics, of commerce and education, recreation, entertainment, and faith for our rural neighborhoods.

Collectively, the hardworking citizens of small-town America are the builders of our great Nation. I am proud to congratulate the citizens of Lyndon Station Village on their 100th anniversary. I believe that it is important to recognize their unique contribution to the development of central Wisconsin and wish them happiness and prosperity during the next 100 years.

QUIBBLING ABOUT PAYMENTS TO IRAQIS IN NO-SHOW JOBS

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

Mr. EMANUEL. Madam Speaker, today the headline in The New York Times reads: ''Iraqis are out of jobs, but payday still comes.''

With the administration's and the President's blessings, 200,000 Iraqis, employees of the government ministries and government-owned companies, are being paid $20 a day for no-show jobs. They do not work. They are getting paid $20,000 a day by the American taxpayers. They do not work.

Let me read from the article. The story describes how ''mechanics linger listlessly around machines that don't run; clerical employees wait for assignments that never come. Most don't even bother to show up at all, except on payday,'' to collect their $20. There are 200,000 Iraqi people being paid $20 a day for no-show jobs. Now, I come from Chicago, and I know a couple party bosses in Chicago that would be really envious about 200,000 getting paid $20 a day for no-show jobs. They do not have to do anything, and they do not have to show up except for payday.

What is interesting is if we do the math, these families in Iraq are getting about $1,000, equal to what we are asking for the children and their working parents here in America; for hardworking people who pay taxes to get as a child tax credit the same that this Iraqi citizen who has never worked, is not working, is getting, with the American taxpayers footing the bill for $1,000 for their no-show job.

I go on to read from the article. According to one American official, an American official working for the government, working for the taxpayers of this country, for the U.S.-led administration in Iraq, he says, ''This is going to continue for a good while. Nobody is going to quibble about paying a few more dinars into this economy to get things moving.''

Well, this person is going to quibble. I do not know where we come off paying $20 a day to somebody who does not

do any work, does not show up. Yet we have hardworking Americans who are trying to raise their children, who are trying to do right by their children, trying to raise them with the right values, to know the difference between right from wrong; and they are going to deserve a tax credit just like every other child in America. They are America's children, too.

Now, if we can find the good will to pay these Iraqis $20 a day for no-show, coming to about $1,000, which is the same amount as we are asking for a child credit for 6½ million American families, they would get $1,000 per child, it would be the same amount as the Iraqi citizens.

If they do not have a quibble there, I do not have a quibble here. But I have a quibble if we are going to give these people $20 a day for no-show, $1,000 in the last 2 months, and we cannot find the wherewithal to give 6.5 million American families, 12 million American children, the same tax break other children are getting or other Iraqis are getting.

President Bush, who often says he likes to note that he is a man of his word, who says what he believes and believes what he says, and says what he does and does what he says, ''My jobs and growth plan will reduce taxes for everyone,'' at the signing of the bill the President said, ''We have taken aggressive action to strengthen the foundation of our economy so that every American who wants to work will be able to find a job.''

Well, we have people who are working who deserve a tax cut. They are not getting a tax cut. We have got 9 million Americans who are unemployed, 6.1 percent. When this administration started, they had 4 percent unemployment. We have got 6.1 percent unemployment now. We have added $3 trillion to the Nation's debt, and 3 million Americans have lost their jobs. As we say back in Chicago, what a deal.

That is what has happened here. We have added $3 trillion to the Nation's debt and 3 million Americans are without jobs. Corporate interests and special interests are getting tax cuts, and the American people are paying with their jobs. Now we are footing the bill for $20 a day for people who do not show up for work, and yet we are denying 12 million American children their sense of economic justice.

If we do not take care of this problem today and take up what the Senate did, 94 Senators, Democrats and Republicans, if we do not take it up, these children's children, these families, Americans, hardworking families trying to do right for their children will be denied the same tax cut that will be provided for those children of other families here in America and have been denied that same $1,000 we are providing for the families in Iraq.

I think it is high time, after 3 million unemployed Americans, 5 million more Americans without health care since when the President took over, $1 trillion worth of corporate assets that have been closed down since this President's economic plan has been adopted, and 2 million Americans walked out of middle class to poverty, I think it is high time we take these 12 million children who are part of 6.5 million families and give those hardworking Americans a tax cut. They deserve the same chance at that dream.

We are going to build a dream for Iraq, a better future for Iraq, one with roads, one with 13 million Iraqis with health care, 4 million Iraqi children will get early childhood education. Yet we are cutting 58,000 Americans from Head Start.

If we are going to do this for Iraq, I call on the Speaker, I call on the President, and I call on the majority leader, who have denied these 12 million children the same economic equality and the same economic vision of a better future tomorrow that we have provided to these Iraqis who are getting $20 a day from the American taxpayer for no-show jobs.

BILL DESIGNATING POST OFFICE AFTER FRANCISCO A. MARTINEZ FLORES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Madam Speaker, today I rise to introduce a bill designating a post office after Francisco Martinez Flores, a courageous and dedicated Marine from the city of Duarte in California in my congressional district.

Lance Corporal Francisco Martinez Flores demonstrated his courage and his love of our country when he lost his life serving in Operation Iraqi Freedom just 2 weeks before gaining his U.S. citizenship. I take this opportunity not only to pay tribute to Lance Corporal Martinez Flores as a brave and self-sacrificing Marine, but also to remember him as a loving son, brother, a friend to those living in California's 32nd Congressional District.

Known affectionately by his friends and family as ''Panchito'', Lance Corporal Martinez grew up in the city of Duarte, having emigrated with his family at the age of 3 from Mexico. He attended Duarte High School, where he displayed both his artistic and athletic talents by participating in the high school football team and jazz band.

After graduating from high school in June of 2000, Francisco enlisted in the Marines and was assigned to the First Marine Division Marine Corps Air Ground-Combat Center at Twenty-nine Palms in California. On January 23, 2003, Lance Corporal Martinez Flores was sent abroad to fight in Operation Iraqi Freedom. While only 2 weeks shy of gaining his U.S. citizenship, he was killed in the line of duty near Nasiriyah, Iraq, on March 25, 2003.

After his death, Lance Corporal Martinez Flores was granted posthumous U.S. citizenship on April 6, 2003. He was one of those thousands of lawful permanent residents who volunteered their service to protect the United States by joining the U.S. military.

Lance Corporal Martinez Flores was a strong, noble, valiant man who lost his life to ensure the loved ones he left behind could live in a safer and more secure world. His mother, Martha, stated, ''He loved the United States so much. He was from Mexico, but he was fighting for America and its ideals.''

My heart and my prayers go out to the family and friends of Lance Corporal Martinez Flores, as well as to all those who have lost their loved ones during these turbulent times. The mayor and city council of the city of Duarte have also expressed their support for naming the post office located at 1210 Highland Avenue in Duarte, California, after Francisco A. Martinez Flores.

I urge my colleagues to join me in recognizing the American ideals of hero Lance Corporal Francisco Martinez Flores, who fought for and defended the spirit that we embody here in this House.

I also want to provide attention to his family, because his family is a working-class family. They work very hard to put food on their table, and I could see where they are going to need a lot of comfort and help and support by this Federal Government. I hope, too, that by the end of the week we also can pay them with the child tax credit that they would need that they would not be eligible for at this time.

So I would ask Members to remember a soldier who gave his life, a soldier who represents a working-class family who dedicated himself to the freedoms that we have. Let us not forget our men and women who serve us and those that are giving their lives as we stand here tonight.

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

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

OFFERING SUPPORT FOR OUR MILITARY AND CALLING FOR CONGRESSIONAL INVESTIGATION OF INFORMATION SUPPLIED TO CONGRESS AND THE ADMINISTRATION REGARDING WEAPONS OF MASS DESTRUCTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Madam Speaker, we have had a very long journey. I think it is important today to first of all again acknowledge the brave men and women who serve us in the United States military; and to add a recommitment to those who are returning home, one, to ensure that they

have full health care, whether they remain in the service or they come out as veterans. In addition, I think it is important to add a $1,000 bonus to combat veterans on returning, as they move into either their new lives or remain in the United States military.

I can truly say, Madam Speaker, that whether or not we agreed with the policies of the war in Iraq, as Members of the United States Congress and as Americans there was not one divide relating to our support for the United States military.

Even today, as we begin to analyze the aftermath of Iraq, in my meetings with Arab nations just a month or so ago, leaders of Arab nations, many of them offering to work with the United States in the rebuilding of Iraq, just a few days ago I had submitted into the defense authorization bill an amendment to ensure that small and medium-sized minority- and women-owned businesses are engaged in the opportunity of rebuilding Iraq. We realize that we have a responsibility to that nation, as well as to the troops on the ground.

We can also see that the war is really not over inasmuch as we are seeing the loss of our troops on a daily basis. There is much work to do to rebuild hospitals, roads, bridges, and neighborhoods in Baghdad and other places. We believe it is important to do it together.

But I think we have another challenge, Madam Speaker, that is extremely important. Madam Speaker, I recall the debate on the floor of the House. I stand by my vote. I believe that war should have been the last option and the U.N. inspectors should have been allowed to do their job.

But I know my colleagues who voted for the effort to go into Iraq did it out of conviction and the belief that this Nation was under imminent attack. Again, I say that we did not vote in the constitutional way because this Congress did not vote under article 1 to declare war. I maintain that we still had that hurdle to overcome. But the basis of the vote, the overwhelming vote to go forward was on the intelligence that was given by the intelligence community, not only to this Congress but, I assume, to the administration.

I believe it is imperative, Madam Speaker, that we have a special investigation, a special prosecutor to investigate what the intelligence community and officials knew, what information they gave to Congress, what information they withheld. We need to know for sure what information they had, definitive information, about the weapons of mass destruction. The American people need to know, first of all; the United States military needs to know; the United States Congress needs to know; and certainly all of the families of the loved ones of those who we mourn who lost their lives need to know.

Madam Speaker, I am unsure of what the intelligence community knew. They stand now to say that they have documentation; but 2 months now have gone by, and we have found no weapons of mass destruction.

Many would say we as Members stand on the floor of the House and put ourselves in jeopardy because tomorrow we could find the weapons of mass destruction. I am not in an argument with my government. I hope my government is a government of truth, and whatever they find, it will be in conjunction with the work that they are doing on behalf of the American people.

But it was represented to us that because of the weapons of mass destruction that Saddam Hussein had, this Nation was under imminent threat.

□ 2000

And so the President used his powers to go forward. Without the declaration of war of this Congress, Members of this Congress cried on the floor of the House because they were so conflicted with the idea that they must do what is right for the American people and go forward with war, because they believed in the information that was given.

In order for this Nation to be a true democracy, for the Constitution to prevail, for us to be a shining example of transparency in this Nation, it is important that we find out the truth. I do not believe we have the truth today. And I think it is imperative that even if Congress investigates this, because we have a one-party government, I think it is imperative that we have a special prosecutor to investigate and/or commission to investigate the tragedy of the war and as well the information that has been given to us.

Madam Speaker, I believe we can do no less to unveil the truth as our troops are fighting for us in Afghanistan and fighting for us in Iraq, as they are offering their lives for the ultimate principles of freedom and justice. It is imperative, again, must I say, that we have the truth. I hope that the administration listens, a special prosecutor, a special independent commission to investigate the existence of weapons of mass destruction and what the intelligence community knew.

ERASED CHILD TAX CREDITS HURT MILITARY FAMILIES

The SPEAKER pro tempore (Mrs. BLACKBURN). Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Madam Speaker, it is shameful enough that the Republican leadership in Congress has chosen to gamble our children's future on a risky and unsustainable tax scheme such as the one signed into law just a few weeks ago; but what is even more shameful is that Republicans sold out the very men and women who recently fought for our country in Iraq by cutting many of them out of the tax cut. That is right, only hours before Congress was set to vote on President Bush's big tax giveaway, Republicans cut out provisions to expand the child tax credit for working families in order to give the President's wealthy friends a bigger tax cut.

The child tax credit provisions Republicans erased would have benefited millions of working families, including many families of American soldiers, sailors, and airmen just as they returned from war.

Just this weekend we had POW Shoshana Johnson in the Los Angeles area. During the time she was a prisoner of war, her family who lives in my district held a vigil. They tied those beautiful pink ribbons around the trees in the neighborhood so no one would forget that Americans were held hostage and were captives in Iraq.

So it is outrageous, and my outrage grows when I hear members of the Republican leadership suggesting that we are formulating a new welfare program. I am talking about and referring to working families. I am referring to those who have served their country in a land so far away many cannot even find on a map, in a land that did not have any concrete connection to 9–11, in a land that was headed up by a dictator who was not friendly with Osama bin Laden and we supposedly were going to have terrorism. But still, our troops went over under the command of the Commander in Chief, and they did an exemplary job.

This is the reason why we have set up an institute in Los Angeles that will work with the school district and will work with the community and it is an institute named after Shoshana Johnson, called the Institute for Heroism, Endurance and Patriotism. She had a daughter. Should she have been killed, as was rumored, that daughter would be in the care of someone else or maybe a part of the welfare system. I do not know, but she has a strong family. So in the name of the POWs, in the name of our veterans, we must vote to restore the deleted provisions that have helped millions of Americans and their children and our people who are still in Iraq and they have families back home.

Believe me, their incomes currently make them eligible for Federal programs. We must be sure that they too can take advantage of the child tax credit because, indeed, they are working people. We owe it to them. They deserve it.

AMERICA'S REPUTATION AS PEACEMAKER IS DOUBTED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, to win the war on terrorism ultimately America must be able to make more friendships and reduce the number of enemies that face us. In places very far from home, friendship is a matter of

the heart, and it is a matter of the mind. And thus it was with some dismay that I read a poll last week, the results of which I wish to place in the RECORD tonight, done by the Pew Research Center going and interviewing over 16,000 people across the globe, largely in the Muslim world, but also in Europe and other places, asking them whether they had a favorable opinion of the United States or not. And in the very places where we need to make friends, the numbers are not good.

Take Morocco, a country of 31 million people, where there have been, unfortunately, some terrorist attacks, 73 percent of the people have an unfavorable opinion of the United States. In Lebanon, so key to regional peace, 73 percent of the people have an unfavorable opinion of the United States. In Turkey, where the future remains uncertain, one of our staunchest allies from a military standpoint, but 85 percent of the people with an unfavorable opinion of the United States. That is a country of 67 million people. In Pakistan, where we know there are al Qaeda cells, where we know we have madrasas operating, spewing hate every day and instilling young children that they should give their lives in the cause of terrorism, a country of 147 million people, 87 percent, 87 percent have an unfavorable opinion of the United States. In Jordan, right next door to Iraq, a country of 5 million people, over 5 million people, 99 percent of the people have an unfavorable view of this country. And in the Palestinian Authority, where we continue to see such great violence, there really is not any support for the United States. In fact, the number shows zero percent favorable rating for the United States.

I must ask the question, how does one make peace in these circumstances, lasting peace? In that regard, I wish to place in the RECORD a really beautiful article written by David Ignatius in The Washington Post last Friday. I will not quote all of it here, but I will just read it to you in part. It was written from the steps of the American University of Beirut, a place I have personally visited, the university in that region that has produced the leaders, the leaders that have tried to make ties to the West.

The writer says he found himself sitting on the steps talking to some of the students whose generation will have to transform our hope for peace into reality. And the most hopeful thing he could say after visiting with them was that they had an understanding of how powerful America is. But the question seems to be in his mind after speaking with the students that we have a long way to go to restore America's credible role as a peacemaker. The students, to put it bluntly, he says, do not believe that America is serious about its values. Suggest to them, for example, that America really wants to advance democracy and freedom in Iraq rather than grab the country's oil and you get smirks and guffaws from the students. For these students, America has come to stand for jobs and income, not human rights. It is a way to get paid, they say. That is why these kids are happy to be going to an American university because it is the best way to get on the global gravy train.

For them, America is a good market, one of the students he talked to said, rather than a place with admirable values. In fact, one of the students told him, might makes right in America, does it not?

We were talking under the main gate, he says, of the American University of Beirut, which is inscribed with the words of its founders: ''That they may have life and have it more abundantly.'' But this is the generous spirit that educated generations of Arab leaders, and for decades the United States has been living off the good will that that helped to create, and it is beginning to wane.

He talks about how former presidents of the American University of Beirut have been killed, have been kidnapped and always live under threat. And yet, students are saying to him today, freedom in America has been abolished. One of the young girls said, Look at civil liberties. They do not exist any more in the United States. He says the degree of cynicism among these students is frightening.

Madam Speaker, as I close my remarks tonight, the writer encourages us to look at our basic values of human rights, of freedom and democracy, and give those precedence in all of our efforts towards peace, not just making money in the marketplace.

[From the Washington Post, June 6, 2003]

AMERICA'S DOUBTERS IN BEIRUT

(By David Ignatius)

BEIRUT.—As President Bush was proclaiming America's role as a peacemaker between Arabs and Israelis this week, I found myself sitting on the steps of the American University of Beirut, talking to some of the students whose generation will have to transform this vision into reality.

The most hopeful thing I can say is that the students seem to understand how powerful America is. And while Bush is far from popular here, there seems to be growing respect for his orneriness—for that laconic manner that just possibly might be a match for the stubbornness of the Israelis and the Palestinians.

But judging by the students' comments, Bush has a long way to go in restoring America's status as a credible peacemaker. These students, to put it bluntly, don't believe that America is serious about its values. Suggest to them, for example, that America really wants to advance democracy and freedom in Iraq, rather than grab the country's oil, and you get smirks and guffaws.

For these Arab students, America stands for jobs and income, not human rights. It's a way to get paid. That's why these kids are happy to be going to an American university—because it's the best way to get on the global gravy train.

''We still feel proud to be here. We're getting the best degree in the best university in our region,'' says Maurice Haddad, a bright 24-year-old majoring in information systems. Like almost all the students I met, he wants to go to graduate school in the States. But for him, America ''is a good market,'' rather than a place with admirable values. In America, ''might makes right,'' said one student bluntly.

We were talking under the main gate of AUB, which is inscribed with the words its founders used in 1866 to describe its mission: ''That they may have life and have it more abundantly.'' The generous spirit educated generations of Arab leaders, and for decades the United States has been living off the goodwill it helped create.

I am a shameless fan of AUB. I sat here more than 20 years ago with AUB President Malcolm Kerr shortly before he was assassinated; I talked with AUB President David Dodge before he was kidnapped; I began debating Arab bureaucracy with the current AUB president, John Waterbury, in 1981. I deeply admire these men and the university they have bravely struggled to maintain.

But I had the sense this week that for the students, the tank is beginning to run dry. ''Freedom in America has been abolished,'' said a 21-year-old medical student named Lamia. She offered a summary of court cases to buttress her argument that civil liberties in America have been compromised in Bush's jihad against terrorism.

The degree of cynicism among students is frightening. We began talking about the 9/11 terrorist attacks, for example, and nearly every student expressed doubt that Osama bin Laden's suicide bombers had really toppled the twin towers. ''It was a play to make it look like the Arabs did it,'' said a young woman named Natalia.

When I asked the students how they could believe such conspiratorial nonsense even though they had seen the buildings collapse on television, they shouted our alternative theories. ''The tape was altered,'' said one. ''Technically those two buildings couldn't have collapsed unless there were bombs set at the bottom,'' insisted another. ''How could someone in a cave in Afghanistan have done all that?'' Asked a third.

''It's your fault!'' argued one young woman in a ponytail. ''Your movies have taught us that any image can be manipulated.''

Students can be forgiven for saying crazy things. But I worry that their comments reflect a deeper problem. Sociologists distinguish between the ''normative'' and ''instrumental'' attributes of an institution or nation. For past AUB students, America appeared to stand for normative values. For this more cynical generation, America is instead an instrumental machine for getting jobs and making money.

Waterbury took a laudable step this week in trying to reconnect the Arab world with America and its values. Thanks to a $5.2 million gift from Saudi Prince Alwaleed bin Talal, AUB will soon found a new center for American studies. Maybe that will help.

AUB is an example of what people mean when they say ''soft power.'' All the armor in America's awesome hard-power military will end up rusting in the sand if Arabs don't come to believe that those tanks represent a culture that promotes freedom and democracy—and that America lives by those values.

FAVORABLE OF USA

(Population in millions)

Nation	Favorable rating (percent)	Population
Israel	79	6.1
Great Britain	70	59.7
Canada	63	31.9
Australia	60	19.5
Italy	60	57.7
S. Korea	46	48.3
Germany	45	83.2
France	43	59.7

FAVORABLE OF USA—Continued

(Population in millions)

Nation	Favorable rating (percent)	Population
Spain	38	40.1
Russia	36	144.9
Brazil	34	176.0
Kuwait	63	2.1
Nigeria	61	129.9
Morocco	27	31.1
Lebanon	27	3.6
Turkey	15	67.3
Indonesia	15	231.3
Pakistan	13	147.6
Jordan	1	5.3
Palestinian Authority	0	2.1

TAX PLAN EXCLUDES POOR FAMILIES FROM CHILD TAX CREDIT

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

Mr. RODRIGUEZ. Madam Speaker, approximately 2 weeks ago the administration signed into law one of the largest tax cut breaks ever for the wealthiest Americans. He did so at a time when the unemployment is on the rise. Since President Bush took office, approximately 2 million jobs have been lost, and the Hispanic community is being hit hard; and the minorities throughout this country are being hit hard. Those hardworking Americans are now at 7.5 percent unemployment, a lot more in proportion than the rest of the population.

People want to work, but the jobs are simply not there. But instead of pursuing policies to stimulate the economy, instead of looking at creating jobs such as providing resources to improve our infrastructure in this country, when we have the decaying bridges, when we have decaying infrastructure, when most of our dams are 50 to 60 years old, instead of investing in our country and in the next generation, the administration has chose to push through a plan that includes a tax cut that does nothing to address the financial problems and worries that are facing millions of Americans.

While making false promises that the tax cut will create jobs and stimulate our economy, these tax cuts are targeted primarily at the large corporations; and the wealthiest of Americans, such as those that earn $1 million a year, will see a tax cut of nearly $100,000. We understand that people who pay taxes deserve a break, but we have gone from record surpluses to skyrocketing deficits.

We get elected to come up here to respond to the problems that confront Americans, those problems that our senior citizens continue to have difficulty with, such as prescription drug coverage. Our seniors are still having difficulties in not being able to buy prescription drugs. Our seniors are still having difficulties not being able to have access to affordable health care. In a country that has the most, the best health care in the world, our seniors are having, and Americans throughout are having, difficulties having affordable and accessible health care.

We need to make sure that we address the problems that our seniors continue to confront in prescription drug coverage. We need to make sure that we continue those efforts on Social Security to ensure that the next generations will not be left without and left in poverty. We cannot meet our obligations to support critical health and education programs with a tax cut this size, as it does, because we all recognize how irresponsible it is.

Now, we find that in addition to favoring the wealthiest of this country, the administration's tax cut plan excludes those that need the assistance the most, the low- and moderate-income families. Families that make in between $10,500 to $26,625 a year are now, under law, excluded from collecting the $400 child tax credit.

□ 2015

Those who could benefit the most from the tax credit have been left out and find themselves unable to qualify.

In my district the median income is approximately $23,000, and so more than half would fall under this category. The child tax credit has long been crucial for working families who deeply are affected by tax burden. They also are entitled to this child tax credit.

While more than 85 percent of Hispanic males are in the workforce, which is the largest percentage for any ethnic group or anyone, many Hispanics work in low-wage temporary and seasonal jobs. Latinos are out there working hard, making things happen; yet those are the ones that are being left out from being able to participate in a child tax credit. How can the administration argue that this plan helps working men and women when working families are the ones that are left out?

The hardworking Americans may not be one of the wealthiest, but they are the future of this country. They are the ones that make the economy go. They are the workforce of this country. Our communities deserve the gratitude and respect from the leaders that represent them, and they deserve a fair share of any proposed tax relief plan, not just the crumbs left over after the Nation's wealthiest few.

We need to make sure that the tax plans are plans that are appropriate. They need to be responsive. We also need to make sure that we address the issues that confront us, such as the need for health care and other things.

MCI WORLDCOM

The SPEAKER pro tempore (Mrs. BLACKBURN). Under a previous order of the House, the gentleman from New York (Mr. MEEKS) is recognized for 5 minutes.

Mr. MEEKS of New York. Madam Speaker, MCI WorldCom represents the largest corporate fraud in United States history, costing shareholders more than $180 billion and still counting. So far, more than 22,000 jobs have been lost, and the company just received a tax refund from the Federal Government totaling $300 million for the so-called overpayments on the fraud MCI WorldCom committed.

Meanwhile, the impact in New York has been devastating. MCI WorldCom has laid off 30 percent of its workforce in New York, with most of the cuts coming in Long Island. New York State's pension fund, the second largest in the Nation, has lost about $306 million on MCI WorldCom, the worst single loss in the firm's history. Not to be excluded, New York City's five pension funds reported that they lost $160 million on WorldCom stock.

Why should we care? Because these pension funds represent a portion, possibly a significant portion, of New York State's public sector employees, policemen, firefighters, teachers, et cetera, who became victims of MCI WorldCom's fraud. Just the State pension fund alone represents more than 950,000 active and retired public employees and their beneficiaries.

There is so much more that can be said of this case; however, since time is brief, I will focus my remarks on what I believe are the most egregious items of this case.

First, the proposed settlement with the Securities and Exchange Commission. I am extremely disappointed with the SEC's decision to settle with MCI WorldCom for a mere $500 million, and I know that sounds like a lot, but the original $1.5 billion fine represented less than 1 percent of the losses amassed by shareholders because of the company's fraud. This eye-popping ruling brings the SEC's credibility into question. Such ostrich-like attitudes by the SEC will only increase cynicism from investors on the SEC's legitimacy.

As MCI begins to rebrand its corporate image and seeks to distance itself from its criminal stigma, it is incumbent upon the SEC to act in a decisive manner that adequately punishes MCI WorldCom for its massive crimes. Their clever attempts to return to corporate normalcy cannot be realized until MCI WorldCom makes complete restitution for its criminal acts. As the regulatory agency tasked with overseeing corporate behavior, the SEC should serve as a strong enforcer and not a willing accomplice that rewards criminal activity.

Last week, I filed a petition with the U.S. district court requesting that Judge Rakoff delay any decision in the MCI WorldCom-SEC settlement until adequate information is available publicly to enable the thorough evaluation of the company's fraud, the proposed settlement, and MCI WorldCom's current and future plans for compliance with applicable law. I also urged the court to hold a hearing on the findings set forth in the upcoming reports of the examiner in bankruptcy and the

special investigative committee and evaluate the proposed settlement only when the SEC's investigation of the company is complete.

The second issue regarding this case is MCI WorldCom's attempt to use the Federal bankruptcy laws under Chapter 11 reorganization. As a member of the House Committee on Financial Services and a supporter of reforming our bankruptcy laws, I can tell my colleagues this is not the intent of Congress. Reorganization under the bankruptcy laws should not apply when the assets are the product of criminal activities. Bankruptcy should not be a vehicle for laundering stolen goods.

I am shocked and appalled that MCI WorldCom, or any other company for that matter, can manipulate our laws in this manner after admitting to criminal behavior. This is why I am working on a legislative remedy that will correct this and plan to introduce that legislation very soon. It is important to realize that if MCI WorldCom is allowed to reemerge from bankruptcy with 90 percent of its debt eliminated and retain the fruits of its crime, they will gain a significant artificial advantage over its competitors who played by the rules. If this happens, the message that regulators, policymakers, and other government officials would then send to the marketplace is crime does indeed pay; cook your books, defraud your investors, and you too can seek bankruptcy protection and become a more viable competitor.

The security laws are intended to protect innocent parties from fraud in the marketplace, while the Bankruptcy Code is intended to facilitate the reorganization of financially troubled companies who make unwise but honest business decisions; not companies who commit fraud.

The case with MCI Worldcom is clear. There actions were to defraud investors, their employees and the public. And they did so very successfully.

Before I conclude, I need to make two final points. MCI Worldcom executives have stated that they are owned tax refund on profits they "really didn't make." Also, according to Business Week, the company plans to carry forward its newly recognized losses—"at least $6.5 billion"—from prior years in order to shelter future earnings from taxes.

This loophole allows MCI Worldcom to abuse the tax code because under Internal Revenue Code Sec. 108(a), income from the cancellation of debt (COD) is excluded from a taxpayer's gross income if the cancellation occurs in a Title 11 bankruptcy proceeding or under other specified circumstances. Under the code, sec. 108(b), a taxpayer benefiting from this income exclusion must reduce its tax attributes, including net operating losses (NOLs).

MCI Worldcom is exploiting an obscurity in the law. Rather than treat its NOLs and other tax attributes on a consolidated basis, the company is interpreting the law in a manner that allows it to deal with the NOLs on a separate basis. This would allow MCI Worldcom to preserve its NOLs and other tax attributes, so an estimated $10 billion or more of income to the new MCI Worldcom will be tax free. This means that the company will not pay taxes into the foreseeable future.

Now, although I support targeted tax relief and I realized long ago that the Bush tax cuts benefitted those at the very top, this is ridiculous. Here again, I will introduce legislation to clarify the treatment of tax attributes under section 108 of the Internal Revenue Code of 1986 for taxpayers who file consolidated returns.

Finally, I need to address MCI Worldcom's best customer—you, me and everyone who pays federal taxes. Why? Because the federal government continues to be its biggest and best customer despite the company's criminal behavior. For a matter of fact, the company is getting no-bid contracts like the one to build a wireless network in Iraq, a line of business the company is not even in.

Curious? You bet. The federal government did not have this same policy with Enron and Arthur Andersen. Since committing the largest fraud in U.S. history MCI Worldcom has moved up to the eighth largest federal technology contractor according to a review by Washington Technology, with $772 million in sales. Why would the government award business to a criminal organization who is very unstable? You will have to get your answer from the Bush Administration.

To allow a corrupt, criminal enterprise like MCI Worldcom to perpetuate its violation of the securities laws and visit this injury on an already distraught sector would be an injustice to the millions of its victims nationwide. Whether it is the proposed settlement, its bankruptcy proceedings, its abuse of the tax code or the awarding of federal contracts, MCI Worldcom must pay for its crimes and make full restitution. Anything less will be the biggest fraud of all.

REPUBLICANS LOOK AFTER AMERICA'S CHILDREN, TOO

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Madam Speaker, first of all, I would like to address the preceding comments from the gentleman from New York in regards to WorldCom. His remarks are right on point. I would urge the gentleman to look even further at the WorldCom situation and take a look at the $27 million house that Scott Sullivan has off Florida, take a look at Bernie Ebbers and the money that guy has put into this. That is a clear case of not just corporate fraud but criminal fraud. Any one of us, any normal citizen in the United States, in my opinion, would have already been put into prison having committed the kind of fraud that cost tens of thousands of people their jobs at WorldCom and perhaps one of the biggest bookkeeping frauds in the history of corporate America.

So I think that the gentleman from the other side of the aisle, his comments are in order.

I want to address some of the other comments. For the last hour or so, only the Democrats have been speaking on the floor, and their remarks time after time after time have been very partisan, very political, and full of a lot of rhetoric. Although it is not the main topic of my discussion this evening, I think it is important that at least some rebuttal be put into the record so that the Democratic, which was led off by the minority leader over there, that these partisan remarks, which as I said earlier were full of rhetoric and, in my opinion, inaccuracies, that these remarks do not go into the RECORD without some type of clarification or at least hearing from the other side.

Let me begin with the minority leader, the gentlewoman from California (Ms. PELOSI), and her remarks. Her remarks are the Democrats look after the children in this country. As long as I have served in politics, as long as I have served in elected office, I have yet to find a Republican or a Democrat or an unaffiliated officeholder that does not care about children, and for the minority leader to stand up here and try and claim a monopoly, that only the Democrats care about children, is nothing but pure partisan politics. In fact, I think it is fundamentally unfair to play off this type of, in essence, using the children to forward a political point that the Democratic Party wants to make.

What this is, that only the Democrats care about children, what this effort by the minority leader is is simple spin, S-P-I-N. We can tell we are coming up on a Presidential election. All we have to do is listen to some of these 5-minute comments. All it is is spin, spin, spin, not debate or not discussion as to how to move this country in a positive forward manner, but clearly focused on how to defeat President George W. Bush in this upcoming election.

It is fundamentally unfair to stand at this podium and say that any of our colleagues, whether they are Democrat or Republican, any of our colleagues are against the children, or only one side of the aisle down here cares about the children.

I would say, and I think my comments are 100 percent accurate, that every woman, every man, Congressman, every Republican, and I think we may have one unaffiliated in these Chambers, every one of us cares about the children, and it is unfair in a debate to continue to try and put the children in front of them as kind of a screen to push another political point. And I wish the minority leader would get off that and come back here and debate and discuss the substance of the issue instead of standing up here in front of a microphone, in front of us, and saying only the Democrats care about the children, only the Democrats will help the children, and the remarks go on from there.

We have got the gentleman from Texas, from San Antonio, a very fine gentleman, a good guy, but he gets a

little exaggerated when he says that the Republicans, they are not investing in the future generation; only the Democrats are worried about investing in the future generation.

Give me a break. There are Members on both sides of the aisle back here in the Nation's Capital who care very, very much about the future generation of this country. In fact, I would say that by far, if not unanimously, I would say by far the huge majority, whether they are Republican or whether they are Democrat, care about the future of this country. And for the Democrats to stand up simply because they know nobody is going to debate them, there is nobody to rebut their comments, they have been up here 1 hour nonstop, nonrebutted, that is why they think it is safe to stand up here and say it is only the Democrats who care about the future generation of this country, only the Democrats care about the children of this country. Even to go further, the gentleman makes the remarks, the working families are left out. So the Democrats stand up for the working families.

The working families are out of this tax cut. My gosh, the majority of working families in this country are the ones who are the primary beneficiaries of this tax cut. There are working families above $20,000 income. I think the gentleman believes that in his mind the only working families, or at least his comments seem to portray is that the only ''working families'' in this country are the families that make less than $20,000 or make less than $10,000 a year.

I want to tell the gentleman and tell him directly, I have got a lot of families where both the man and the wife, both of them are working, and they have happen to make $40,000 a year, and they would take deep offense by the fact that they work 50 hours a week, both of them, the one couple I am thinking of, and the gentleman would stand up here and say, well, that is not the working families. Apparently, the working families are those who make $20,000 and less a year.

There are a lot of people, regardless of income in this country, there are lots of people that are working families. In fact, the majority of families in this country are working families, and for the Democrats to stand up here, again only because they are not rebutted, only because there is nobody to say the other side of the story, they stand up here and make it sound like they are the only ones that stand for ''working families'' and the only working families in this country are those in the low-income bracket.

Whether it is low-income income or upper-low-income or lower-medium-income or medium-high-income or higher-medium-income, whatever classification, I know families, in fact almost all the families I know in any of those income brackets, are hard-working families.

□ 2030

It is not a sin in this country, and it is not disrespectful in this country, and it is not ignoring the future generations of this country for us to pass legislation that benefits people that make more than $20,000 a year. There are a lot making $40,000 a year; and in a family of say two or three kids, that is not a lot of money. That money is stretched very, very thin. Just because of the fact that you have kids and you and your wife both work and you only manage to bring down $40,000 a year does not mean you should be classified by the Democrats as the wealthy class in our economy.

The only reason I can figure out why these remarks were made is because they did not think that somebody on the other side of the aisle was going to be sitting in the Chamber, as I was listening, to these remarks, and they thought they were going to go into this CONGRESSIONAL RECORD completely unrebutted. We have kind of a doctrine of fairness around here. Let us talk about the facts.

They may be against the tax cut, so just say you are against the tax cut. Do not come out to the House floor and say the Republicans, because of the tax cut, do not care about working families. The Republicans, because of the tax cut, it means that only the Democrats care about the children of this country, as the minority leader, the gentlewoman from California (Ms. PELOSI), said at the beginning of her remarks.

There ought to be a sense of fairness here, and I want to talk for a few minutes about what we looked at on that tax cut, what is important about that tax cut; and I think when we discuss the reason for the tax cut, we have to take a look at where we are. We have an economy that is right on the edge. It is not an economy that is in a depression, but it is an economy where we are suffering from higher unemployment. By the way, although an administration alone does not have enough control, in my opinion, to take an economy out of a recession or put it into a recession, the fact is this economy, which goes up and down, this economy always cycles. There is the old theory, everything that goes up has to come down.

This economy began its downward cycle under the previous Democratic administration. That is not to say that administration drove it in because the economy was also going in an upswing during a Democratic administration. It does say, however, we have to face these cycles. If we look at economic history, especially with specific tax cuts, it has been proven very effective as a tool to take you out of the downturn of the economic cycle; tax cuts are a stimulus to put you in the upturn. However, the tax cuts have to be focused. We do not want to go out and create a welfare program. The reason that bill did not include income tax cuts for people that did not pay income taxes is because that is a welfare program. We are focusing on the people who pay taxes. If you do not pay taxes, you should not get an income tax rebate or refund or credit.

That does not mean that they should not get some kind of assistance. That is up to you to vote whether you want to provide that assistance or not; but what we are trying to do with this economy, and by the way, there are a lot of people on the Democratic side that want this economy to improve regardless of who gets credit for it. We want these people back to work. One of the ways to do it is to put in a very targeted tax cut.

This tax cut is a lot like jumping a car with a dead battery. Some Members would argue that to be fair to the car, you would take the jumper cables and attach them to the bumpers, attach the jumper cables to the door handles, make sure all of the car got a jump off the battery. The fact is you need to target a specific part of the car. You need to put the jolt, the shock, the charge on the battery. So you put the jumper cables on the battery. If you get the battery started, the whole car benefits and moves along.

It is the same thing here. This tax cut was designed, for example, through the capital gains reduction. Now in our country, it is not just the wealthiest people of this economy who benefit from a tax cut on capital gains. There are a lot of people out there, lots of people out there who benefit from capital gains reduction. But the biggest benefit from reducing the capital gains taxation is the economy as a whole, the society as a whole. If you take a look at economic history from an economic historical perspective, every time the government has reduced the capital gains taxation rate, you have seen an up-tick in the economy.

So it is true that only people who have capital assets and sell them with a capital long-term gain may directly benefit from that reduction. That benefit to that targeted area benefits the economic picture as a whole. That is very, very important here. If you take a look at the various elements of that tax cut, the dividends, for example, first of all, you should have a tax system. Your Tax Code should be fair. It is not fair to tax a person with double taxation. Dividend taxation is a double taxation. Not even the most liberal of the Democrats argue that it was not double taxation. However, the most liberal of the Members of Congress argue that is okay because mainly the people above $26,000 a year can afford to be double taxed. Remember, anytime you fund one of these liberal programs that some of these people want to fund, anytime you give money to somebody that is not working, it is a transfer. The government does not create wealth. The people that create wealth are the people that are working and exchanging their labor for some kind of a product, the creative aspect of it. All the government does is act as a transfer

agent. For example, to give money to people that do not work, and there are a number of people that do not work that our society thinks have a legitimate case for not working and believes that the working people should support; and as you know, there are a lot of people that ought to be working and are not, by their choice they are not working, but the issue here is anytime you give money to people who are not working, you have to take it from people who are working.

It is the same thing with this tax credit. When you take the money from people or give money that are not paying taxes, give them a refund or some kind of credit rebate, you are taking it from people who do pay the taxes. My point in bringing this up is that is okay for a while, but you better be able to look right in the eye of the taxpayer or look in the eye of the person that is working and be able to explain to him legitimately why you are going to take money from those people, look right at them and say you are working, so I am going to take money from you and give it to this person over here who is not working.

Now when you do that, the average Joe or the average Jane over there that is working, and you say I am going to take some of your money that you have worked hard for and I am going to give it to person A over here who is not working, the first legitimate question that the working Joe or working Jane is going to say is, why are you giving them the money when they are not working? You might say, well, they are physically handicapped or mentally handicapped. They are not capable of working. You can expect the working Joe or working Jane is going to say that is a legitimate reason. Our society ought to help where we can with that kind of cause.

But when you go to working Jane and working Joe and say, look, we are going to take money from you because you are working, and we are going to give it to somebody over here who is not working, and they say why are they not working, and you say, well, because they have chosen not to work, then you begin to see problems. It does not work. That is why with this tax cut what we are trying to do is target it. It is a good plan. It alone will not turn the economy in that up-cycle; but I feel, I already feel confidence that the economy is beginning to recover. Our stock market is showing some strength.

The fact is that the people on the dividends, the capital gains, speeding up the tax brackets, the caps on the tax brackets which will help tens of millions of taxpayers in this country, by doing that you are getting the battery jumped and the car moves as a whole. That is the issue here. We want this economy to benefit as a whole. This tax cut will allow that to happen.

Now, let me tell you that a few of the people who have opposed this, for example the minority leader who continually stands up here and spins and bashes this tax cut and bashes the policies of the tax cut, what is their answer? You cannot just sit back and complain. You cannot just sit back and do nothing. I have always believed that at some point you have to quit talking and quit complaining; and at some point you have to get up and lead or get out of the way. I think that this shows good leadership. There was lots of negotiation that went on with this tax cut. There was lots of effort that went into this tax cut.

As I said, while I do not think this tax cut alone is going to lift this economy into that up-cycle, I think it is an important element of moving this economy towards that up-cycle. You combine that, and hopefully we can get our fuel costs under control, although right now we face a natural gas shortage, a pretty significant natural gas shortage around this country, but if we can keep oil supplies reasonable and a hand on unemployment, consumer confidence is very, very critical, if you can get consumer confidence to stay high so people go out and buy and if you can effectively, through leadership of the interest rate by the Feds, if you can keep the deflation threats from occurring, you are going to see this economy improve. But it is a fragile economy. We are trying to do something to help it. Because you stand up and are trying to help this economy recover does not mean that you care less about children. It does not mean that the only working families in this country, as expressed by some of the Democrats this evening, are those people that earn less than $26,000 a year. That is not what it means.

It means that we recognize that working families are spread all over America; that if you can benefit those working families all over the income brackets, those people who pay income taxes, those people who are out there, and mind you, we will hear the comment, and I heard it this evening, that they do pay these taxes, and you can vote one way or the other on that. You ought to be accurate about your facts. They do not pay Federal income taxes. The group that they are talking about getting a rebate for, they do not pay Federal income taxes. They do pay State income taxes, sales tax, gasoline tax and 7.5 percent or 7.6 percent on their Social Security; but they do not pay Federal income tax.

What the minority leader is saying and what some of the Democrats are spinning up here, they are making it sound as if these people do pay Federal income tax and for some reason just because they are poor, they are being cut out of the tax cut. That is not accurate. That is a blatant, inaccurate statement.

Now, whether you vote to give these people a rebate or not, the fact is that anybody that enters this debate ought to acknowledge up front that the issue is not whether or not they pay income taxes because they do not pay Federal income taxes in that income bracket. The issue is then do you give them money, even though they do not pay, do you give them a tax rebate, even though they do not pay taxes, or should you call that program some other type of welfare program and go ahead and transfer it under that type of description.

But to attack the entire tax cut, to stand up here and say that the only working families happen to be those families under $26,000 or $20,000 a year, to stand up here and attack the tax cut under the guise of protecting the children and that the Democrats are the only ones that protect the children is a misleading effort, and it is inaccurate. On this floor we ought to at least debate on a fair basis. If you take a look at this tax cut, it is not perfect; but so far nobody else has come up with a better solution.

It is interesting to hear these people talk about the Federal deficit. Let me say something about the U.S. Congress. I think it would be interesting for every Member that talks about how terrible the Federal deficit is, I think it would be interesting to look at their bills that they have introduced and see what their bills do to that deficit. Those people that stand up here and criticize, for example, as they have done this evening, criticize the Republicans on the deficit, whoever does that criticism, take a look and see what their votes look like, what programs they vote for and what those programs have done to the deficit.

□ 2045

It is funny how people vote one way and speak another way. When I first got elected to office, somebody said, ''The best trick is to vote liberal in Washington and speak conservative in your home district.'' I do not believe we ought to be running our business that way. I think we ought to be as, what was it, McCain that had straight talk? Let's talk it straight.

This tax cut is targeted. This tax cut is targeted to benefit the entire economy. This tax cut is targeted to move all of us forward, so that our unemployment can go down, so that our stock market can go up, so that our consumer confidence can go up, so that the interest rate, the prime rate, can stay down. That is what we have in our radar. That is what we are trying to accomplish. It should not be attacked by a minority leader who stands up here and says, well, it's about the children and the Republicans don't care about the children, and only the Democrats care about the children. Or from the gentleman from Texas that says, only the Democrats care about the future generations of this country. Give me a break.

Let me summarize these remarks by saying obviously everybody in this room, even the ones I most ardently disagree with, I would never say they do not care about the children. I have never met a person in elective office, I

have never met an elected officeholder that really does not care about children or would do something to hurt the children. I have never met them. I have never met one officeholder in my career that did not care about future generations. I do not care what their party affiliation is. And to stand up here and use those kind of statements, you talk about spin, you talk about political rhetoric, and that is the definition of it.

I want to address another subject that I am hearing a lot about recently on the news. First of all, let me give you a little background. I used to be a police officer. When I went to the police academy, we used to have a training exercise, I guess you would call it, where they would show a movie on a big screen, and we used wax bullets. We had wax bullets in our weapons, our service weapons. On the movie screen, the training episode was called ''Shoot or Don't Shoot.'' They would have different instances. It was up to you to make a determination. The film would depict somebody, for example, coming out from a trash can with a weapon. It was up to you within 1 or 2 seconds to decide whether that person really was a threat and whether you needed to draw your service weapon and, even more serious, whether you should discharge your service weapon, and then you would fire your wax bullet and it would measure, of course, on this big screen whether or not you hit the suspect and saved somebody. It is tough to make that decision. There were a number of times where the person would aim a gun at you and it would be a toy gun but it looked like a real gun, it would be a squirt gun or something, and you had to make the decision as the police officer, do I draw and shoot? On a lot of different occasions, myself included, we shot and then we found out that the person on the film actually, like I said, had a water gun or a toy gun. What happened right after that, after you would do that, then more likely than not the next person would have what looked like a nonthreat, not a serious threat and something that looked obviously like a toy gun and it would be a real gun, so you would hesitate and the person on the film would go boom-boom, and all of a sudden you got docked points because they just shot you.

My point in talking about this training film is to move into this discussion of weapons of mass destruction. We have had incidents in the past where a police officer has shot a suspect and after they got control of the suspect and they grab the weapon, after they shoot the suspect, let us say in the example they kill the suspect, the police officer does, and the investigating team seizes the weapon from the suspect and they find out the weapon did not have any bullets in it. There are always people that with hindsight say, why did that police officer shoot old Joey over there? Sure, Joey pointed a gun at him, but he didn't have any bullets in it. Why did the cops have to shoot him? He didn't have any bullets in that gun. Somehow they think that the police officers had 20/20 vision or Superman's vision so that they could see right through the weapon and determine that there were no bullets in there.

That is the same thing on these weapons of mass destruction. All of a sudden we have weapons experts, kind of the Blame America First crowd. We are starting to see them. Oh, my gosh, the United States of America has not found these weapons of mass destruction, so they can't justify this war. How convenient it is that these very people continue to ignore what an evil man Saddam Hussein was. Just take a look at what he did to half his population. The women in Iraq, take a look; if we just had one incident like that in this country, understandably and justifiably, this country would be enraged that a woman was treated that way as an American citizen in the United States. But yet this crowd, the Blame America First crowd, ignores all of that. They are putting on blinders. They are putting on blinders about the mass graves. They are putting on blinders about the fact that Saddam Hussein on a number of occasions, of which I will show you here in just a moment, used weapons of mass destruction to kill his own citizens.

In this country at Kent State when our National Guardsmen shot, I think they shot and killed four students who were protesting back in the sixties or seventies, this country went ballistic. What do you mean our own military people killed our own citizens? That is four. Yet the Blame America First crowd out there is making Saddam Hussein look like somewhat of a Robin Hood, ignoring the fact that while maybe he did not have these weapons of mass destruction or at least that we have not found any yet, that we ought to focus entirely on the gun that did not have bullets in it, although it was pointed at us, and criticize us for that instead of taking a look at the history of that evil man.

This guy, Saddam Hussein, even if we do not find weapons of mass destruction, and, by the way, it is Saddam Hussein, I am going to also show you a poster on that, the weapons of mass destruction that he himself admitted that he had. He admitted they had them. But for the sake of argument here, let us say that Saddam Hussein did not have weapons of mass destruction. Take a look at what the proof of the pudding is. Take a look at what he did to his own citizens. By the way, on this particular poster to my left, these murders were accomplished with weapons of mass destruction. In the history, we know, for example, going back to my police officer incident, that the guy that is pointing the gun at us on a number of occasions used that gun to kill people. So it is a natural and justifiable thought process to believe that when this guy points a gun at you, considering his history that he used a gun repeatedly, repeatedly, repeatedly, it is a logical thought process that that gun is loaded and he is going to use it on you.

Take a look at this. In 1983, mustard gas killed about 100 people. Mustard gas in 1983 killed 3,000. These are his own citizens, by the way. These are all confirmed. In 1984, 2,500, mustard gas. In 1985, mustard gas 3,000. I am skipping down here. Right down here, mustard gas 5,000. In 1987 mustard gas, 3,000. In 1988, mustard gas and nerve agents, hundreds of people, Iranians and Kurds. This is a country that used these type of weapons when they were at war with Iran. So sure, maybe we have not gotten our hands on these weapons yet, but the fact is there is a long history, a long history of the country of Iraq using these types of weapons. It is very clearly justified for you to expect, in fact I think you would be negligent not to suspect, that Saddam Hussein and his lieutenants had these type of weapons.

Some are saying, ''Well, it's the Republicans. It's George W. Bush. He's a cowboy.'' Let me say to you, first of all, being a cowboy out in the West is kind of an honorable title. We do not think it is a degrading remark. We kind of look at it in a romantic fashion. But back here some people think being a cowboy is a negative term. They say, ''It must be George W. Bush. He's just a cowboy. He's the one that has overstated the threat of Saddam Hussein. He's the one that took this Nation into war and it's an exaggerated threat.''

Let me show you what the leader of the Democratic Party says about it. Again, the poster to my left. President Bill Clinton. President Clinton on Saddam's threat. He made these remarks, this is an exact quote, on February 18, 1998. This is what Bill Clinton says: What if Saddam Hussein fails to comply—this is with the inspection process—and we fail to act? What if Saddam Hussein fails to comply and we fail to act? Or we take some ambiguous third route which gives him, speaking of Saddam, yet more opportunities to develop his program of weapons of mass destruction and continue to ignore the solemn commitments that he made? Well, he will conclude that the international community has lost its will. He will then conclude that he can go right on and do more to rebuild an arsenal of devastation and destruction.

Let me point out, on the next poster, these are the weapons of mass destruction that the country of Iraq admitted in documents that they submitted to the United Nations, or to the international community, these were weapons that they admitted that they had at some point in time. Mustard gas, 2,850 tons. All you need, by the way, of mustard gas is about a teaspoonful and you got real problems on your hands. This is about 3,000 tons of mustard gas. Not what George W. Bush or Dick Cheney or Colin Powell or Condoleezza

Rice or our commanders, our chief of staff over there, this is not what they said Iraq had, this is what Iraq says Iraq had. Sarin, nerve gas, 795 tons. All you need is a little whiff of that Sarin and you're a goner. VX, nerve gas, 3.9 tons. Tabun, nerve agent, 210 tons. Anthrax, 25,000 tons. We saw in this country what happened with just a few little crumbs, a few little particles of anthrax stuck in an envelope. We saw what happened in this country with that. Iraq, by their own admission again, not a statement made by our leadership in this country but an admission made by the country of Iraq, they had 25,000 tons of that stuff. Uranium, 400 tons; plutonium, 6 grams. Six grams does not sound like a lot but that is exactly what you need to create a heck of a nuclear weapon.

My point this evening with you is to say it is a cheap shot, for lack of a better word, it is a cheap shot, it is a comment made from that group of people, that Blame America First, the crowd that partially is driven for political self-interest, the crowd who believes that America can never do right, the crowd who constantly criticizes America, it is that Blame America First crowd whose voice has become louder and louder over the last 2 weeks about the fact that weapons of mass destruction have not been found.

My point tonight is not to address that crowd. You can talk until you are blue in the face and you will never convince the Blame America First crowd that America is anything but the devil itself. You are not going to get them. They will claim they are good Americans, they will claim that they have this patriotism and their patriotism is demonstrated by the fact that they have enough guts to stand up and cry about America's sins and apologize for this country around the world and talk about how horrible we are and this and that, but the fact is this: This country, the leadership of this Nation, the Republican President George W. Bush, the Democrat President Bill Clinton, all knew and had a history of weapons of mass destruction's usage in the country of Iraq.

Again coming back to my example, what has happened here so far, the investigation shows, we had a suspect. That suspect, and I am trying to draw a comparison here, that suspect had a gun pointed at us. The gun was pointed at us. That suspect had a history, like Iraq did, had a history of murder, had a history of using that gun. That suspect had a history of admitting that he had used that gun to kill people. That is a suspect that is looking at us with a gun. So before that suspect, Saddam Hussein, could use that gun against us, we fired first. In the investigation it may appear, and I say ''may'' because we have only been in Iraq 7 or 8 weeks under this kind of a look for a search for weapons of mass destruction, it may occur to us or may end up being a result, and certainly at this point, the gun appears not to have had bullets in it.

□ 2100

So, what happens? The Blame America First crowd cannot wait to get out on the street and say you should have never shot him. Despite the fact he pointed a gun at you, somehow you should have had superior information that that gun did not have bullets in it, despite the history of the person holding the gun.

This Nation has an absolute right to go out there and preempt a threat. We do not have a right for preemption; we actually have an obligation for preemption. Do you think we say to our police officers in any community in this country that you cannot discharge your service weapon until you are fired upon first, you have to be shot first before you are allowed to discharge that weapon?

No. What we say to our officers in law enforcement is we expect you to go out there; and if a threat exists, one, we want you to be as accurate as you can possibly be as to whether or not a threat exists; but if a threat does exist, it is your job, it is your obligation, and we expect you to carry out your duty to stop that threat.

That is exactly what Bill Clinton was talking about when he was President of the United States, and that is exactly what George W. Bush did now that he is President of the United States.

So I hope as colleagues begin to hear this rhetoric about we have not found any weapons of mass destruction, so blame the United States, forget the fact the United States has brought to the Iraqi people things they have never seen in their entire lives. Forget the fact that the women in Iraq are now going to have rights, are going to be treated as individuals over there. Forget the fact that the United States of America has stopped the mass murders. Forget the fact that the United States of America, if there are weapons of mass destruction, will find those weapons of mass destruction and will destroy those weapons of mass destruction.

All of that is ignored by the people that I call Blame America First. What they are trying to do is hitch their horse to this one pole; and that pole is, ha, ha, ha, you have not found a weapon of mass destruction, so everything you have told us is a lie. This is exaggerated. We should have never done this.

They intentionally, not by accident, but they intentionally ignore the historical facts of the mass murders that that guy has done. They ignore the admissions by Saddam Hussein's country of the weapons of mass destruction that they did possess in the past. They ignore all that, because they do not want to listen to the facts. They do not want the facts to enter this picture.

What they want to do is use this as a spin, either in their continued all-out effort to blame America first, or in a spin for some type of political purpose or self-serving political motive, especially in light of the fact that we have a Presidential election coming up here in the next year or so.

What I am asking my colleagues to do is stand behind America. Stand strong with America. When that suspect pointed a gun at us, we had every right to discharge our weapon; and we had a right to discharge our weapon first. We knew the history of that individual. To the best of our knowledge, we believed that individual had bullets in his gun. We could not see in the gun, but the gun was pointed at us, and we do not feel and we should stand by this position that we do not think it is necessary we get shot at first, like we did on September 11.

Let me tell you, after September 11, of course, the Blame America First crowd came out and said, oh, America's intelligence failed. It is because America does not do enough for the poor in the world and America is pompous and America does not share its wealth and America enjoys too much of the good things and America has too much food. That is why September 11 came about. The Blame America crowd came in.

That is exactly what would have happened if Iraq, by the way, would have shot first, had they used a weapon of mass destruction against the free world. Blame America would have come out and said where was George W. Bush? Where was President Bill Clinton? When they should have known about this, why did they not know about it? So no matter what you do, you are going to have the Blame America First crowd out there criticizing you.

But the fact here is we should put them aside. What we need to make sure is that the average American out there understands that this country is a good country. This country did what it believed was in the best interests, not just of itself, but in the best interests of many, many innocent Iraqi citizens. This country did what we thought was in the best interests of many, many citizens who were murdered and so on in Afghanistan. We did what we thought was best for the world.

It is this country that has led the world in standing up when the going gets tough. It is the United States of America that is the first one out of the foxhole. And it is a little tough, when you are the first one out of the foxhole, you are standing on the battlefield taking the bullets, and somebody hiding in the foxhole behind you is saying, I told you so. You should not be out there. That is kind of how I feel about some of this criticism.

America has no need to apologize. The United States of America has done a lot of good for a lot of people for a lot of countries for a lot of history for its entire history. Oh, sure, we got a blooper here and there. But the fact is, you can stack America up, I will stack America up against any other country in the history of the world. Not just in the history of the United States, but I will stack America up against any other country in the history of the

world; and defy you to show me a country that even comes close to doing the good that this Nation has done.

The United States of America does not have to apologize for anything that we have done. What we have done was for a just cause. What we have done, in my opinion, was the right thing. I think the majority of Americans believe in that.

AMERICAN ECONOMY NOT RECOVERING

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from South Carolina (Mr. SPRATT) is recognized for 60 minutes as the designee of the minority leader.

Mr. SPRATT. Mr. Speaker, on Friday of last week there was more bad news about the economy. The unemployment rate hit 6.1 percent, the highest rate in more than a dozen years. Since this recession started in March of 2001, we have lost 3.1 million jobs in the private sector. That is a loss of 2.8 percent of all the jobs in the private sector; and in percentage terms that makes this one of the worst recessions in the postwar period. That is one of the problems we have got; 6.1 percent does not sound alarmingly bad compared to prior recessions, but it does not begin to tell the story of what is happening in this economy.

First of all, this unemployment rate, 6.1 percent, does not indicate the persistence of this recession. Unemployment is not only up at 6.1 percent, but it has been stuck in this range for more than a year.

As you can see from this particular chart, this graph, this recession is not following the pattern of previous recessions. In previous recessions, the red curve, the U-shaped curve, plots the path that unemployment has taken. It reaches a peak, as it did in March of 2001, typically reaches a trough in about 12 to 18 months and then starts back up again. It takes awhile for recovery, it takes awhile for employment to get back on its feet, but eventually things come back to normal.

There may be a lot of people in this country and in this Congress who think, well, this is your regular postwar recession, it is not a depression, it will come back. But what we trouble about is it is not following the pattern of the postwar recessions of the past, because this black line plots the path the economy has taken. It has not headed back up.

Employment has not headed up, even though we have had signs of a recovery. It feels like a recovery. This is a jobless recovery. Worse still, the job situation is actually getting worse, as this line plots, because, if you follow that line, if you can see the bottom index, this means that jobs should have recovered 12 to 18 months ago, at the very least. We should have seen an uptick, an upturn in jobs; and it should have been at this level by now. Instead, we are still way down here below the trough of the recession. So this is not a recession like any we have had before, particularly when it comes to jobs. Twenty-five percent of all the people who are out of jobs have lost all of their unemployment benefits. They are ''exhaustees,'' we call them.

Second, the unemployment rate we are looking at does not count the 2 million people who have dropped out of the job market. It may be more than that, but at least that number. They have given up the search for a job because they flat cannot find one.

If they were counted in the labor force, the unemployment rate would be in the range of 6.6 percent. But even this figure, 6.6 percent, would not reveal the number of workers who have lost their jobs and found another, typically with lower wages and lower benefits. I see that all the time in my district, anecdotally, and I suspect it is happening everywhere in America.

These folks do not show up in the employment statistics because they are working, but they are working at much less favorable terms than before this recession started. One indication of that is the loss of manufacturing jobs, 53,000 in the month of May alone. Every month for 12 months we have lost at least 50,000 of these jobs, which are the best jobs in industrial America. Manufacturing jobs are hemorrhaging right now.

These workers do not show up as unemployed. They are industrious workers. They have found a job somewhere else, but not at the same terms they once enjoyed. In truth, they are underemployed; but we do not have a number to reflect their status.

Third, this unemployment rate does not say anything about household income. But when you consider the fact of unemployment, which is prevalent, and underemployment, you have to believe a toll is being taken on household income. Rising unemployment has to mean declining household income.

In real terms, in fact, after inflation, the median household in America has seen its income fall by 2.2 percent, or $934. This is serious in itself for the individual household; but it is serious for the economy as a whole, because it means cutbacks in consumption, and it is consumer demand that drives two-thirds of the economy when it is at full employment. If you have weak household income, declining household income, you are not going to have the restoration of demand that is necessary to get this economy up and running.

Fourth is another indicator. Look at real wages of full-time workers on a weekly basis. Let us take the median worker, the person who makes more than half of the workforce and less than the other half of the workforce, the guy who is stuck right in the middle.

Over the last four quarters, the real wages of median workers has fallen every quarter. That is a fact. Now, that may not sound catastrophic. The rate of decline was just 1.4 percent, but it is catastrophic if it is your pocketbook, your household, your median wage. And these widespread weaknesses, moreover, are what are causing our economy to lag and drag and remain mired in a jobless recovery. We saw evidence of that in the numbers we saw last Friday; more evidence of it still, the latest data. We have been seeing this for weeks now, for months now.

Last December, when the Republicans left here and did not extend unemployment benefits and gave a very, very backhanded present to those who are out of a job over the Christmas holidays, we started looking hard at the circumstances and asking what can we do to ameliorate this economy.

On January 6, 6 months ago, we offered a solution. We offered a package of short-term stimulus and long-term balance. We proposed to give all American workers, working families, a tax rebate, $600 at least, based on their 2002 incomes. We proposed to speed up depreciation for all businesses, large and small, to encourage them to invest. We proposed to give the States $36 billion of fiscal assistance, going to Medicaid and highway construction and homeland security, all of this to get the economy up on its feet and running.

But we proposed these remedies for 2003 alone so that the budget would recover when the economy recovered. We did not want to be mired in debt, long-term debt, because we recognize that long-term deficits and deeper national debt would only mean higher interest rates and, therefore, less growth and fewer jobs.

It took our Republican colleagues almost 6 months to do anything. We were about to leave here for the Memorial Day holiday when they finally acknowledged our prodding and agreed to extend unemployment benefits, but not by merely as much as we would have, not for as long and not for the same people, particularly those who exhausted their benefits already.

□ 2115

They have now come up with a package, mainly tax cuts, 62 percent of which go to the top 5 percent on the income scale; they provided some help for the States, and I think that is good, but I think they took that page from our book, not as much as we proposed, though. They proposed tax rebates, again, not as much as we proposed and not to those that we proposed to give the tax rebates to, because we think they should go primarily to the unemployed, to working families with children who need the money and who also will spend the money. We were told today and have been told before by Macroeconomic, by Economy.com, that it is their rule of thumb that for every dollar of unemployment benefit we extend, we generate about $1.73 in economic activity in the economy over the ensuing year.

Well, our Republican colleagues claim that the package that they proposed and passed now will create 1.4 million jobs over the next year. We had an important effort, which the gentleman from Virginia (Mr. SCOTT) saw this morning when Lawrence Michel testified before our small ad hoc committee of Senate and House Democrats and pointed out that the economy itself, if you believe the Council of Economic Advisors and what they are putting on their Web page and what they have been projecting and testifying to, the economy itself, if it recovers as they project over the next 12 months, will generate over the next 12 to 18 months 4 million jobs.

So Michel proposed a yardstick. He proposed we will be able to tell whether or not the President has succeeded, the Republicans' package has achieved its goal if it creates 5.5 million jobs over the next 16 months, between now and November of 2004. Mr. Speaker, 1.4 million for the package itself, and 4 million for the economic growth that the economy is supposed to generate in any event.

Now, is this fair? Is it fair to hold the administration to this kind of test? I say it is fair, because I think what we are going to see as a result of this test will be hard to meet, but it is fair in comparison to what the first Bush administration achieved and also what the Clinton administration achieved. It should be recalled that Mr. Clinton took office in a recession, too, and notwithstanding that, in the first 4 years of his administration, more than 10 million jobs were generated by this economy. Among other things, at that point in time, we raised taxes, but we also cut spending and we started working down the deficit so that every year for 8 straight years the bottom line of the budget got better, the Federal Government literally got out of the capital markets and started paying off debt; $400 billion in debt was retired, paid off between 1998 and 2000. And, in the year 2000, we were in balance without counting Social Security for the first time in 40 years, the first time since the year 1960.

So we believe it is fair to hold the Bush administration to this account, to release 5.5 million jobs. The President says that he wants every American who wants to work to be able to find a job. Well, there are 8 million unemployed Americans waiting for that promise to be fulfilled, for that goal to be attained. We are saying here, at least 5.5 million of those jobs ought to be generated if this package comes true over the next 16 months.

But there is another problem that is seldom talked about when the effects of this stimulus jobs and growth package, so-called, are discussed. And that is that unlike the package we proposed last January, what the Republicans have proposed and put in place right now will have such a huge tax revenue impact or cost, that going out into time, we will accumulate, it is our expectation, as much as $4 trillion in additional debt over the next 10 years. And every economic advisor who has looked at this projection and found it reasonable has said, if that happens, we cannot help but lose jobs and lose economic growth, because the additional credit demands of the Federal Government are bound to drive up interest rates; and when interest rates go up, the growth in the economy will go down, and jobs will go down with it.

So that is the dilemma we face here. That is the problem we face here. The President's package which was proposed and passed just a couple of weeks ago bore a price tag of $350 billion. The problem is, every tax concession in that package has a sunset date, an expiration date, and not a Member of this House, nor a Member of the other body, the Senate, believes that those sunset dates will ever stick. We all believe that when those dates are reached, sooner or later, they will be repealed. The expirations will be relieved, and, therefore, when we take out all of the sunset dates in the tax package that passed here as a stimulus package, the cost of it in revenues is not $350 billion, it is $1 trillion.

Furthermore, to make permanent the tax cuts that were passed in the year 2001 will cost another $600 billion. And, to deal with the problems of the alternative minimum tax, the AMT which the Treasury tells us will affect more and more taxpayers, rising from affecting 2 million taxpayers today to 30 million in 10 years, when we take care of that, try to limit the number of taxpayers whom we never intended for it to apply to, what will happen? It will cost at least $600 billion in revenues over the next 10 years.

So that is the tax cut agenda, and the built-in tax cuts that are bound to unfold here, and that is our concern; that even if the package the administration offered, given its size, does something for the economy, if you raise spending and cut taxes, you are bound to stimulate the economy to some extent. Number one, it is questionable about how much it will do, since 62 percent of it goes to the top 5 percent who probably will not change their behavior in response to it; but in addition, in the long run, it can have a real downward drag on the economy, because it is bound to increase interest rates and bound to slow down the growth of this economy, job creation, stifling growth and stifling job creation. That is our concern. We are not trying to be Cassandras, we are not trying to dump discredit on every proposal that comes forward that we do not happen to agree with 100 percent, but we have deep and real concerns about the long-term direction of the budget that is being given here by Mr. Bush.

I will wrap up my remarks and yield to my colleagues after noting this: The numbers that I have just described, $4 trillion in additional deficits and in additional national debt over the next 10 years are not fabricated or invented by us on the Democratic side, not by our own staff on the House Committee on the Budget. If we look at the budget resolution which our Republican colleagues brought to the floor, and look on page 93 of it in particular, we will see that on that page they summarize on one chart, one table, the effects of their budget and they show that gross Federal debt, all the debt of the United States, will grow from about $6.5 trillion today to over $12 trillion 10 years from now. If we go to CBO's analysis of the President's budget issued in March of this year, and look at it, look at the top line on table 1, the very top line, it shows that $4.4 trillion in additional deficits would be generated if those budget proposals were fully enacted. And, in fact, we are on that course right now, and that is our concern tonight.

Mr. Speaker, I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Speaker, if the gentleman would take a few questions I would certainly appreciate it, because I would like to have a dialogue with him on these issues.

My impression is that most Members of this Congress, most folks back home are probably finishing up their supper, tired after the long day at work; if they are tuned in to C-SPAN, all of them are wondering where is the straight talk about the U.S. economy, where is straight talk about their job and their future, or how long will their unemployment continue to last. People want real information, real facts. So many of the Federal budget numbers are so large that it is hard for the average citizen to comprehend. It is hard for the average Congressman or woman to understand.

I know the gentleman from South Carolina has played a long and constructive role in budget debates for many years now, helping, for example, in the Clinton years to build a surplus.

If the gentleman would turn to that chart, I think that is a period of real pride in American history. I think the gentleman just passed the chart right there, where we got out of a sea of red ink and actually built up toward a surplus and achieved a surplus in 8 short years, the first time that had been done in some 40 years in American history. So that was a truly significant accomplishment but, unfortunately, it has been largely voided by recent events.

I know that the gentleman is a positive and constructive force in this debate, and we try to seek out positive ways that our country can grow and advance. But it is important for us to first realize the predicament we are in.

Is my understanding correct that the job performance that we are witnessing right now is the worst in half a century?

Mr. SPRATT. Mr. Speaker, there have actually been job losses in the private sector, gains in the public sector, but the net job loss is somewhere

around 2.2, 2.3 million people. The private sector job loss number is 3.1 million jobs since the peak of this recession, which was March 2001, shortly after the President took office.

Mr. COOPER. So since March 2001, our economy has lost 3.1 million jobs.

Mr. SPRATT. Private sector jobs. Private sector jobs.

Mr. COOPER. And that is the worst job creation performance of any President since 50 years ago and Harry Truman?

Mr. SPRATT. The Clinton administration, which inherited an economy just coming out of a recession and had to deal with the credit crunch and other problems that were dragging the economy then, nevertheless generated more than 10 million jobs during its first 4 years and more than 10 million jobs during its second 4 years. The first Bush administration was marred by a recession for the second half of it and had a poor performance. The Reagan administration had an adequate performance, but it did not come close to the performance of the Clinton administration.

And what happened in the Clinton administration? This chart shows it. The gentleman is absolutely right. When he came to office, the deficit was at a record high: $290 billion and headed up. The President left his economic report on the desk for Mr. Clinton to pick up on January 20 when he came to office. On page 69 of that report, they showed that they expected the deficit to hover in the range of $300 billion or $330 billion for the next 5 years.

The gentleman from Tennessee was here, I believe, and the gentleman recalls well what happened. The President sent down his budget on February 17. We passed it with one vote in the House and the Vice President's vote in the Senate, and for every year thereafter, the bottom line of the budget got better. It went from 290 to 255 in 1994, to 203 in 1995, on down to 164, and finally to the point where, in 1998, as I said, we had a surplus of $236 billion, more than any surplus in the postwar period. Without counting Social Security, it was the first time we were in surplus in 40 years. That happened at the same time, at the same time, as opposed to hindering growth, we saw the economy boom as we had never seen it since the 1960s.

Mr. COOPER. Mr. Speaker, it is hard to imagine a starker policy contrast than the one that you are exhibiting right there to show that we were drowning in red ink until 1991, and then we climb up to the surface and can breathe again, and now we are drowning one more time in another sea of red ink.

Mr. SPRATT. That is our concern. That is what we are talking about tonight, the future as it looms ahead of us. And each time we pass one of these mammoth tax bills, we take another step down this road and it becomes all the more irreversible for us, and that is our concern.

Mr. COOPER. The gentleman mentioned a Democratic stimulus package, and if he could elaborate on that, because it is my understanding that the Bush tax cut plan actually has very little stimulus in the short term for our economy, whereas the plan that the gentleman put forward actually had much more of a stimulant effect to help our economy today get out of the ditch. Could the gentleman elaborate?

Mr. SPRATT. Mr. Speaker, we said we wanted to go to everybody who filed a return in the year 2002 and who earned up to $6,000 in income and give them 10 percent of what they had earned, up to a ceiling of $600, and send them a check for it right away. That way we would have reached 17 million American families who did not get a rebate in the year 2002. We would have put money in the pockets of people who were most likely to spend it, $60 billion to $70 billion for that purpose alone.

We also said we want to go to the States and help the States because what they are doing is contractionary, and if we do not counteract that to some extent then they will undercut what we are doing and there will not be any effect on our economy. Medicaid, a shared State-Federal program, we said we wanted to give the States $15 billion to $20 billion to help them meet the extraordinary cost of the Medicaid program. We also said as to businesses, we wanted to give them an incentive to invest; for small businesses, we said $75,000. You buy that new equipment or new computer or new desk, you can write it off the year you buy it, the year you purchase it.

□ 2130

And as to large businesses, we said, we will give them a bonus if you go invest it in 2003.

Now, the Republicans have been into bonus depreciation before, but they wanted to stretch it over a 3-year period of time. We said to give the economy a real jolt, let us say to American industry, do it this year when we desperately need it and we will give you a reward, 50 percent write-off in the year of purchase. That was our package. The net cost of it was about $100 billion and $100 to $136 billion. Over time, some of that washed out.

The key thing was after 2003, 2004, there were no net effects on the economy. As the economy recovered, ours faded out and faded away and did not constitute a long-term drain on revenues.

Mr. COOPER. Let me make sure I heard this right. In the short run, the Democratic bill would have been twice as stimulative as the Republican bill, $130 billion versus $60 billion, and in the long run we would not have had any of the deficit hangover that the Republican bill has?

Mr. SPRATT. The gentleman is absolutely correct. The Council on Economic Advisors put on their Web page their estimate of what the President's proposal would do and the methodology they were using. They had a model developed by macroeconomic advisers who were retained by them to give them macroeconomic econometric advice. They gave the methodology of how they estimated their jobs.

We took the same methodology and applied it to our proposal and we got, for a fraction of the impact on revenues, twice the impact on jobs. Our program would have created 1½ million jobs. Theirs would create around 600,000 or 700,000.

Mr. COOPER. Mr. Speaker, the Democratic proposal would have stimulated consumer demand with the rebate program and business investment with the depreciation incentives.

Mr. SPRATT. Which is critically important, because this is a demand-deficient economy which we are living in today. Two-thirds of the demand that typically drives the economy at full employment is a consumer demand, and that is why we are trying to boost consumer demand.

Let me now yield to my friend, the gentleman from Virginia (Mr. SCOTT), also a member of the Committee on the Budget, who has a whole battery of charts he would like to talk about.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding to me.

As we have said, this chart tells the story. When people ask, what is the Democratic plan to get us out of the mess, the green is the Democratic plan. We ought to remember history on how that green was created, because as the gentleman has indicated, not a single Republican, 218 to 216 in the House, not a single Republican in the House, 50–50 in the Senate, not a single Republican in the Senate voted for the plan that started digging us out of this great deficit.

When the Republicans used those votes that created the green ink, they used those against us in the campaign and took over both the House and Senate. Now they want to take credit for some of the green. But remember, after the 1994 election, 1995, they passed these trillion-dollar tax cuts and President Clinton vetoed those tax cuts. In fact, they threatened to shut down the government, and he vetoed them again. In fact they shut down the government, and he vetoed them again.

We had gotten the budget deficit down from 290 down to less than 10 before they finally agreed to a budget that the President could sign. That is right up in here somewhere. All of this was without any Republican votes, so they finally jumped on the bandwagon right at the last minute.

When President Bush came in, the Republican Congress passed the trillion-dollar tax cut and President Bush signed those tax cuts. Here is what we have as a direct result.

Now, who got the tax cuts? This is by 20th percentile. The lowest 20 percentile got that little bit, here is the middle 20 percent, and here is the upper 20 percent. Right at about 50 percent is

what the upper 1 percent of the income got out of that tax cut. So we ruin the budget by giving tax cuts to the rich, and we are told that would create jobs.

Here is the job chart that has been referenced. The first chart is what was created during the Truman administration. Each administration, all the way through. Then they had 2½ million jobs lost.

Mr. SPRATT. Mr. Speaker, will the gentleman suspend just a minute? That is the chart I was looking for just a minute ago. The gentleman had it. I am glad to see it.

The two tall bars right there beside the bar below the X axis are Clinton administration job gains. Is that correct?

Mr. SCOTT of Virginia. This is the first Clinton administration and this is the second Clinton administration.

Mr. SPRATT. What are the numbers there?

Mr. SCOTT of Virginia. Over 10 million jobs created each 4-year term.

Mr. SPRATT. What is the number below the line so far for the Bush——

Mr. SCOTT of Virginia. Minus 2½ million so far and dropping. We ought not refer to September 11, because this chart going back to the Truman administration includes the Korean War, the Vietnam War, the beginning and end of both of those wars, the Cold War, hostages in Iran, the first Persian Gulf war. All through that period of time, coming and going, through everything that has happened in the economy, jobs were created. Not after we passed this trillion-dollar tax cut.

I just want to point out, again, who benefited, because obviously people did not get jobs as a result. This is by income. We will see $10,000, $10,000 to $20,000, $20,000 to $30,000, and $30,000 to $40,000. We begin to see a little benefit here at $75,000 to $100,000, but those who are making over $1 million are off the chart.

Now, we should not be surprised that we did not create jobs. This is a study by the Joint Committee on Taxation, with a Republican majority, on how many jobs would be created if we passed this plan. We will see that there is a short-term spike in jobs, but right after that, at best we will end up where we started. Most of the models show we will end up with fewer jobs had we done nothing at all.

Mr. DAVIS of Florida. Mr. Speaker, will the gentleman yield?

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

Mr. DAVIS of Florida. Mr. Speaker, the proponents of the tax cut have justified the remarkable difference in benefits by the job growth that is not predicted by the charts the gentleman just showed. So I think it is important to go back and talk about the disparity.

As I understand it, if the gentleman or I were to make $1 million, and certainly we, like every American, dream of achieving that level of wealth some day, we will receive an average tax cut of about $95,000 under this tax cut. So if the gentleman makes $1 million, he will get about a $95,000 tax cut.

Most regular Americans are, on the other hand, going to get an average of I think about $100 or less on the tax cut. I would ask the gentleman, is that correct?

Mr. SCOTT of Virginia. Mr. Speaker, this chart shows, and we can hardly see, compared to what the millionaires get, we can hardly see the benefit we get if we are in the $50,000 to $75,000 or less range. This chart shows what we would get.

Mr. DAVIS of Florida. The tax cut that the gentleman from South Carolina (Mr. SPRATT) referred to, for which there was a bipartisan consensus, was a tax cut that evenly spread the benefits out and provided a true stimulus. The tax cut that was passed on an extremely partisan basis, only 5 percent of it will take effect immediately as a stimulus, and the rest results in this exploding difference the gentleman is describing.

Mr. SCOTT of Virginia. The reason we are not creating many jobs is that by the time we have run up all the deficit and we are worse off than we started, it is because the tax cut was not targeted to those who will actually spend it. It was not targeted and the spending was not done in such a way that it would actually stimulate the economy. It would just help those in the upper-income brackets.

There were a number of other alternative ways of stimulating the economy. The gentleman from South Carolina (Mr. SPRATT) indicated if we continue the unemployment benefits, those people what are used to a paycheck, no longer having a paycheck, will spend that money before the check clears. As soon as they get the check, they will deposit it and the money will be spent. They have overdue bills and they have things they have to buy. It is the only income they have. They will spend that money.

If we give a few thousand to a millionaire, if they wanted a television they would have bought a television. If they wanted a car, they would have bought a car already. They are much less likely to spend the money and help stimulate the economy.

One study was done on the dividend tax decrease; that for every dollar we lose in tax revenue, the economy is stimulated by 7 cents. Every dollar we put into unemployment compensation, the economy is stimulated $1.73. So if our goal is to stimulate the economy so everyone can benefit, there are other things we can do other than reduce the taxes on dividends, capital gains, and for those in the upper income.

Mr. DAVIS of Florida. A lot of citizens and taxpayers from my home in Florida are confused about this tax cut. They have said to me, at a minimum, tell us the truth. It has been described as a $350 billion tax cut. On that basis, the proponents of the tax cut have said that we are taking a responsible approach to the deficit.

That in fact is not the case. As I understand it, this is really a tax cut in excess of $1 trillion. Could the gentleman explain what the truth is? The public is at least entitled to know the truth about the size of the tax cut.

Mr. SCOTT of Virginia. First of all, I think we ought to suggest that if we are this far in the red already, we ought to be talking about something other than additional tax cuts. We use the adage around here that if we find ourselves in a hole, the first thing we ought to do is stop digging.

This chart is actually somewhat out of date, because on the more recent numbers there is more red ink down here than this chart shows. The present situation is actually worse.

But as the gentleman has suggested, they concocted a plan that they call $350 billion because they would pass a tax cut, but then in a couple of years they would what is called sunset it; that is, stop the tax cut and revert back to present law. Everyone expects that when you get to that point in time, that instead of a sunset we will have a sunrise, and continue the tax cut into the future.

If we assume, as everyone does, that the tax cuts will be eventually made permanent, it is not just $350 billion but approximately $1 trillion, three times bigger, particularly if we add on the interest and other fixes that have to be made when we have those kinds of tax cuts.

Mr. DAVIS of Florida. In my home State, Florida, the historically low interest rates have contributed to prosperity for so many more than any tax cut I have ever heard promised in Washington.

What has Chairman Alan Greenspan said in front of the Committee on the Budget about the impact on low interest rates and student loans and credit card debts and mortgages if we continue with this level of deficits?

Mr. SCOTT of Virginia. He has said on numerous times that if we run up significant deficits and increased debt that it will eventually have an effect on interest rates. It will increase interest rates. For a person with a mortgage, car loans, and credit cards, every time we increase interest rates we have taken money out of their pockets.

As we look at this, we just have to wonder how bad does it have to get before we notice that something is not right. As I indicated, we are not creating jobs. The Joint Committee on Taxation shows that in several years after we have passed this thing, as a direct result, we will have fewer jobs than if we had done nothing.

Now, running up debt has consequences. Even if we do not pay the debt off, we have to pay interest on the national debt. Under the Clinton administration we left a surplus that was in the process, by all projections, of paying off the entire national debt, debt held by the public, by 2008; and by 2013 or so, pay off the entire national debt. So as this green bar shows, the

interest on the national debt would be going towards zero.

Unfortunately, because of all the new debt we are running up, the interest on the national debt that we can actually pay in red is going up to almost $500 billion. To put this number, since it is a big number, in perspective, I have put in blue the defense budget. We are going to be paying, instead of zero interest on the national debt, almost as much in interest on the national debt as we are paying on defense.

Now, we can make it personal and divide the interest on the national debt by the population, multiply it by 4, so we have the family of four's portion of the national debt, interest on the national debt, just interest. Right now it is about $4,500. We are paying a family of four's proportionate share of interest on the national debt, and it is growing by 2013 to $8,500.

Now, the difficulty, the challenging thing about this is when we consider that chart and the Social Security cash flow, we are running about a $100 billion surplus in Social Security; but soon, by 2017, we will be running a significant deficit.

□ 2145

As the interest on the national debt is increasing, how are we going to pay the Social Security for the baby boomers on out?

Now, the egregious thing about the tax cut is if you look at this challenging chart and wonder how we can possibly pay Social Security in the future, we did some calculations and found that if, instead of the tax cut given to the top 1 percent, if that amount of money had been allocated to the Social Security trust funds, that would have been enough money to have paid Social Security benefits for 75 years without any reduction in benefits. We had a choice: make Social Security solvent for 75 years or a tax cut for the upper 1 percent. And this House and Senate passed a tax cut for the upper 1 percent and left Social Security who knows where.

Mr. KIND. It is one of my chief concerns as a member of the Committee on the Budget, as a Member of this House, the fact that the fiscal decisions being made today, if carried out the way we have intended is going to set up future generations for failure. As a member of the Committee on the Budget, I do believe deficits matter. As a father of two little boys back home, I do believe deficits matter. At a time when we should be investing in our children's and grandchildren's future, we are borrowing against their future.

This is happening at exactly the worst moment in our Nation's history, when we have 80 million of the so-called baby boomers all marching in lockstep to their retirement, which will start in a few short years; and we are digging this fiscal hole deeper and deeper and deeper at a time when the next generation will be taking over the reins of leadership. We will be setting up future Congresses and the younger generations for failure unless we can reverse course.

I appreciate the voice of my colleague in this deficit wilderness of warning the Nation of the consequences of these fiscal policies. The ranking member on the Committee on the Budget, the gentleman from South Carolina (Mr. SPRATT), has been telling us for a very long time that we need to keep an eye on the bottom line with the spending and the revenue streams and try to maintain some balance.

The question I have for both of the gentlemen here is that it was such a remarkable turnaround during the decade of the 1990s, unfortunately, we do not have another decade like that to prepare for the onset of the baby boom generation's retirement; but were there some fiscal tools available during the 1990s that no longer exist today, that we should consider putting back in place in order to develop some fiscal discipline and some fiscal responsibility in this House again before it is too late?

Mr. SPRATT. In 1990, when the first President Bush was in office, we prevailed upon him to sit down and negotiate with us a 5-year budget, a so-called budget summit deficit reduction plan. The negotiations went on for 4, 5, 6 months at Andrews Air Force Base; and they culminated in a budget agreement which, frankly, only about 60 Republicans voted for the first time it hit the House floor, failed then because there was no support there for it. It was modified and passed by the House mainly with Democratic votes. It was eclipsed by the recession.

It was an important piece of work because it established a ceiling for discretionary spending, that is the money we appropriate every year in 13 different appropriation bills. It also took on the Medicare entitlements, Medicare and Medicaid; and it addressed revenues. It increased revenues; and, of course, that caused Mr. Bush a lot of trouble in his own party.

In 1993 when Mr. Clinton came to the White House, because the results of that had been aggravated by recession, it was not evident; but he proposed a second 5-year plan that would have taken us until about 197. That plan was designed to cut the deficit by a bit more than half. Once again, it extended a ceiling on discretionary spending. It actually cut the rate of growth in some of the health care entitlements, and it raised revenues. The revenue increases went largely to upper tax bracket taxpayers. And as it so happened, the boom of the 1990s resounded more to their benefit than any other income class; and so they paid more taxes. Capital gains taxes went up from $40 billion a year in 1995 to $120 billion, by a factor of three, over a period of 5 years.

We finally got that budget passed here by one vote, the Vice President's vote in the Senate. Everyone said it would cut the economy off at its knees. We had bought ourselves a one-way ticket to recession, said Phil Graham over in the Senate. And what happened? The economy got up and ran. It took off like never before. For 10 straight years we had a phenomenal economy, partly because we were paying off our debt for the first time in years, adding to the pool of capital in this country, driving down interest rates and the economy prospered like never before to the point where we got to a $236 billion surplus. It is a matter of record. It is hard to believe now because it was just 3 short years ago, but that is where we were when President Bush came to office.

Now, we do not have those rules that limited the growth of entitlements before the so-called PAYGO rule. We do not have the PAYGO rule that says for every tax cut it has to be deficit neutral. It cannot impact the bottom line. You have to have offsetting spending cuts or offsetting revenue increases. We do not have the ceiling on discretionary spending anymore. None of those rules that we put in place in 1993 and 1997 with the balanced budget agreement any longer applied. We have a budget in free fall, an ad hoc budget.

Mr. KIND. I think the gentleman makes a very important point. The PAYGO did require fiscal discipline because for any proposed increase in discretionary funding, there had to be an offset in the entitlement in order to maintain balance. And it put the Nation in a position where there was a true lockbox on Social Security and Medicare trust funds, where the money was not being robbed to pay for other aspects of Federal spending which has gone out the window again in 2 short years. They have taken all the money out of the Social Security and Medicare trust fund to pay for these tax cuts or to pay for other spending programs when we should be downloading our debt in anticipation of this massive retirement boom.

One final point on the tax cut that was recently enacted into law, there was a lot of fanfare and Rose Garden ceremony, naturally, for the tax cut that the President signed. But what did not receive as much attention was the day before, unceremoniously and very quietly, within 20 seconds, the President also signed an increase in the debt ceiling by a trillion dollars.

Mr. SPRATT. $984 billion.

Mr. KIND. That is over next year alone.

Just to put this in context, the entire national debt in 1980 for the preceding 200 years was roughly $900 billion, and they are proposing to have a $1 trillion increase in the debt ceiling in 1 year alone. This was not economic stimulus that he signed into law. It was major structural tax reform, and it should be referred to as such. And no less an expert on capital accumulation in this Nation and the world, Warren Buffett has also weighed into decrying this tax cut. He says there is something fundamentally unfair with a tax cut proposal which will reduce his marginal

tax rate, Warren Buffett, who is worth about $55 billion, will reduce his tax rate to roughly 5 percent when the receptionist in his own office has a marginal tax rate of 30 percent. Even Warren Buffet says that is not fair; that is not the values that reflects our great Nation. But that is what this tax cut was about. A major restructuring of the Tax Code, who is going to pay and who is going to be left on the hook. And, unfortunately, again, no less an expert on capital accumulation than Warren Buffett, he says it does not fly and it is very troubling.

Mr. SCOTT of Virginia. I was just going to ask the ranking member, since we have run out of the surplus and Social Security, Medicare and other surplus, as you pass a tax cut, how is it funded if it is not under the PAYGO rules?

Mr. SPRATT. How is the tax cut funded? It was not funded at all. It simply goes straight to the bottom line.

Something very significant happened this year. This year when the Office of Management and Budget sent us the President's budget, they sent with it an analysis and a forecast which said, the surplus we have projected in the year 2001, for 2002 through 2011, that 10-year surplus we projected back then, was $5.637 trillion over 10 years. We made a mistake, said OMB.

Looking at the economy as we see it and understanding it today, according to OMB, the true surplus today for that same time period, 2002 through 2011, is really about $2.492 trillion. We were off by that much, $3.2 trillion.

They went on to say that of that $2.4 trillion, $2.5 trillion, more than that amount, about 2.6, has already been committed to tax cuts, spending increases, national defense, homeland security, and other things. Already committed. As a consequence, you start the process this year with no surplus. So if you have additional tax cuts or additional spending, it will go straight to the bottom line. There is no mitigation; no offset. It adds dollar for dollar to the deficit. And what did Mr. Bush propose? He proposed $2 trillion, 1 trillion 990-something billion dollars in additional budget actions that would add that much to the deficit over the next 10 years.

It is a matter of record; OMB acknowledges it. So there was no PAYGO rule, which in the past would have required that all of these things be offset by some spending cut or revenue increase. Instead, they proposed $2 trillion in additional budget actions, all of it going to the bottom line and swelling eventually to a deficit in 10 years of about $4 trillion cumulative deficit over that period of time.

Mr. SCOTT of Virginia. Now, we had the previous speaker before our Special Order suggest that it was wrong to give income tax relief for those who do not pay income tax. There are some that have lower income that do not pay income taxes, but I was wondering if they paid a payroll tax.

Mr. SPRATT. Of course they do pay a payroll tax on their gross earnings, not on net earnings, on gross earnings up to a ceiling of about $86,000. And for the lower- and moderate-income people, that payroll tax which essentially is about 16 percent when you include the employer's share is a big percentage of their income.

Mr. SCOTT of Virginia. Now, do they pay a sales tax?

Mr. SPRATT. Of course they pay a sales tax. They pay property taxes on the homes they own, on the cars they drive, all of these taxes they pay; and we are trying to give them some tax relief, because let us face it, they need it more than anybody else.

Mr. SCOTT of Virginia. The suggestion was that we would just pick one tax, the income tax, and only those that paid, there are other taxes that a lot of people do not pay; a lot of people do not pay estate taxes. What portion of the people have estates when they die over $1 million?

Mr. SPRATT. No more than 1 to 2 percent of all estates.

Mr. SCOTT of Virginia. So if we focus all of our tax relief on that, it would not surprise anybody that it would not be broadly based. It would just be aimed at the 1 or 2 percent. So it does not make much sense to complain that if we are trying to give tax relief to everyone, particularly when we are also trying to stimulate the economy, that we would give tax relief, however we can, to everyone, particularly those that might actually spend the money and help stimulate the economy.

Mr. SPRATT. Exactly. That is the complete and full point, namely, that we have got an economy with deficient demand. It is lagging. It is mired in a jobless recovery. And to get it up on its feet and running, you have got to put money in people's pockets to spend so that they can go buy things, work down inventories, and get the economy running at full speed again.

Mr. KIND. That is really the point of tonight's Special Order is what is going to get the economy back on track. That is what all of America embraces. We need to grow the economy, create jobs, stimulate investments. There is nothing that solves problems better for our Nation than a growing economy. But the fact of the matter is over the last 2 years, and the gentleman from South Carolina (Mr. SPRATT) recited these stats, is we have lost 3 million jobs in this economy. Two million of our citizens have gone from middle class back into poverty. During the 1990s when we had declining deficits and surpluses, 8 million of our citizens went the other way, from poverty into middle class. We have had over a trillion dollars of corporate assets that have been foreclosed upon over these last 2 years, one of slowest worker productivity rates in the last 30 years.

The economic policies are not working. And that is what we need to do is get together in a bipartisan fashion and figure out a plan that is going to work for working families and for all Americans throughout the country so we can stimulate economic activity and create jobs again. That is what we need to do rather than pursuing an idealogical agenda that has a poor track record during the 1980s, the first part of the 1990s, and now it is deja voodoo economics all over again here in the new century. And that is really the task that lies before us today. But unfortunately, there is an unwillingness with the administration and leadership of Congress to admit that things are not working.

Most reasonable and logical people, when they find themselves in a hole, stop digging. Ideological extremists ask for a bigger shovel. And later this year, as true as we are standing in this well today, there is going to be another trillion dollar tax cut proposal coming before this body with everything including the kitchen sink involved in it. They are just clinging to this mantra that tax cuts solve all the problems that this country is facing, when, in fact, the record belies that and it is very troubling.

□ 2200

Mr. SCOTT of Virginia. We just want to remind people who asked what our plan is, our plan is the green. If we had our ways, we would be running up back into surplus with the stock market high, unemployment low. This is what we would do if we had the choice.

Unfortunately, this is where we are because of all the deficit spending and the tax cuts which basically went to the wealthiest Americans.

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

Mr. SPRATT. I yield to the gentleman from Tennessee.

Mr. COOPER. Mr. Speaker, the gentleman makes a great point, talking about the 12 million kids who are left out of the tax cut. Right now, as I understand it, this House is considering whether to repair that mistake. The other body in the Senate has voted, I think overwhelmingly, 94–2, to help the 12 million poor children. The question before this House is whether we will take action to correct the mistake, to help the 12 million kids who should have been covered by the tax bill.

Mr. SCOTT of Virginia. We have legislation pending in this body that would do that. Interestingly enough, that tax cut would be paid for under the standard that we had adopted helping to create the green, that if you pass a tax cut it ought to be paid for with other tax increases or spending cuts so that the tax cut does not add to the deficit. And we close some loopholes and do other things that pay for the tax cut that would give relief to those in the $10- to $25,000 range. And people have said that is close to the minimum wage. A full-time worker at minimum wage makes about $10,000.

So when you get up to 25, you are 2½ times the minimum wage. So it is just not the bottom of the scale. You have

gone quite a ways up of people that were left out that would be compensated and would be able to get the benefit of the tax cut without adding to the national debt, because in our plan that would be paid for, and that is the fiscally responsible way of doing it.

Mr. SPRATT. Mr. Speaker, we have talked about the economy. We have talked about fiscal policy and budget propriety.

We have not talked about the moral question of intergenerational burdens. That is a fancy way of saying what we are doing here, if we continue down the path we are on right now, stacking debt on top of debt, building $4 trillion in deficits and debt over the next 10 years, is take the tab of these tax cuts, the defense build-up and everything else that we are doing now but not fully paying for, and leaving it to our children. We are leaving them a legacy of debt.

On top of the responsibility of maintaining and sustaining the Social Security program, which is underfunded and will be significantly underfunded with 77 million baby boomers, doubling the number of beneficiaries in a matter of a few years; Medicare, same situation, the same increase in benefits that is looming in the future; they will have to sustain both of those promises, both of those programs, the benefits promise. And on top of that, if that were not enough, we are telling our children, the next generation, that they are going to have to bear as much as $12 trillion in gross statutory debt subject to limit.

It is just totally immoral, not just bad fiscal policy, not just bad economic policy. It is immoral and the wrong thing for us to do to our children and their children.

Mr. SCOTT of Virginia. When we spend without paying for it, we run up debt and you have to pay interest on the national debt. This is a family of four's portion of interest on the national debt. It is going up year after year after year.

When President Clinton left office, the projection was at that time if you did not take any action the interest on the national debt, just maintain services, kept the Tax Code as it is, interest on the national debt by 2013 would be zero. Instead, a family of four's portion of the national debt would be $8,500 and rising. At the same time, the Social Security Trust Fund would stop running the surplus that we have been spending and turned into a significant deficit.

Mr. SPRATT. The gentleman made a very significant point a minute ago, namely, in 2001, we stood at the fork of the road. Prior to Mr. Bush coming to office, we were on the cusp of adopting a very conservative economic policy which would have called upon us to forswear ever again spending anything in the Medicare or Social Security Trust Funds except for those benefits, and using the funds in the meantime solely to buy up outstanding debt, not newly issued debt, but outstanding debt so that over a period of about 10 years we could have just about paid off the debt held by the public, and therefore, Treasury would have been interest free, would have had no interest obligation to pay to the public at a time when the baby boomers began to come to the Treasury or at least assert their demands for benefits which they had been promised and draw down their benefits. The Treasury would be in a more solvent situation than it has been in since the Second World War.

Mr. SCOTT of Virginia. During the Presidential campaign, everyone had agreed that you would have a lockbox; you would not touch the Social Security money that was supposed to be for Social Security, and Medicare money collected for Medicare should be reserved for Medicare. Instead, we passed a $1 trillion tax cut and dipped into that spending, into great deficit.

Mr. SPRATT. More than dipped into it. For every year that we forecast, all 10 years to get to the right-hand edge of the paper, cannot see anymore, we will fully expend the Social Security surplus, fully draw it down and spend it for non-Social Security purposes.

Mr. SCOTT of Virginia. You wonder how you could pay the Social Security challenge that is shown on this chart, because instead of a nice surplus that we have been spending, we are going to have to actually come up with even more money. At the same time, the interest on the national debt is increasing. We are going to have to come up with more cash to pay this. And the tax cut, the amount of money that went to the top 1 percent in 2001, not 2003, 2001, that tax cut to the upper 1 percent only would have been sufficient to cover all of this red ink, for 75 years, no reduction in benefits.

Mr. SPRATT. Mr. Speaker, if I can reclaim my time, we are about to be gaveled down. Basically what we have said tonight is we are not opposed to a tax cut. We have proposed them before. We will propose them again. We recognize they can stimulate the economy if they are directed in the right manner. But we are deeply concerned about deficits and debt, and of course, we are primed for stacking deficits upon deficits and building the debt ever bigger every year. We simply do not believe that is the right prescription for our economic future.

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. TANCREDO) is recognized for half the time until midnight, approximately 56½ minutes.

Mr. TANCREDO. Mr. Speaker, it has been very elucidating listening to the folks who have such concerns about the possibility of a tax cut going to people that think they deserve it, and although it is not the topic of my discussion tonight or my presentation, I still feel it is worthy of some sort of rhetoric, and that is what we are really seeing, interestingly, is a discussion of what should be the tax cut policy of this country as proposed by the Democrats.

That is great. It is great to hear. It is a wonderful thing actually to hear Democrats say things like we need a tax cut. I am sure they almost have to gag when they say it, but the reality is we need a tax cut. It is just not the one that you guys proposed. You guys proposed a tax cut for the rich and all this and other stuff, but what is even more fascinating about this, Mr. Speaker, is that we all know, there is not a single person in this body who thinks, and perhaps I hope very few people in the listening audience in America who think, that there would be any tax cut proposal from the other side tonight or any other time had not we proposed one first.

Does anybody really believe that if the other party were in charge of the Congress of the United States or the White House that there would be any sort of tax cut proposal we would be debating? Does anybody really think for a second that there would have been something that the Democrats would have said we need a tax cut, because those words do not emanate freely and easily from our friends on the other side. They are prompted, they are urged and they come with great difficulty; and so they say, well, okay, we have a tax cut, we want a tax cut, but in reality, it is not the one that you guys have proposed.

We will take a tax cut anytime, anyplace, anywhere. A tax cut is essentially and generally a good thing. Having people pay less of their hard-earned money for the task of expanded government is a good thing, I think, and so the fact that we would have even gotten the Democrats into the position of debating what their tax cut policy would be is a great, great boon for America. It is a great thing for all of us to have them try to stand up and defend a tax cut policy that they would never have put in place in a million years. No one thinks it, no one believes it, no one has the slightest idea that that would have come out of the Democratic Party had they been in charge of the Congress of the United States.

That is part of who we are and what we are all about is reducing the cost of government to the people of this country; and so they think, well, we have to figure out a way to attack that. We have to attack the President. We have to attack the Party, the Republican Party, for doing this. How do we do it? I know. Let us drag up all of those things that we have used, time after time after time, somewhat successfully. Let us always say that it is the rich guys that the Republicans are giving a break to and it is the poor that are not getting their due rewards, and maybe they will buy it this time, or I should say maybe they will still buy it. Maybe we can still get the people who

believe that, in fact, people should not be, that people do not, in fact, earn what they attain through the labor and the sweat of their brow, and that somehow or other everyone in this race of life should end up at the finish line at the same time.

I used to teach ninth grade social studies at Jefferson County Drake Junior High, and one time one of my students asked about the difference between conservatives and liberals and how I would describe that. I said, I am a conservative and I want you to take that into consideration when I tell you how I think about that. I said, this is the way I really do envision our division in our country between these two major philosophies of the Republicans generally and Democrats generally. Republicans are generally conservative. Democrats are generally liberal. Not all, of course; differences on both sides. But for the most part, you can say this: that if you look at life as a race, and start at birth, and the finish line is death, and a lot of things can happen to you in between time, and you are trying to accomplish certain goals as you move through life, that for the most part a liberal would say that everyone has to end up at the finish line at the same time. That is the important role of government, to make sure that everyone ends up at the finish line at the same time, that there are no winners and there are no losers; everybody gets there at the same time.

That is an idealistic approach and idealistic thought and philosophy. And remember, I am trying to explain this to ninth graders. I said, then, on the other hand, you have conservatives I think are saying if the government has any role at all, it makes sure the gate opens up exactly at the same time and everybody has the same opportunity, and if government has any role at all, it is to make sure there are no obstacles in the way, but no one is going to make sure you end up at the finish line at the same time because if you do that, of course, it is not a race. Pretty soon, if you do that, everybody walks because why should you run? It does not matter; we will all be at the finish line at the same time.

It is true, it can be portrayed as hard-hearted from a conservative standpoint to say that government's responsibility is to simply make sure that the gates open on time and that from that point on make sure that there are no obstacles in the race, and there will be losers, there will be winners, and people will say how dare you, how can you accept that? That is, the government should not be in the position of accepting the idea that there are winners and losers. That is the way of life.

I wish I could be on an NBA team. I am not tall enough. I am not capable of it. There are a lot of things I cannot do as a result of some of the shortcomings, literally and figuratively, that I think I face. And so no matter how much I would like the government to make sure I could get on that team, and therefore participate, and want the government to make sure that I am able to make baskets the same way as any other member of that team, it does not work that way.

So I think our position is right. I think that in fact in the race of life, the government has relatively few responsibilities, and that the most important one is to make sure that the gates open up exactly at the same time and there are no obstacles in the track and that whoever ends up at the finish line, some win and some do not, and there are a hundred different races. We all are better at some things than others. It is not just where you race. We all accomplish certain things that we can do better than other people, and that is, again, the way of life.

□ 2215

We have to accept that. But our friends on the other side of the aisle keep suggesting that somehow or other we have to say that in fact all people will end up at the finish line at the same time, and that is a winning sort of political proposal. People will respond, especially those who know they cannot make it to the finish line will say, yes, we should have the government stop everybody else until I get there. But in the total scheme of things, I do not think that will be the best for the country. I hope America understands when we start talking about tax cuts and who should get them and who should not, the reality is that if the Democrats were in charge of this place, there would be no tax cuts, there would be tax increases because that is the way they run government. That is the way they ran it for 40 years. That is why we are in power, and they are not.

Now I want to get on to the issue that I wanted to address tonight, and that of course revolves around the issue of immigration and immigration reform. Tonight I want to talk about a couple of things. First of all, I want to talk about the impact of legal and illegal immigration on American society in one particular area, the area of jobs. A lot of the rhetoric we have heard on the floor and we will certainly hear over and over again revolves around whether or not the tax cut package we have just passed in this Congress and signed by the President, whether or not that will create jobs because we all know that is an important thing for the country and that is what we all want.

The creation of jobs, I do not know of a single person in the Congress who would be opposed to it. Members recognize it is an important thing for us all, and it will be the stimulus for America in terms of us getting on the road to economic recovery.

Well, there are various ways to do that; and I believe firmly that tax cuts do in fact create a stimulus that will improve the opportunity for many Americans and improve the job opportunities, especially for millions of Americans. I believe that. But there is something else, Mr. Speaker, that could be done and that no one, not our side, not their side, no one wants to talk about, and that is the number of jobs that would be created if we enforced our immigration laws. That is all. Just that. Not even impose new immigration laws or try to deal with the fact that we have got crossing our borders every day literally thousands and thousands of people coming, low-skilled people who are seeking jobs in America and getting them by employers who are using these folks and, in fact, abusing them in many ways.

But if we just enforced the laws on the books, and surprising as it may be, it is against the law to hire someone who is here illegally. Now, who does not know somebody who may be or probably is hiring somebody or is in fact working for somebody in violation of that law. We all do. We all have anecdotal references we make to instances where somebody may be here working and they may be here illegally. We all know that.

Now the first thing we usually hear when we raise the question is the question of real-world impact on American jobs and employment, and that these millions of illegal immigrants take only the jobs that Americans do not want to do. That is a mantra. We have to have people here from all over the world taking jobs because in fact there are a few jobs that Americans will not do, and we need all these folks to do the hard stuff.

I am sure Members have heard that refrain many, many times. If it were true, the other problems brought about by illegal immigration would still remain, but we would not be worried about the loss of jobs or an adverse impact on wage rates. But is it true that illegal immigrants are taking jobs that no one else would take, no American citizen? I believe that the weight of the evidence is that it is not true. I believe there is ample evidence to the contrary. I believe there is ample evidence that illegal immigrants are increasingly taking jobs that American citizens would do willingly if wage rates for these jobs were not artificially suppressed by the ready supply of cheap labor from so-called undocumented aliens.

Mr. Speaker, about 6 months ago now, there was an article in the Denver paper, the Rocky Mountain News, and it was interesting because it was a news article rather than a want ad; but it was a news article about a want ad and the article was about an ad that had been placed in the paper by a restaurant in Denver, a restaurant I have visited many times and know well, it is called Luna Restaurant. It is in an area where I grew up in north Denver. The article was interesting because it said Luna Restaurant puts an ad in the paper for a $3-an-hour waiter. We all know that waiters and waitresses make less than minimum wage because tips

are included. So this position was for a $3-an-hour waiter. The article was in the paper because it was a news story. And what was the news story? The news story was the day that the article appeared there were 600 applicants for the job.

Mr. Speaker, maybe some of those people, maybe a majority of those people were here illegally and were willing to do jobs that no one else was willing to do, but I do not believe that all 600 applicants were illegal immigrants. I believe a lot of them were American citizens looking for a job.

It is undoubtedly and undeniably true that illegal aliens will work for lower wage rates than legal immigrants or American citizens. They do so because the wage is higher than they would earn back in Mexico, Guatemala, or other poorer nations. We all understand this, and most Americans sympathize with their plight. We can admire people willing to travel thousands of miles and evade the U.S. Border Patrol to get to Chicago or Philadelphia or Seattle in order to better their lives economically. There is nothing wrong with that goal in and of itself, and we can respect it because it is the goal that was in front of all of our grandparents or great grandparents or however long ago our family heritage established roots here in the United States.

But there are several things wrong with the consequences of that behavior; and they need to be discussed even though it is not popular to do so, even though people get very antsy when you bring this up. They sort of go, oh, gosh, he is going to start talking about immigration again. I do not like dealing with that because people might think I am a racist or a xenophobe, so let us not talk about. Well, it needs to be talked about.

First of all, one of the consequences of the behavior is that people are entering our country illegally, and the habit of breaking one law for economic benefit often creates a disregard for law and a willingness to violate other laws for personal benefit. And the more we choose to ignore it, the more we pretend that it is a law that we can wink at, a law that, gee, I know it is a law, but, and I have heard that 100 times. If it is a law, but, if it is a law that does not have importance, if it is a law that is not meaningful, then I urge this body to do what it should do.

Mr. Speaker, if there are laws in the books in America that are no longer valid and meaningful, repeal them. I urge this body to actually address this issue head on and bring a bill forward in this body that says we will repeal all laws regarding immigration. We will essentially erase our borders. We will eliminate the Border Patrol, close the stations, the ports of entry because after all, we cannot control it. And if people want to come to the United States, for the most benign or most wonderful reasons, the reasons that we can all applaud, let them come. Why should we call someone here illegal? Why should we draw any sort of conclusions about someone who came into this country without our permission? Let us just let them all come from wherever they want to come and as many as wish to come.

Now, I want that debated in this House. I want Members to vote yea or nay to this concept. If you vote ''yea,'' you are for erasing the borders. You can make that case to your constituents. Try and make that case. Some of us will be able to do so. Some of us will not be at all excited about that possibility and will vote ''no.'' I will not vote for such a bill, of course. I am a ''no'' vote because I do not believe it is good for America. I will tell Members I am a ''no'' vote on the issue of eliminating borders. I believe it goes to the very basic, to the heart of what we call our country, to the heart of national sovereignty. I will make the case as strongly as I can against any sort of bill that would in fact invalidate the borders. But that is exactly what we are doing, Mr. Speaker, every single day.

That is the problem. It is happening, our opponents, the people who want the elimination of borders, know they can accomplish their goal by pretending that they support national sovereignty and national security. They can stand up and suggest that all day long. They do not want to vote on this idea of whether or not we should erase our borders because in their heart of hearts many people want to, and many times they want to for political reasons. They know that people coming into this country as immigrants tend to vote for one party over the other. They tend to vote for the Democrats. The other side of the aisle knows that.

Again, this is not brain surgery we are dealing with here. It is politics 101. How do they gain supporters, especially when their side is losing? Where do they look? If the majority of Americans are now turning to the Republican Party or becoming more conservative and expressing that, where do the Democrats look for people who will support their efforts? Where do they look for people who support their efforts, for greater welfare and expanded government? They go to the immigrant class coming into the United States.

So it is not unusual, it is not illogical, it is not crazy for us to deal with it in that way, for political parties to look at it that way. So our friends on the other side of the aisle see massive immigration and say, I do not care whether they are coming here legally or not. They eventually become my voters, so I am for it. So I am going to on the one side of my mouth I am going to suggest that we need national security, everybody should come in legally, wink, wink. On the other side I am going to say we need your help, we need your labor, and vote for me when you get here, whether you do so legally or not.

On our side of the aisle, on the Republican side of the aisle, we have many Members who look at this whole thing and say there is an awful lot of cheap labor that is coming into this country, and that is good for business. That keeps wage rates low, prices low, and what is good for business, as Calvin Coolidge said, is good for America.

Mr. Speaker, in this case it is not good for America. I would challenge my opponents on the other side of the aisle and I would challenge my opponents on this side of the aisle that massive immigration today both legally and illegally is not good for America.

Now, as I mentioned, the first consequence of ignoring the fact that people come in illegally and break our laws is that is the wrong way to start off your citizenship in the United States. Of course it is not citizenship, your residency in the United States.

□ 2230

The second consequence of this lawbreaking behavior, the consequence of entering our country illegally, is that they also enter our labor market illegally. It is this consequence that I wish to talk about this evening.

I want to ask you to consider, Mr. Speaker, some aspects of this underground labor market that is not getting much attention or discussion in the press and not much attention by this body or policymakers in general. In the first place, with the possible exception of a few agricultural jobs, it is simply not true that Americans will not do certain jobs because of their low status or because they involve hard labor. We have done these jobs throughout our history and well into the second half of the 20th century. Mechanization of agriculture over the past 100 years has led to a diminishing need for farm labor and our food is the least expensive in the world because of this. This trend was well established long before agricultural interests started relying on migrant labor and becoming more and more dependent on illegal migrant labor. Fewer and fewer Americans were needed to harvest our crops and there was an adequate supply of indigenous labor in the vast majority of cases. Harvesting peaches and tomatoes and strawberries is indeed very hard work. Mechanization has taken over in many crops but there is still a need for some amount of seasonal physical labor in some sectors of agriculture. Does this require 8 or 10 or 13 million illegal immigrants? I do not think so.

There is another aspect of this that is very important to understand, Mr. Speaker, and, that is, when we allow massive immigration of low-skilled, low-wage workers, we have a tendency, therefore, to screw around with the market in a way. What we do is actually delay the implementation of the use of technology to accomplish certain goals. Specifically I remember when we used to have a bracero program in the United States. That was a program that allowed migrant workers, mostly from Mexico, to come in and do

agricultural labor. And they had to return to Mexico and they could not bring families. When that program was ended, there was an outcry from the tomato growers in the United States. There was a massive sort of rush to legislative remedies. They wanted us to do something because they kept saying, it is impossible for us to actually do our job. We cannot possibly grow tomatoes, we cannot harvest tomatoes, without the help of this kind of labor. So we ended up in a situation where we went ahead and eliminated this bracero program. And what happened? Did tomato growers go out of business as they said they would? No. They were forced to actually invest in technology, to invest in different kinds of technology and actually develop some sort of mechanized approach to doing the labor that had been done heretofore by individuals. So today tomato growers in the United States are far more productive than they ever were before when they relied solely on individuals picking tomatoes. Now they can do it with machines, now they can do it more cost effectively, and they are more productive in the process.

So when we import massive numbers of illegal workers into this country, or even legal workers who are low-skilled, low-wage workers, we need to actually again get involved and kind of skew the marketplace. We mess up the process that should lead to a development of greater use of technology and productivity. To the extent that American workers cannot be found for some seasonal agricultural jobs, that need can be met by a new guest worker program. I intend to introduce legislation to accomplish that goal very soon. A well-designed and properly managed guest worker program would allow migrant workers to come into this country legally, work as long as they are needed in jobs that are certified as requiring foreign nationals and then return to their homes. That is the important part we ought to remember about guest worker. Guest worker is a program that allows people to come into the country for a period of time, do a specific job, and return to their country of origin. That is a guest worker program. On the other side, you can have people come into the country and begin the process of becoming a citizen of the United States; that is called immigration. Two different things.

We are right now by far the most liberal Nation on the planet in terms of who we let come into the country legally, 1 million, 1.5 million every year. We are also, of course, the most liberal Nation in the world in terms of who we let come into the country illegally, 1 million, 1.5 million people every year, that we turn a blind eye to. We do so for the reasons I mentioned earlier, political advantage for the Democrats, a business interest for the Republicans. And so we ignore the law.

Once again I go back and say to my colleagues on both sides of the aisle, if you want to accomplish your goals and let people into the country at their desire, not in any way, shape, or form connected to our needs in this country, if you want to do that to the Democratic Party, fine. To Republicans, if you want to just have a massive influx of low-skilled, low-wage workers in order to reduce the cost of labor, fine, let us tell America that is where we stand. Let us have a bill that actually eliminates the borders, allows people to come at their desire, not in response to our need. Let us do that. Let us let Americans know how you feel about this. Unfortunately, I do not think we are going to get that bill in this session or the next session, because I have never seen it introduced by anybody on either side of the aisle.

And so when the other side of the aisle, the Democrats, talk about job creation and the need to protect workers in America, I find it always fascinating that they never ever want to talk about the thing that would protect American workers to a very large extent, and that is to actually control our own borders and to allow people into this country based upon our needs and to determine what those are. If they are, in fact, needs that can only be filled by low-skilled, low-wage workers, fine. If that is it, fine. If in reality, quote, no American wants to do these jobs, then, yeah, they are open to anybody who wants to come in and work hard and accomplish their life's goals.

What about the jobs in other areas, the so-called low-status jobs that now employ illegal aliens? What about restaurants and car washes and leaf blowers and gardeners and carpet installers and hotel and motel housekeeping staff? These are a few of the typical jobs we are told that cannot be filled except by illegal aliens who will work for less money than legal workers or citizens. But should we stop and think about the statement they will work for less money, because that is really what we should add to the first part of the statement. There are jobs Americans will not do, at least for the money someone is willing to pay them to do it. It is true, but it is half a truth and hides a deeper reality. The illegal aliens will indeed work for less money because they can, because they come from a culture where $6 an hour is more than a living wage, and that family members often pool their incomes and share living quarters. This is to their credit. I do not mean to demean their efforts. They are doing exactly what my grandparents did and our great grandparents or however long ago our individual families ended up in this country. Most of them came for the same reason. I do not for a moment mean to demean that particular goal. But it is only half the story and the half that everyone sees and understands. The other half is that American workers used to do these jobs before the supply of cheap foreign labor drove down wage rates relative to the rest of the economy. In other words, the conventional wisdom has the story exactly backwards. We do not have 8 to 13 million illegal aliens in this country because we need them to fill jobs. We have 8 to 13 million illegal aliens in this country because there is a ready supply of cheap labor to keep wage rates low. We have that ready supply of cheap labor because we have an open border policy.

Once again, maybe you can make this case, Mr. Speaker. Maybe it is something that all Americans will agree with. Maybe our friends on the other side of the aisle and my colleagues on this side will in their heart of hearts say, yes, it is true that we have to keep people in very low-wage situations because it is good for the economy. I just want them to make that case to their constituents, that is all. That is all that I ask. I want them to tell the people who are struggling in those low-wage jobs that they are there and they are going to be there for a long time, and there is no real opportunity for advancement because open borders will keep wage rates low and, therefore, the economy moving.

Do we need an open borders policy? Not to help our economy, which would adjust and prosper without the supply of cheap labor, just as I mentioned earlier in what I described about what happened in the tomato growing industry. It is interesting how business does adjust and how the economy does in fact relate to these things called labor shortages. We would adjust and we would prosper without the supply of cheap labor. But because it benefits Mexico and maintains good relations with the Mexican Government and because it benefits the cheap labor advocates in the Congress of the United States and the political advantage that our friends in the Democratic Party get because of massive immigration, we will continue the program. If these workers were not available, if we did not maintain an open border policy, our economy would adjust and we would continue to be the most prosperous Nation in the world. The few companies that must have such low-wage workers in order to compete in the marketplace will move their plants to the source of the labor. But our history teaches that most employers will not do this. Denied a source of below-market cheap labor, employers will generally not move their operations. Instead, they do one of two things. They will either mechanize their operations, as agriculture has in fact done steadily over the past 150 years, or they will raise their wages to attract American workers or legal workers.

Actually there is another part to this. We will increase productivity. That is what we have done. Because in reality, no matter how much we talk about the need for open borders, it is very difficult to compete in a world in which, today especially, you can move work to worker anyplace in the world. So how does American labor compete? It is not, frankly, with just the importation of cheap labor; it is with the development and the continual increase

of productivity by the American worker. When this is done across the entire industry, it does not disadvantage any one employer because all employers are in the same boat. Costs to the consumer will rise as the cost of labor rises, but the product will be produced and will be available on the market. To cite one of the most obvious examples, if restaurants in New York City and San Francisco and Dallas could not employ these illegal immigrants as their dishwashers and busboys and valet parking attendants, they would be forced to pay slightly higher wages to legal workers. Would they all go out of business? No, they would not. I respectfully submit that it would not be a calamity for our economy to have to pay a price for a prime rib dinner that would move from like $16 to $16.50, and the price of delivery of pizza to go up 50 percent, if the car wash goes up from $12 to $13, if the price of a Motel 6 room increases from $34.95 in Lubbock to $36.95.

I recognize that this might be a difficult adjustment for some people, but we have been through hardships that we endured and we can endure this one. To offset these temporary adjustments in our life-style, there would be many favorable things that would happen in our economy if the supply of cheap labor and illegal labor was cut off. The first thing we would notice is that our college students could in fact find summer jobs and part-time jobs year around. Some of the 8 million unemployed Americans would find jobs in the service industries at a higher wage than is now offered. As the job magnet disappears, the flow of illegal aliens across our borders, now estimated at 1.5 million a year, would stop. This would have some very positive effects on our economy. Hospitals, law enforcement agencies, and public schools all across the border States and in many of our bigger cities would notice a diminished burden on their budgets. As a result, State and local governments all across the West and South would discover they have revenues available that had previously been devoted to the needs of a growing immigrant community. Legal immigrants seeking jobs would not be competing with people willing to work for below-market wages. The U.S. Border Patrol and the Customs Service could concentrate all of their energies on stopping the flow of illegal drugs into our Nation instead of worrying about the flow of illegal people; people like several members of my own community in Denver, Colorado; people in my own neighborhood. One gentleman in particular comes to mind. He is employed in the high-tech industry, and we will talk about that in a few minutes, about exactly what is happening there because we have spent most of the time talking about low-skilled, low-wage workers, but there is just as big a problem, if not more so, in the area of white collar workers, high-skilled workers in the United States and the various programs that we operate to bring people into this country to displace American workers in this area. My friend is one of those.

□ 2245

He is an individual that has been out of work for a year or year and a half in the high-tech industry. He now works a little bit for us, and at nighttime drives a limousine to keep a roof over his head and food on the table. If you ask him, you know, when you were a high-tech worker and in this very high position in this industry that you were involved in, would you believe that you would be driving a limousine at night picking people up and taking them to the airport, he would said no; but it does not matter, because that is what I need to do. That is what I have to do today.

That is the case for millions of Americans. They are looking for ways to keep the roof over their heads and food on the table. They will take jobs. They will take jobs, if available.

As I said, Mr. Speaker, the 600 people that applied for that $3-an-hour job at the Luna Restaurant as a waiter were not all illegal immigrants. I do not know how many, but I would guess 50 percent were people who have lived here all their lives. They were American citizens, and they were looking for a job; and their chances of getting it were diminished by the fact that so many people are here and working here and living here illegally.

I want to reiterate, it is not a slam against those people. They are doing what they need to do, what they want to do, what they have to do to try to improve theirs lives. I totally understand and relate to that. I empathize with them in every single way. I know what my grandparents went through, and I hear this a thousand times, that we are a Nation of immigrants and everybody came here and worked hard.

Mr. Speaker, this is a time when in America we have to determine what our needs are, what our needs are, and to what extent we want to disenfranchise and do things that do not benefit the American citizens of this country, so as to improve the lot of those people who are not citizens. How much of what we have in America do we wish to diminish? How much has to sink in order to allow this other part to rise? This is something we have to think about. It is harsh. I know that to many people, they feel that to be something that they would just as soon not think about, not deal with; but it is important for us to understand and deal with.

Is it right? Is it okay? If it is, if you believe so, if you come down on the side that says that we need to in fact allow for markets to work and simply have as many people who want a job in the United States to come across the border and get it, if that is true, if that is what we want, then eliminate the border. Erase the border. Forget about a border. Allow people to come to this country at their whim, at their desire. Allow them to come from every country in the world.

Now, what would happen, I ask? Would all of our lives be benefited? Would everybody in the United States be better off, the people living here, would they be better off as a result? Would the quality of our life go up, or would it be diminished? If it would increase, let us do it. Let us pass the bill. Let us put it on the floor; let us debate it. To the extent you can make the case to the American public that the United States should be open to every single person in every single country who wants to come here, then let us do it.

The thing I just hate, the thing that I rail against, is the idea that we are going to actually accomplish that goal, but we are going to sneak it through. We are not going to tell Americans that is what we want, that is the goal we are trying to accomplish, to reduce everyone's standard of living in order to accomplish this sort of idealistic libertarian goal of having markets actually determine all aspects of our society. Let us just say it. That is what I want from this Congress. That is what I expect from my colleagues and the President of the United States. I expect him to tell the truth about where we are going, about what they want to accomplish, because it is one or the other. We cannot have it both ways. Either you have unlimited massive immigration into the country, the elimination of the borders, or you do not.

There is another very important dimension to this whole debate over illegal workers, and it is a good news story when you really look into it and understand it. I am thinking of the role that millions of American workers play in our Social Security trust fund and the actuaries for payout to tomorrow's retirees.

One of the arguments frequently heard in this Capitol is that the Nation benefits from all these illegal workers because many of them do in fact pay into the Social Security system, but they never gain any of the benefits. The argument runs that if they are a net-plus for the system, they will help fund the future payouts for retirees.

A recent research report by economist John Attarian called ''Immigration: Wrong Answer For Social Security'' examines the numbers and the projects and comes to a different conclusion entirely.

Dr. Attarian's analysis of all the most pertinent research by many organizations and many pro-immigration advocates shows that in order to make any significant dent in the long-term deficit projected for the Social Security system, we would have to quadruple the number of high-wage immigrants in the technology field, not the low-wage workers who come from across our borders illegally. Moreover, the actual fiscal effects of massive illegal immigration are probably negative,

because the low-wage workers contribute less in Social Security payroll taxes than the workers they displace.

If you depress the wage rates paid to workers in order to hire illegal aliens instead of higher-wage citizens, you decrease the net income of the Social Security trust fund. You do not increase it.

Yet there is another aspect of this labor market that needs greater attention and some serious scrutiny. We have talked only about the myth of low-wage jobs that supposedly no one wants to do. There is a growing problem with higher-level jobs that are now being taken by illegal aliens and that no one wants to talk about.

This is a strange thing, this public silence about the loss of jobs in the construction industry, jobs that pay $12, $14 and $15 an hour, that are being filled by illegal workers.

Please, someone explain to me how it is that contractors cannot find legal workers to do these jobs? Do you really believe, does anyone in this body, anyone even in Washington, where the air here is so rarified that it has sometimes affected all of our thinking and we have a hard time relating to the people we represent, the working Americans, does it really occur to anyone that there are in fact many Americans who will not take $12 to $14 or $15 hour jobs in the construction industry, and therefore they go begging and we have to import illegal aliens?

The explanation, however, is simple. The jobs that a contractor is willing to pay an illegal worker $14 an hour to do, he would have to pay $16 to $18 to carpenters, union workers, brick masons and union workers. More importantly, when hiring the illegal worker instead of the American worker, the employer does not have to pay withholding tax or workman's comp or health benefits. Thus, he reduces his labor costs by as much as 50 percent by breaking the law.

You may be surprised to learn that this practice is very widespread in our Nation, especially in the West and Midwest. The Denver Post recently ran a front page investigative report on this phenomenon. The investigative reporter revealed that there is a large underground network of labor brokers who specialize in providing illegal workers for the construction industry. They provide buses and transport illegal workers from one site to another when a project is completed. There are thousands of workers involved in this scheme all across the West and Midwest.

Two very interesting questions arise when looking at this matter. The first one is obvious: Why does the U.S. Labor Department let employers get away with this violation of our labor laws? Why are arrests and prosecutions so rare?

The second question is not so obvious, but it is equally curious: Why are the labor unions not objecting to this loss of jobs to their members? Thousands of jobs, and probably tens of thousands on a national scale, are going to illegal workers who are not union members.

Where is the voice? Where is the process of the AFL–CIO when union workers lose their jobs and are displaced by illegal aliens? Where is the protest from our deficit hawks when the IRS loses millions of dollars in withholding because these illegal workers are paid off the books or as independent contractors who do not have to pay withholding?

Where is the protest by the proponents of workers' safety rules and standards when it is revealed that hundreds of thousands of workers are not being covered by workman's comp laws because employers are skirting the law in wholesale fashion, and neither the U.S. Labor Department nor State authorities are willing to do anything about it?

Where are the Nation's frontline newspapers and news networks? Is this story not told because it is not politically correct to talk about it?

I will soon introduce a new guest worker program that will offer a real and equitable solution to the so-called labor shortage. We will authorize unlimited guest workers into this country to fill legitimate jobs that cannot ''be filled by citizens and legal residents.'' If the employer can demonstrate a real need, if he can offer a job to a foreign national, then that worker can enter the job market and work at it for up to 2 years. There will be penalties for fraud, and a part of the worker's wages will be withheld until he or she returns to the home country.

This is another issue. We will see other Members introduce legislation for guest worker programs; and for the most part, they will be disguised as a guest worker program with the purpose of creating amnesty for people who are here illegally. This cannot be. This is absolutely inappropriate. We should never, ever, ever reward people for breaking the law, whether it is the employer who benefits or the illegal alien. We should not do that as a Congress; we should not do that as a Nation.

So if you need to come into this country and if we need the labor, we should have a legal process for that to occur, a process that guarantees the rights of the people coming into the country so they are not abused by the people who are hired by them to sneak them into the country, the coyotes, the people that packed them into the back of semis, like in Texas, where they died, 19 of them just recently, or where they bring them into the country or bring them near the border and the women are raped and the men in the family are robbed and they are shoved into the border.

We have testimony from people who have ranches near the southern border, and at nighttime they can hear the screams of women being raped by the coyotes who have taken them to this point where the promised land is just on the other side, but at that point they take advantage of them in every single way imaginable and shove them into the desert and they die there by the hundreds.

We can protect them. We can stop them from doing that. We can stop the coyotes from doing this. We can protect workers coming into the United States and make sure they are paid at least the minimum wage. We can be sure they are in fact given the kind of protection that American workers deserve, that all workers deserve.

On the other hand, we can protect our own interests in this country and protect the interests of Americans who need jobs. If there are truly ''jobs that Americans will not do,'' fine, let somebody prove that; and when they prove it, let them import labor for that purpose. It is okay with me. But I will assure you that if that test were really that difficult, if we truly put it out there in that way, prove that no American wants this job for what you are willing to pay, for what the going rate is, by the way, not just what you are willing to pay, what the going rate for this job is, okay, you can bring in a guest worker. But I guarantee, Mr. Speaker, that most of these jobs that we are being told would only be taken by people we have to bring in here illegally would in fact be taken by American citizens. To the extent that is not true, fine, import workers. Bring them in legally so that they are protected in their rights and so that our rights are also protected.

There would be penalties for fraud, and part of the workers wage would be withheld, as I say. The penalties for fraud are important, because we have to stop the demand side of this equation just as much as the supply side. There are hundreds, if not thousands, of American corporations that are taking advantage of our laws, that are importing workers, that are actually involved in the process, not just of hiring illegal aliens, but bringing them into the country.

Tysons Foods, Tysons Foods in Arkansas is being prosecuted by the U.S. Government, and it is a showcase. I really and truly applaud the Immigration and Naturalization Service for bringing this case, because I hope people in Tysons Foods, if they are found guilty, actually go to jail for what they have done, because they are part of, according to the government's case anyway, Tysons Foods and the executives at Tysons Foods were actually involved in the importation of illegal workers.

□ 2300

Well, that even goes one step beyond just hiring someone who is here illegally, and the people who did that should go to jail. American corporations who knowingly hire people who are here illegally should be punished to the fullest extent of the law, and we should not wink at it and we should not just pretend that it is the problem of the illegal worker coming into this

country. He is coming or she is coming for a job. That job is being offered by an American corporation or an American company or just an American citizen, and we have to stop that. Each are culpable. When those people died in Victorville, California, the people who are responsible for their death, beyond those individuals who put themselves in harm's way, who decided to actually take the risk of coming into this country illegally, beyond those people, there is still more culpability. Part of it goes to those American employers who enticed these people into the United States. Part of it goes to our own government and every Member of this Congress who refuses to deal with the issue of illegal immigration. Yes, it is our responsibility. Yes, their blood is on our hands.

Mr. Speaker, I state that categorically, that we have, over the course of the last couple of decades, made it enticing for them to come to the country illegally; made it illegal to do so, of course, to come without our permission; but, on the other hand said well, if you can do it, if you can make it, we will look the other way. So, of course, millions do, and some of them get caught in this trap, and some of them die. It is our fault. We share the blame. So does the Mexican Government for encouraging this flow, for doing everything possible to move unemployed young Mexican workers into the United States to reduce their own problems in Mexico and to increase remittances from people who come to the United States and send money back to Mexico, which becomes a significant part of their own GDP.

They also encourage the flow of illegal immigrants into the United States from Mexico in order to have them, as I was told by Juan Hernandez, who was at that time the head of the ministry in Mexico called the Ministry for Mexicans Living in the United States. He said that it helps them influence our government's policy, the massive number of Mexican nationals living in the United States helps them, he said, influence our government's policy vis-a-vis Mexico. So Mexico has a role to play and is equally culpable for the deaths of the people that have come across this border and found themselves in horrible circumstances and died as a result or were harmed in the process.

Mr. Speaker, all of these people have some role to play and some degree of culpability, and I say to every single one of them, I challenge you to actually deal with this forthrightly. Stand up in front of the American public and state unequivocally that what you want is, in fact, a Nation where there are no barriers to immigration, where people can come at their will. Say that. It may win. It may win a majority of the votes in the Congress of the United States and the President may sign that kind of a bill. I, as I say, am a ''no'' vote, but it may happen. I just want the debate. I want it to happen in this body. I want it to be done in a de jure fashion, not in a de facto way.

I know that what we are doing in America today is in fact moving in exactly that direction. We are eliminating our borders, but we are not doing it through a legal process; we are doing it in a de facto way, by looking the other way. And there are many, many bad things that happen as a result of that desire on our part to look the other way. Well, I want to force this Congress, I want to force this Nation, I want to force the President of the United States to look at this straight in the eye, and say we are going to deal with it one way or the other. Open our borders or secure them. Those are the only two options open to us as a Nation. Take your pick. Vote on one side or the other. Let us get this job done. Let us tell the people where we really stand. Let us get this problem solved one way or the other.

POSTWAR IRAQ: WINNING THE PEACE AND FINDING WEAPONS OF MASS DESTRUCTION

The SPEAKER pro tempore (Mr. FEENEY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes.

Mr. HOEFFEL. Mr. Speaker, I will be joined by several colleagues this evening in a discussion about Iraq, with two fundamental questions to be addressed: First, are we winning the peace in Iraq after our impressive and important military victory, are we winning the peace in Iraq? And secondly, where in the world are the weapons of mass destruction?

I will be joined shortly by the gentleman from New Jersey (Mr. MENENDEZ), the minority caucus chair and a senior member of the Committee on International Relations, and by the gentleman from Massachusetts (Mr. DELAHUNT), a senior member of the House Committee on International Relations, and several others. We would like to have a colloquy this evening amongst ourselves to discuss this issue, to raise these issues for the American people.

Let me make a few points to get us started. We all agree that our Armed Forces performed brilliantly in Iraq. We are very proud of our young men and young women in uniform, and the military victory we won was important in that it removed the threat posed to regional and even world peace by the murderous regime of Saddam Hussein. But while the military victory is ours, the military mission is not yet accomplished, because we have not found and disarmed and dismantled the weapons of mass destruction.

There must be an accounting to Congress, to the American people, and to our allies regarding the weapons of mass destruction. They are certainly, in the hands of a terrorist, the greatest security challenge we face, and yet we do not know where the weapons of mass destruction are today. We need to determine what we must do to disarm and dismantle them. We must determine who has the custody of those weapons and what steps we must require of any new custodian to render those weapons harmless. If the weapons have been destroyed, then how did that happen, and how is it possible that our security agencies would not have known? And, fundamentally, did the Bush administration overstate its case for war against Iraq, based upon weapons of mass destruction? Did the administration mislead the Congress and the American people intentionally, or not, about Iraq's weapons of mass destruction program? Did the Bush administration misuse the intelligence gathered by our national security agencies? Did they hear only what they wanted to hear? Did they believe only what they wanted to believe? Or did they tell us only what they wanted us to hear about the weapons of mass destruction?

The Bush administration has a growing credibility gap, Mr. Speaker, regarding the weapons of mass destruction in Iraq, and we must have a full accounting.

Let me quickly touch on the second topic before turning to my colleagues, and that would be whether we are winning the peace in Iraq. We are faced with enormous challenges: peacekeeping, humanitarian aid, reconstruction, and building a new government. And the truth is that events in postconflict Iraq are not going as well as they should. Security is a huge problem. Rampant lawlessness is blocking the economic recovery and the establishment of a civil society that we all want to achieve. Humanitarian aid is lacking. Reconstruction has not even started. And the establishment of a pluralistic and representative government seems a very long way off as the demands of religious and ethnic groups are loud and unresolved.

What are we doing in Iraq to deal with this? We have replaced all of the senior administrators that we first sent under Jay Garner and have replaced them with a new crew under Paul Bremmer. We have won the United Nations' approval by the Security Council of U.N. Resolution 1483 which names the U.S. and Great Britain as occupying powers, occupying powers under international law in Iraq. So we are responsible for the recovery, the reconstruction, the administration, and the establishment of a new government in Iraq as the occupying power.

Well, what have we done to get the ball rolling here? First came the Chalabi plan, Ahmed Chalabi, a 30- or 35-year exile from Iraq, head of the Iraqi National Congress. He visited my office on October 3, 2002. I believe he was making the rounds of members of the Committee on International Relations. To tell my colleagues the truth, I found Mr. Chalabi to be a blowhard, to be a blusterer, full of spin, the kind of man my grandfather would have called a four-flusher.

□ 2310

I am not quite sure what that means, but I think Achmed Chalaby meets the definition.

The Pentagon civilian leadership believed Achmed Chalaby, believed him when he said that Saddam Hussein had vast stores of weapons of mass destruction. Those weapons have not been found. They believed Chalaby when he said there was a close connection between al Qaeda and Hussein. That connection has not been established.

The Pentagon civilian leadership believed Chalaby when he said the Shiite Muslims in the south of Iraq would greet American military forces as liberators, greet them with open arms. Instead, they are treating us as occupiers and colonizers.

We flew Mr. Chalaby in with 700 followers. We armed him. We gave him arms, Mr. Speaker. We have now had to take those arms away because he does not have credibility.

The second plan was the Group of Seven plan to take seven so-called leaders, mostly exiles like Chalaby, and put them in as an interim authority to run Iraq. We have had to give up on that. Jay Garner could not get that to happen.

The third plan now is the Bremer plan. Under the Bremer plan, Paul Bremer, the new viceroy, American Viceroy in Iraq, will appoint a 25- to 30-person advisory council to give us advice on how to rule Iraq. We are not forming an interim authority or government, as we spoke of before. We hope to establish by fiat what really should come from within, from the people of Iraq.

So we have some very real challenges. I have more comments to make, but I have colleagues here who are anxious to join this debate and engage in a colloquy.

Mr. Speaker, I yield to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for yielding to me. I want to congratulate him on conducting this particular Special Order because I think it is very important.

Clearly, newspaper reports, interviews over the course of the past several days, have raised these issues, really, to a level that I know our respective offices are receiving numerous telephone calls by constituents that are expressing profound concern.

Earlier this evening, a Republican colleague of ours talked about these issues. I think he was suggesting that they were emanating from a crowd that he called Blame America First. I respectfully have to disagree with him. I think these are questions that have to be asked. I think it is our responsibility to ask them on behalf of the American people.

We are not the only ones that are asking these questions. If there is a Blame America crowd, there are many people in that crowd who are not only highly regarded and highly respected but are Members of both parties.

I think it is important to note that the top Marine officer in Iraq, Lieutenant General Jim Conway, and again, this is from a report in The Washington Post, when no such weapons had been found and the move was announced just hours ago, and we are talking about a reorganization of the group that is missioned or tasked to look for these weapons of mass destruction, he said in a press conference that U.S. intelligence was simply wrong in leading the military to believe that the invading troops were likely to be attacked with chemical weapons.

This is a statement by Lieutenant General James Conway. I doubt that he is part of any group that would blame America, but he is making a statement that deserves an answer.

The Republican Chair of the Permanent Select Committee on Intelligence of this House, highly regarded, well respected on both sides of the aisle, in a letter dated May 22, 2003, and I am referring to the gentleman from Florida (Mr. GOSS), he co-signed a letter to the director of the Central Intelligence Agency. Let me just simply quote several sentences:

''The House Permanent Select Committee on Intelligence believes that it is now time to reevaluate U.S. intelligence regarding the amount or existence of weapons of mass destruction in Iraq and that country's linkages to terrorist groups such as al Qaeda.

''The committee wants to ensure that the intelligence analysis relayed to our policymakers from the intelligence community was,'' and I am quoting the gentleman from Florida (Mr. GOSS), ''accurate, unbiased, and timely in light of new information resulting from recent events in Iraq.'' He goes on: ''The committee is also interested in understanding how the CIA's analysis of Iraq's linkages to terrorist groups such as al Qaeda was derived.''

No one in this body would ever describe the gentleman from Florida (Mr. GOSS) as a member of the Blame America Crowd.

When we raise questions about the planning and the efforts of reconstructing Iraq after that war, I am confident that no one would ever accuse the Republican chairman of the Senate Foreign Relations Committee, Richard Lugar, as part of the Blame America Crowd. Let me read, Mr. Speaker, to my colleagues and to the American people what Senator LUGAR, a Republican from the State of Indiana, chairman of the foreign relations committee, had to say in an opinion piece that he wrote on May 22 of this year:

''But transforming Iraq will not be easy, quick, or cheap.'' These are his words: ''Clearly, the administration's planning for the post-conflict phase in Iraq was inadequate. I am concerned that the Bush administration and Congress has not yet faced up to the true size of the task that lies ahead or prepared the American people for it. The administration should state clearly that we are engaged in nation-building.'' That is Senator LUGAR's phrase. ''We are constructing the future in Iraq. It is a complicated and uncertain business, and it is not made any easier when some in the Pentagon talk about quick exit strategies or saying dismissively that they don't do nation-building. The days when America could win battles and then come home quickly for a parade are over.''

Mr. HOEFFEL. Mr. Speaker, I would like to ask the gentleman if he is aware of some of the comments made by the administration last fall in the lead-up to the votes, the very important votes taken in Congress and in the United Nations regarding the war on Iraq. Statements of certainty from the President and other high administration officials have not been supported by recent disclosures from the intelligence agencies, the kinds of problems that I believe are leading to the credibility gap that I see growing here.

Let me give the gentleman a couple of examples, and I would be interested in his comment.

President Bush said in the Rose Garden on September 26, 2002, that the Iraqi regime possesses biological and chemical weapons. The Iraqi regime is building the facilities necessary to make more biological and chemical weapons.''

However, at the very time, the Defense Intelligence Agency was circulating a report in September of 2002 which said there was ''no reliable information on whether Iraq is producing or stockpiling chemical weapons, or whether Iraq has or will establish its chemical agent production facilities.''

□ 2320

This and other information led Greg Thielmann, who retired from the State Department in September 2002 as director of the Strategic Proliferation and Military Issues Office in the State Department's Bureau of Intelligence and Research, who reviewed this classified intelligence gathered by the CIA and other agencies in the run-up to the debate in the Congress and the U.N., to accuse the administration of distorting intelligence and presenting conjecture as fact. And he was quoted this week by the Associated Press as saying, ''What disturbs me deeply is what I think are the disingenuous statements made from the very top about what the intelligence did say.''

Is the gentleman aware of these statements and inconsistencies, and would he care to comment on them?

Mr. DELAHUNT. Yes, I am clearly aware of them and it even goes beyond to simply Mr. Thielmann. In fact, there is such outrage among intelligence professionals, people that have committed their lives to this work who I am sure are devoted to their country and are clearly not part of the Blame America Crowd; but they have come together and formed a group, Veterans Intelligence Professionals for Sanity.

They wrote recently to President Bush to protest what they call a policy, and, again, I am quoting here, ''a

policy in intelligence fiasco of monumental proportions. While there have been occasions in the past when intelligence has been deliberately warped for political purposes,'' this is their letter, ''never before has such warping been used in a systematic way to mislead our elected representatives in voting to authorize war.''

That is a very serious accusation; and the American people deserve to have these individuals, other individuals come before in public session, the appropriate committees in Congress, and listen to what they have to say and provide us with an opportunity to inquire to them, let us lift the veil of secrecy. This is a democracy.

When we talk about American values, we talk about transparency and accountability; and I am profoundly concerned as to what I am witnessing over the course of the past 2 or 3 weeks, specifically as it relates to the issues of weapons of mass destruction and the issue of links with al Qaeda and the Saddam Hussein regime.

Mr. MENENDEZ. On the gentleman's very point, I want to thank our colleague for convening this opportunity to talk about a very important issue. I would like to ask both of the gentlemen, you sat, as I did here, during the State of the Union speech. You heard the President, as I did, say that one of the concerns is that Iraq sought to buy uranium in Africa. And that was included in the President's State of the Union speech, one of many compelling reasons why supposedly we had to be alarmed about Iraq and Saddam Hussein. And yet we read in today's Washington Post that the National Security Advisor, Condoleezza Rice conceded that that was an inaccurate claim. And yet here before the entire body of Congress and the American people, we were told that one of the compelling reasons, why do you buy uranium? You buy uranium for nuclear devices. Iraq is something that we need to be concerned about.

And my question to both of my colleagues is, does this not go to the fundamental issue that if the President's preemption doctrine, not that many of us agree with that as a doctrine that should be followed by the United States, but this doctrine of preemption which basically says we cannot wait for the risk to rise to a level that is a threat to the national security of the United States, we have to go in there in any country and preempt that threat, that even if one is to ascribe themselves to that view, that it is based upon the ability of the United States too gather accurate intelligence and make honest assessments? Does that not go to that very purpose of that doctrine?

When we see the revelations that seem to be coming forth like Condoleezza Rice saying, yes, that statement that the President made before Congress and the whole Nation about uranium purchases in Africa being false, that those begin to raise concerns. How do we begin to have any credibility in any such preemption doctrine when the fundamental underpinnings seem to be at question, which is what I think the gentleman from Massachusetts (Mr. DELAHUNT) is saying.

Mr. DELAHUNT. Exactly. I think the point is, how in the future, if we face a genuine threat to our liberty, to our democracy, do we turn to our allies and the rest of the world and say this is a moment when the United States must take action, given what appears to be, what appears to be issues surrounding the quality of our intelligence.

Let me just go a bit further with the example that you alluded to. It was so shoddy, the intelligence work, that a local police department, let alone our intelligence agencies, would have, I hope, discovered that this information was false. It was based on forged documents. It was one of the documents being signed by the foreign minister of this particular nation which happens to be Niger, not Nigeria, but Niger on the continent of Africa, signed by the foreign minister. And simply taking the name of the foreign minister and doing an Internet search would have revealed that the foreign minister whose signature appeared, in fact, had left that particular role, had resigned from government for 10 years, 10 years.

What does that say about the quality of the intelligence that was relied on by the President and by those who supported the military intervention in Iraq?

And yet some would suggest that to even pose these questions or raise these concerns is Blame America First? I respond by saying it is defending America, defending our democracy, defending our credibility, defending our claim to moral authority among the family of nations. Not to do so would be unpatriotic.

Mr. MENENDEZ. Mr. Speaker, I think the gentleman's point is well taken. As a matter of fact, one of the things that I was additionally concerned about, and the gentleman did mention the Internet and how anybody who just did a casual search would see that this foreign minister had not been in office in a decade, and yet we rely upon it as fact by which we act and we do not even do a rudimentary study to find out whether that document had legitimacy.

It is interesting to note that one of our allies in this regard seems to have the same problem in this regard. There is an article that appeared in The New York Times that talks about how the top aide to Prime Minister Blair wrote to the head of Britain's Intelligence Service earlier this spring conceding that the government's presentation of a report on Iraqi arms was mishandled. And the report which is entitled, ''Iraq, Its Infrastructure of Concealment, Deception and Intimidation,'' was used as part of the reason to pursue an invasion of Iraq and Saddam Hussein. And it is now referred to in the British news media as the dodgy dossier because of evidence that part of it was down loaded from the Internet, completed with typographical errors from an American student's thesis that relied on 12-year-old public information. And it is now being reviewed by two parliamentary committees in Great Britain because it raises doubts about its central claim that Iraq's chemical and biological weapons were in such a state of readiness that they could be launched within 45 minutes, within 45 minutes.

□ 2330

That type of information is incredibly frightening when that is the basis under which we would deploy American troops, put at harm American soldiers.

There is no question, I think we would all agree, that Saddam Hussein was a dictator, was a bad actor, happy to see him leave from the world stage; but the question is, what invokes the policy of preemption, the use of U.S. forces and power abroad, under what basis? That is why so many of us who asked questions at the time and say, well, what is the foundation, what is the clear and present danger to the U.S., what is the imminent threat, have real concerns now as I think we see this intelligence information suggesting that there was not necessarily a clear and present danger, any imminent threat to the United States.

I think it puts us in a serious doubt with the international community when the next situation arises. I do not know what my colleague thinks about it.

Mr. HOEFFEL. The certainty that was used by the Bush administration to present this information in the fall of 2002 I think is a critical issue here. It is not completely clear at this point what all of the intelligence agencies were saying. Their information is becoming declassified and is beginning to be made public, but it is very clear what administration leaders were saying. In addition to the President, whom I already quoted also on September 26, Defense Secretary Rumsfeld told reporters, ''Iraq has active development programs. Iraq has weaponized chemical and biological weapons.'' Yet a national intelligence estimate of October 2002, which was reputed to have said that Iraq had weapons of mass destruction, when we look at the backup material that is just being declassified, it is much more equivocal.

The question is was the intelligence wrong or were the political leaders who were getting that intelligence misusing it? Were they hearing what they wanted to hear? Were they telling us what they thought we ought to hear? Were these innocent mistakes? Were they unintentionally mishandling the information, or was it more sinister?

I think these are fundamental questions that need to be asked if the gentleman is right; that if we are going to evaluate this new doctrine of preemption, a fundamental part of that has to be faith and credibility that our fear of

imminent attack from another nation is an accurate fear, and if it is not an accurate fear, then the whole notion of preemption cannot possibly work.

I know my colleagues are anxious to respond, but we have been joined by a senior member of the House, the gentleman from Washington (Mr. MCDERMOTT) who is sitting patiently and I think has quite a bit he would like to add to the discussion. So I would be happy to yield to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I thank the gentleman for coming out here at 11:30 at night to discuss this. The tragedy and really travesty of this whole thing of us being out here at this hour of the night, we have no mechanism to which we can get at the truth. They will never have an investigation in this House that ought to be done on what the President has said, what he has led to believe.

In Great Britain, they are calling for an independent judge to look at the whole question. What do we do in this House? Our distinguished colleague, who was mentioned before, from Florida was, Let's have the intelligence community look at their reports and see if they can evaluate how they did. That is about like asking the fox to go down to the hen house and check the lock, see if the key works. I mean, that makes no sense at all in my view.

It is clear we have two choices. We either have the choice that the President and those people who presented the evidence, or whoever presented him bad information, which implies stupidity, or we have a situation where they manipulated us. I voted against it because it was clear to me from September that they were so eager to go to war that they were going to say whatever they had to, and they shifted from al Qaeda to weapons of mass destruction to aluminum tubes to cake from Niger. Anything they could grab they threw up here and said this is the reason we have to go to war.

The other day Wolfowitz said the reason we had to go to war was because we did not have any other way to get at him. They were sitting on a lake of oil so we could not manipulate him financially anymore so we had to attack. North Korea, we can manipulate them financially because they are broke. We can squeeze them, but there was no way to squeeze the Iraqis.

In my view, we were going to go to war from about the first of September on. They had made the decision, and they came out here and repeatedly presented information.

In one of the training sessions before they went to the United Nations, they were rehearsing with Mr. Powell, and he finally got so frustrated looking at this stuff he threw pages up in the air and said bull-, and he used the word from the barnyard. He said this is nonsense. But yet the next day he got up and presented it to the whole world as this was the truth. And here we are, 80 days after they say the war is over. I mean, the President stages this photo op out there and lands and says, well, we have conquered it. You know why he does not say the war is over? Because if he did, he would have to face the reality or the real travesty of this thing is that they never planned for after the war.

The mess they have got over there right now is incredible, and I mean all we have to do is read the BBC. The BBC says that the incidence of diseases such as cholera, dysentery, and typhoid are 2½ times greater in the month of May 2003 than they were in the month of May 2002. That is what democracy brought the children of Iraq. That is what our President says he was going to bring. We are going to bring democracy, we are going to bring you cholera, we are going to kill kids on the basis of diarrhea.

The electric lights are not on. Why? Because they are having a big squabble with Bechtel about whether they ought to privatize the electric industry. The water is not clean because they are having a squabble with Bechtel about privatizing utilities.

And the worst thing was in today's newspaper. In today's newspaper, the New York Times on page 15, here we have a colonel that is responsible for 500,000 people in southern Baghdad. He has got 700 paratroopers and he is supposed to run a city of half a million people. He says, ''I was in Haiti but I arrived here with zero experience running a city. We all wonder if we can go back and apply for an honorary degree in public communication. A lot of this stuff we are just completely feeling our way in the dark.'' This is a colonel in the United States military talking.

Mr. HOEFFEL. Mr. Speaker, if I can ask the gentleman a question, I am glad he moved us on to the questions of reconstruction and new governance in Iraq. It seems to me the biggest problem facing America in post-conflict Iraq is the perception, if not the reality, that we are an occupying colonial power as opposed to a liberating power, anxious to work internationally with existing organizations to develop a representative government.

Mr. MCDERMOTT. My colleague is absolutely correct. The Arab world has had this before. They saw the West come in into Palestine, into Algeria, into Egypt. They were going to be there just a couple of years to get things stabilized after the Ottoman Empire was over and the First World War was done, and they stayed for 25 years. These people see us, they have got a memory, and they are just saying, hey, get out of here, let us run it; you said we were going to be able to elect our own people. My colleague from Pennsylvania has already pointed out that we have already said we cannot have an election until you learn to pick the right people. So we are going to give you a group of 10 that we will select, and that way we will put an Iraqi face on the government.

Now, if you cannot ask where is our democracy, I do not know. They certainly have a right to choose their own government. It should not be decided by our government who is going to run that country.

Mr. HOEFFEL. Mr. Speaker, the gentleman from Massachusetts I think has a comment.

□ 2340

Mr. DELAHUNT. Mr. Speaker, let me pick up on the issue that the gentleman from Pennsylvania (Mr. HOEFFEL) raises and the gentleman from Washington (Mr. MCDERMOTT).

Our troops made us proud. We all support them. Every American supports them. Now they are being asked to do something, as the gentleman indicates, that they have not been trained for. There they are on the ground in a situation that at best is unstable. I do not even want to calculate the number of dead American soldiers on a weekly basis that have occurred as a result of guerrilla-type attacks, ambushes. It is simply not fair.

And the irony of this is that the Army Chief of Staff, General Shinseki, indicated before the war that it was his judgment, his estimate that we would need several hundred thousand troops in Iraq for an extended period of time. He was dismissed by the Secretary of Defense. I think maybe it was the Under Secretary of Defense, Mr. Wolfowitz, maybe Mr. Rumsfeld.

Mr. MCDERMOTT. It was Mr. Rumsfeld.

Mr. DELAHUNT. But that was grossly exaggerated. Now we discover that General Shinseki is absolutely correct. When I asked during the course of a House Committee on International Relations hearing to the Under Secretary of Defense, Mr. Dan Fife, simple questions, I think his responses are informative; and if I could indulge, I asked Secretary Fife, ''We read different estimates of the cost of reconstruction to the American taxpayers. What is the current estimate of the administration in terms of the cost to the American taxpayers for the reconstruction of Iraq?

''Mr. Fife: There is no total estimate for the whole government for the whole range of things.

''Mr. DELAHUNT: There is no estimate. Is there a range?

''Mr. Fife: I am not aware that anybody has pulled together all of the threads.''

So then I said, ''Well, I would hope that they would pull the threads together, and if you can get that information to me in writing, I would appreciate that.''

This is maybe several weeks ago rather than at the end of the combat, the hostilities announced by the President. I would hope, in fact, that these estimates would have occurred months before the military intervention was launched. Then I go on, ''You have answered my question, but I would like to receive something in writing, Mr. Secretary, and I would like to share it

with my colleagues. I think it was General Shinseki that estimated some 200,000 troops would be necessary to secure stability in Iraq. What is the current estimate from the Department of Defense and for how long would they be required?''

The Under Secretary's response: ''These kinds of questions have been an issue for some weeks, and we are continually being asked. And we are, obviously, not getting through on a key point which is there are so many things, so many different aspects of reconstruction and security, and each aspect depends on events and it depends on things we do not know about and we cannot know about. For example, how smoothly is the transition to an Iraq interim authority going to take place, and how quickly are the Iraqis going to be organizing?''

I responded, ''I respect that, Mr. Secretary, but at the same time I would hope that the department would have been prepared to provide a range in terms of worst- and best-case scenarios. I think we have a right to that information. Let me ask you another question: Do you have an estimate in terms of when an election in Iraq may occur?''

The Under Secretary responded, ''No, we do not.''

''I appreciate your answers. You indicated there appears to be a narrow popular support for a theocracy similar to the one in Iran. Do we have polling data to support your thesis, or is this just an opinion through intelligence?''

Mr. Fife responded, ''It is an opinion that comes from intelligence. It comes from diplomatic reporting.''

''But there is no polling data, I take it?''

''I do not know whether there are. I do not know off the top of my head whether there is polling data.''

So then I said, ''Let me ask this question. Let me pose you a hypothetical question. If we have a free and fair election and if as a result of that election there is a leadership that does not necessarily feel warmly towards the United States, are we unconditionally willing to accept that particular leadership, presuming again free and fair elections?''

Mr. Fife answers, ''We are going to be working with the Iraqis to get a government organized, and part of that is going to be organizing a constitution and a bill of rights.''

Mr. MENENDEZ. Mr. Speaker, I think the questioning was a precursor, as mine was, when Secretary Powell appeared before the committee before that, and I asked the Secretary how long, how many lives will we lose, how long will we be there, how much will it cost, and are we nation building?

And I know that my colleagues have listened certainly for the decade that I have been here, listened to our colleagues on the other side of the aisle talk about how they abhorred the concept of nation-building when we were in Bosnia and other places, stopping real atrocities that were taking place, and hearing we are into nation-building.

And yet as the gentleman was trying to elicit from the witness before our Committee on International Relations, which we both sit on, we have no real planning. There was Jay Gardner, who was designated as the head of the Office of Reconstruction and Humanitarian Assistance. Here we have the Department of Defense doing nation-building, something that we consistently heard our colleagues on the other side of the aisle rail against, and he in essence was on the job a full 3 weeks, and after all of that preparation that supposedly took place for him to be there, we get rid of him in 3 weeks. He was going to develop a national assembly of Iraqis, and that did not work. And then his State Department successor, Ambassador Bremer, thought that perhaps seven opposition groups might be able to work effectively as an interim government. That was soon abandoned.

Now we are talking about a so-called advisory council of 20 or 25 Iraqis, but this latest plan of an advisory council seems to minimize, not increase, the participation of Iraqis in the process for months, if not longer.

So here we are in this preemption doctrine for which we now have serious questions about the underpinnings under which we committed massive force because it was alleged at the time that there was a clear and present danger to the United States. We are told by the administration, well, you have to have a lot more time; and yet we did not want to give any more time to U.N. weapons inspectors, but we are asked to give enormous amounts of time here. And we have the full roam of the country uninhibited. And then we supposedly were prepared for the post-Saddam era, and we seem not to be able to put that together, or I am not sure what our intent is.

□ 2350

We do not seem to know where Saddam Hussein is. We also do not seem to know where Osama bin Laden is, and that is a whole other issue in terms of Afghanistan and what happened. And so you have the confluence of all of these issues.

Mr. MCDERMOTT. There is one other one you have left out. That is our allies, the British. Their defense chiefs are quoted in the newspaper as saying they are resisting calls for British troops to be sent to join American forces in Baghdad because they could, quote, be sucked into a quagmire. They do not want British troops caught up in the rising tide of anti-American violence. So even our allies are stepping back now and saying, hey, look, you guys got over in there and you said you knew what you were doing.

It is more complicated even than our own problems.

Mr. MENENDEZ. The point really is that it is the congressional responsibility for oversight that we have on behalf of all of the American people to raise the questions and get the answers that ultimately lead us to make the right choices in the future, informed choices, based upon real substantive information, not perceived or possibly manipulated information, and to be understanding that we have got to be prepared. We won the war; we salute the men and women who did not ask whether this was the right conflict or not but just responded to the Nation's call. I visited one of our bases and the young men and women there told me, Congressman, we don't ask whether this is right or wrong, we don't pick the time, the place or the conflict, we just respond. We salute them for that. But before we send those young men and women, sons and daughters of Americans of this country, we should know that we are sending them on the right information, that we have a plan not only to win the war but then to achieve the peace and to make sure that the seeds that we seek to sow in terms of democracy take place. Those are some of our concerns I think in this process.

Mr. HOEFFEL. The gentleman from New Jersey speaks very eloquently about congressional responsibilities, the things we ought to be asking about. You were talking about how to get a representative government started in Iraq. It seems to me that what Congress ought to be pushing the administration to focus on in our efforts to create liberty is to create the institutions of liberty first. We cannot have a democratic system in Iraq if they do not have the institutions of a free press and a functioning judiciary and the traditions of free speech and a civil society and a noncorrupt bureaucracy. In fact, all that needs to be founded in some written constitution that has public support and public input. What does my colleague think we need to do to achieve that, if he agrees with me that that is the fundamental goal that we have got to establish first before democracy is ever going to come to the people of Iraq?

Mr. MENENDEZ. I think there are a variety of things. I am sure some of our colleagues have some ideas as well. But fundamentally you have to get Iraqi civil society back engaged. You have to create the wherewithal to show that not only were we liberators, hopefully, but at the end of the day that we have also come to help really create a better society and to assist Iraqis to be able to do that. That comes with, first of all, at least having the functioning entities of civil society be able to take place, as you suggested, some of those institutions. As our colleagues suggested, to get some of the basic fundamental services that Iraqis would expect from a liberating force to take place and to begin to act. So, clean water, running sewerage systems, the opportunity for electricity to be present, the return to schools of children, the opportunity for hospitals to

be able to take care of the sick. The rudimentary elements of a civil society start there. And then to engage civil society within Iraq to begin to perform some of their own functions and to also ask the beginnings of Iraq's natural resources to go for the purposes of helping Iraq rebuild itself. I think the American people have the right to know how long are we going to continue to be there? How many more lives will we lose? How much will it cost? And, as I always listen to our colleagues here in the House and in committee, what is our exit strategy? What is our exit strategy?

Mr. DELAHUNT. We do not seem to be hearing that anymore.

Mr. MENENDEZ. No, we do not hear about exit strategies or nation building anymore.

Mr. DELAHUNT. Or lockboxes, either, for that matter. As the both of you were talking about the men and women that really made us all proud, and we consider our very best, I think it is important to state unequivocally that when they return, it is not simply about parades, it is about respecting them and delivering the promise and the commitment to veterans that I know each and every member of our party is willing to make. No cuts in veterans' benefits. None at all. That is unacceptable and would be unconscionable.

But let me end my digression and go back to the issue of nation building and just read a paragraph from the May 19 Washington Post. It is entitled ''Plan to Secure Postwar Iraq Faulted.'' The author writes the following paragraph:

''In interviews here and in Washington and in testimony on Capitol Hill, military officers, other administration officials, and defense experts said the Pentagon ignored lessons from a decade of peacekeeping operations in Haiti, Somalia, the Balkans and Afghanistan.''

Let us be candid and let the American people hear this: that in Afghanistan, we are at great risk of returning to that kind of chaos, that kind of volatility, instability that occurred prior to our invasion of Afghanistan. It is a mess in Afghanistan. The President of that country, President Karzai, cannot leave Kabul. The rest of that nation and many sections of Pakistan bordering Afghanistan are rife with Taliban and with other terrorist groups. And we have failed miserably in reconstruction efforts there. I would hope that this administration and this House would look to Afghanistan as an example of what not to do and go forward with a sensible plan that we can all support, because we know our responsibility.

Mr. HOEFFEL. Would the gentleman agree that using NATO as a peacekeeping force might be the right thing to do in both Afghanistan and Iraq?

Mr. DELAHUNT. I think what is rather ironic, of course, is in Afghanistan, our NATO ally Germany is playing a key and vital role. Afghanistan militarily was truly a coalition of the willing, not a coalition of the coerced, the bribed, but a coalition of the willing. But I think it is important that we approach the reconstruction of both Afghanistan and Iraq on a multilateral basis. We cannot ask the American people to continue to bear the full burden. We have already made a comment in Iraq which practically guarantees a new hospital in every Iraqi city, 100 percent maternity coverage for Iraqi women that is going to be funded by the taxpayers of the United States. And what are we doing here in this Congress under this Republican leadership to Medicare? We are cutting it by $95 billion. That is not fair to the American taxpayer. It is not fair to the American people.

Mr. HOEFFEL. I thank the gentleman for his comments, for his leadership in the House and his eloquence on the House Committee on International Relations.

Would my friend from New Jersey like to make some final remarks as our time is short?

Mr. MENENDEZ. Very briefly, I appreciate the gentleman's engaging in the dialogue, and I hope we will continue it in the future. I think we owe America's young men and women who went into harm's way, that before we call upon them again for a preemptive strike, that we are doing so based upon sound information, that we are based on intelligence that is honest, truthful and transparent, that we ultimately have a plan not only to win the war but to win the peace, because we are losing soldiers every day. It is not as well publicized, but we are losing soldiers every day. We deserve, before we send the finest to answer the Nation's call, and that is where the congressional responsibility takes place, in asking these questions, in getting answers and being able to prepare for the future.

Mr. HOEFFEL. I thank my colleagues for joining me.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, JUNE 5, 2003, AT PAGES H 5036–H 5037

APPOINTMENT OF MEMBERS TO THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore (Mr. PORTER), Pursuant to 22 U.S.C. 276h and the order of the House of January 8, 2003, the Chair announces the Speaker's appointment of the following Members of the House to the Mexico-United States Interparliamentary Group, in addition to Mr. KOLBE of Arizona, Chairman, appointed on March 13, 2003:

Mr. BALLENGER of North Carolina, Vice Chairman,
Mr. DREIER of California,
Mr. BARTON of Texas,
Mr. MANZULLO of Illinois,
Mr. WELLER of Illinois,
Ms. HARRIS of Florida,
Mr. STENHOLM of Texas,
Mr. FALEOMAVAEGA of American Samoa,
Mr. PASTOR of Arizona,
Mr. FILNER of California, and
Mr. REYES of Texas.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BAIRD (at the request of Ms. PELOSI) for today on account of an event in the district.

Mr. BECERRA (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today on account of official business.

Mr. LARSON of Connecticut (at the request of Ms. PELOSI) for today and June 10 on account of a family illness.

Mr. REYES (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. SMITH of Washington (at the request of Ms. PELOSI) for today and the balance of the week on account of personal reasons.

Mr. HOUGHTON (at the request of Mr. DELAY) for today and June 10 on account of family matters.

Mr. TOOMEY (at the request of Mr. DELAY) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:

Ms. PELOSI, for 5 minutes, today.

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

Mr. DEFAZIO, for 5 minutes, today.

Mr. MILLER of North Carolina, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:

Mr. BURTON of Indiana, for 5 minutes, today and June 16.

Mr. GUTKNECHT, for 5 minutes, today and June 10, 11, and 12.

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

Mr. RODRIGUEZ, for 5 minutes, today.

Mr. MEEKS of New York, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 222. An act to approve the settlement of the water rights claims of the Zuni Indian Tribe in Apache County, Arizona, and for other purposes.

S. 273. An act 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, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on June 6, 2003 he presented to the President of the United States, for his approval, the following bill.

H.R. 192. To amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 10, 2003, at 10:30 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

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

2554. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Exotic Newcastle Disease; Removal of Areas From Quarantine [Docket No. 02-117-6] received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2555. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Ports Designated for Exportation of Livestock; Portland, OR [Docket No. 02-127-1] received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2556. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Thymol and Eucalyptus Oil; Exemptions from the Requirement of a Tolerance [OPP-2003-0002; FRL-7308-1] received June 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2557. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-D-7537] received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2558. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2559. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2560. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Suspension of Community Eligibility [Docket No. FEMA-7807] received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2561. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-P-7622] received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2562. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received May 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2563. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's ''Major'' final rule—Management's Report on Internal Control over financial reporting and certification of disclosure in exchange act periodic reports [Release Nos. 33-8238; 34-47986; IC-26068; File Nos. S7-40-02; S7-06-03] (RIN: 3235-AI66 and 3235-AI79) received June 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2564. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule—Labeling for Oral and Rectal Over-the-Counter Drug Products Containing Aspirin and Nonaspirin Salicylates; Reye's Syndrome Warning [Docket No. 93N-0182 and 82N-0166] (RIN: 0910-AA01) received June 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2565. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled, ''The Drinking Water State Revolving Fund Program: Report to Congress''; to the Committee on Energy and Commerce.

2566. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Large Municipal Waste Combustors; California [CA216-0400; FRL-7510-2] received June 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2567. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Determining Conformity of Federal Actions to State or Federal Implementation Plans [DC042-2031a; FRL-7507-4] received June 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2568. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District [CA275-0393c; FRL-7495-3] received June 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2569. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Bay Area Air Quality Management District; San Diego County Air Pollution Control District [CA275-0393a; FRL-7495-1] received June 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2570. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—State of Massachusetts; Withdrawal of Direct Final Rule [MA-088-7216C; A-1-FRL-7509-2] received June 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2571. A letter from the Secretary, Department of Education, transmitting the semiannual report of the activities of the Office of Inspector General during the six month period ending March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2572. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2002, through March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2573. A letter from the Chairman, Consumer Product Safety Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2002 through March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2574. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2002, through March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2575. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Inspector General for October 1, 2002, through March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2576. A letter from the Director, Office of National Drug Control Policy, transmitting a report on the ''Fiscal Year 2002 Accounting of Drug Control Funds''; to the Committee on Government Reform.

2577. A letter from the Chairman, U.S. International Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2002 through March 31, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2578. A letter from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Public Works and Community Service Projects [BOP-1002-F] (RIN: 1120-AA03) received May 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2579. A letter from the Congressional Medal of Honor Society of the United States of America, transmitting the annual financial report of the Society for calendar year 2002, pursuant to 36 U.S.C. 1101(19) and 1103; to the Committee on the Judiciary.

2580. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule—Safety Zone; Colorado River, Between Davis Dam and Laughlin Bridge (This section of the Colorado River divides Arizona and Nevada) [COTP: San Diego 03-019] (RIN: 1625-AA00) received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2581. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone Regulation; Fort Vancouver Fireworks Display, Columbia River, Vancouver, Washington [CGD13-03-001] (RIN: 1625-AA00 (Formerly RIN: 2115-AA97)) received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2582. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Berwick Bay, Morgan City, LA [CGD08-03-023] received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2583. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Notification of Arrival in U.S. Ports [USCG-2002-11865] (RIN: 1625-AA41) received May 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2584. A letter from the Administrator, Department of Transportation, transmitting the Department's report pursuant to Section 1403(c) of the Homeland Security Act of 2002, Pub. L. 107-296; to the Committee on Transportation and Infrastructure.

2585. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's ''Major'' final rule—Medicare Program; Change in Methodology for Determining Payment for Extraordinarily High-Cost Cases (Cost Outliers) Under the Acute Care Hospital Inpatient and Long-Term Care Hospital Prospective Payment Systems [CMS-1243-F] (RIN: 0938-AM41) received June 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2586. A letter from the Deputy Secretary, Department of Defense, transmitting notification of approved payment to the Government of Slovakia pursuant to Pub. L. 107-206; jointly to the Committees on Armed Services and Appropriations.

2587. A letter from the Chairman, Congressional Award Board, transmitting the 2002-2003 activities of the Congressional Award program, pursuant to 2 U.S.C. 802(e); jointly to the Committees on Government Reform and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Omitted from the Record of June 5, 2003]

Mr. SMITH of New Jersey: Committee on Veterans' Affairs. H.R. 1460. A bill to amend title 38, United States Code, to permit the use of education benefits under such title for certain entrepreneurship courses, to permit veterans enrolled in a vocational rehabilitation program under chapter 31 of such title to have self-employment as a vocational goal, and for other purposes; with amendments (Rept. 108–142 Pt. 1). Ordered to be printed.

[Pursuant to the order of the House on June 5, 2003 the following report was filed on June 6, 2003]

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 2115. A bill to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes; with an amendment (Rept. 108–143). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 9, 2003]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1115. A bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, and for other purposes; with an amendment (Rept. 108–144). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINDER: Committee on Rules. House Resolution 263. Resolution providing for consideration of the bill (H.R. 2143) to prevent the use of certain bank instruments for unlawful Internet gambling, and for other purposes (Rept 108–145). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

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

[Omitted from the Record of June 5, 2003]

H.R. 1460. Referral to the Committee on Small Business extended for a period ending not later than July 7, 2003.

[Submitted June 9, 2003]

H.R. 1950. Referral to the Committees on Armed Services, Energy and Commerce, and the Judiciary extended for a period ending not later than June 16, 2003.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. SMITH of Texas (for himself, Mr. BERMAN, Mr. CONYERS, Mr. COBLE, Mr. GOODLATTE, Mr. GREEN of Wisconsin, Ms. HART, Mr. BOUCHER, Ms. LOFGREN, Mr. WEXLER, and Ms. BALDWIN):

H.R. 2391. A bill to amend title 35, United States Code, to promote research among universities, the public sector, and private enterprise; to the Committee on the Judiciary.

By Mr. CASTLE (for himself, Mr. TANNER, Mr. UPTON, Mr. MOORE, Mr. BOEHLERT, and Mr. ALEXANDER):

H.R. 2392. A bill to amend the Internal Revenue Code of 1986 to accelerate the increase in the refundability of the child tax credit, and for other purposes; to the Committee on Ways and Means.

By Mr. FILNER:

H.R. 2393. A bill to provide that unremarried former spouses of retired and career members of the Armed Forces shall be entitled to military health care and commissary and exchange benefits if married for at least 10 years during the member's military service and if the former spouse left the marriage due to domestic violence or unbearable conditions; to the Committee on Armed Services.

By Mr. MOORE (for himself, Mr. TAYLOR of Mississippi, Ms. WOOLSEY, Mr. RODRIGUEZ, Mr. FILNER, Mr. GORDON,Mr. CASE, Mr. FRANK of Massachusetts, Mr. STRICKLAND, Mr. PETERSON of Minnesota, Mr. ETHERIDGE, Mr. ALLEN, Mr. DAVIS of Tennessee, Mr. MICHAUD, and Ms. LEE):

H.R. 2394. A bill to require full funding of part A of title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Actof 2001; to the Committee on Education and the Workforce.

By Mr. RADANOVICH (for himself, Mr. DOOLITTLE, Mr. HERGER, Mr. NUNES, and Mr. OSE):

H.R. 2395. A bill to provide suitable alternative grazing arrangements on National Forest System land to persons that hold a grazing permit adversely affectedby the standards and guidelines contained in the Record of Decision of theSierra Nevada Forest Plan Amendment and pertaining to the Willow Flycatcherand the Yosemite Toad; to the Committee on Resources.

By Ms. SOLIS (for herself, Mrs. NAPOLITANO, Mr. LANTOS, Mr. GEORGE MILLER of California, Mr. THOMPSON of California, Mrs. BONO, Ms. WATSON, Ms. LEE, Ms. LORETTA SANCHEZ of California, Mrs. TAUSCHER, Ms. HARMAN, Ms. LOFGREN, Ms. LINDA T. SANCHEZ of California, Mr. HONDA, Mr. BECERRA, Mr. BACA, Ms. ROYBAL-ALLARD, Mrs. CAPPS, Mr. SHERMAN, Ms. WOOLSEY, Mr. WAXMAN, Ms. ESHOO, Mr. SCHIFF, Mr. ISSA, Mr. OSE, Mr. MATSUI, Ms. MILLENDER-MCDONALD, Mr. BERMAN, Mr. POMBO, Mr. ROHRABACHER, Mr. FILNER, Mr. CARDOZA, Mr. CALVERT, Mr. DOOLITTLE, Mr. STARK,Ms. WATERS, Mr. LEWIS of California, Mrs. DAVIS of California, Mr. HERGER, Mr. CUNNINGHAM, Mr. FARR, Mr. THOMAS, Mr. GARY G. MILLER of California, Mr. COX, Mr. HUNTER, Mr. RADANOVICH, Mr. DOOLEY of California, Mr. MCKEON, Ms. PELOSI, Mr. ROYCE, Mr. GALLEGLY, Mr. NUNES, and Mr. DREIER):

H.R. 2396. A bill to designate the facility of the United States Postal Service located at 1210 Highland Avenue in Duarte, California, as the ''Francisco A. Martinez Flores Post Office''; to the Committee on Government Reform.

By Mr. SAM JOHNSON of Texas (for himself, Mr. RANGEL, Mr. COBLE, and Mr. CONYERS):

H. Con. Res. 212. Concurrent resolution recognizing and supporting the goals and ideals of the Year of the Korean War Veteran, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VAN HOLLEN (for himself, Mr. ABERCROMBIE, Mr. BAIRD, Ms. BALDWIN, Mr. BISHOP of New York, Mr. BROWN of Ohio, Mr. CARDIN, Ms. CARSON of Indiana, Mr. CLYBURN, Mr. COOPER, Mr. CROWLEY, Mr. CUMMINGS,Mr. DAVIS of Illinois, Mr. DELAHUNT, Ms. DELAURO, Mr. DOGGETT, Mr. DOYLE, Mr. EMANUEL, Mr. FARR, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GRIJALVA, Mr. HILL, Mr. HINCHEY, Mr. HOLDEN, Mr. HOLT, Mr. HOYER, Mr. INSLEE, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. LANGEVIN, Mr. LANTOS, Ms. LEE, Mr.

LEWIS of Georgia, Mrs. LOWEY, Mr. LYNCH, Mrs. MALONEY, Mr. MARKEY, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MENENDEZ, Mr. MICHAUD, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. MILLER of North Carolina,Mr. MORAN of Virginia, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Mr. POMEROY, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SLAUGHTER, Ms. SOLIS, Mr. SPRATT, Mr. STARK, Mr. STRICKLAND, Mr. TOWNS, Mr. UDALL of Colorado, Ms. WATERS, Ms. WOOLSEY, and Mr. WYNN):

H. Con. Res. 213. Concurrent resolution expressing the sense of the Congress that Federal taxcollection services should not be paid for on the basis of a commission oras a percentage of taxes collected; to the Committee on Ways and Means.

By Mr. PLATTS:

H. Res. 262. A resolution supporting the goals and ideals of Pancreatic Cancer AwarenessMonth; to the Committee on Government Reform.

ADDITIONAL SPONSORS

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

H.R. 58: Mr. BACA, Mr. BURNS, Mr. ISRAEL, and Mr. BARRETT of South Carolina.

H.R. 140: Mr. MURTHA.

H.R. 195: Mr. BRADY of Texas.

H.R. 218: Mr. CAMP and Mr. CARTER.

H.R. 284: Ms. LINDA T. SANCHEZ of California and Mr. CASTLE.

H.R. 290: Mr. LUCAS of Kentucky.

H.R. 294: Mr. BURGESS.

H.R. 296: Mr. VISCLOSKY.

H.R. 300: Mr. SCHROCK and Mr. SESSIONS.

H.R. 302: Mr. WALDEN of Oregon.

H.R. 303: Mr. KENNEDY of Rhode Island, Mr. JANKLOW, Mrs. MUSGRAVE, Mr. CRENSHAW, Ms. LEE, Mrs. MALONEY, and Mr. ISRAEL.

H.R. 375: Mr. SKELTON and Mr. TURNER of Ohio.

H.R. 391: Mr. SMITH of Texas and Mr. KINGSTON.

H.R. 438: Mr. PORTER.

H.R. 528: Mr. CAMP and Mr. FEENEY.

H.R. 636: Ms. SCHAKOWSKY.

H.R. 648: Mr. CARTER.

H.R. 660: Mr. JANKLOW and Mr. COOPER.

H.R. 713: Mr. GILLMOR.

H.R. 779: Mr. GEORGE MILLER of California and Mr. BERMAN.

H.R. 806: Mr. GREENWOOD and Mrs. MYRICK.

H.R. 857: Mr. UDALL of Colorado.

H.R. 898: Mr. ALLEN, Mr. LARSEN of Washington, Ms. LEE, Mr. LUCAS of Kentucky, Mr. LATOURETTE, and Mr. SKELTON.

H.R. 953: Mr. SHIMKUS.

H.R. 979: Mr. MCGOVERN.

H.R. 997: Mr. PETERSON of Minnesota, Mr. FORBES, Mr. PLATTS, Mr. NEY, and Mr. TAYLOR of North Carolina.

H.R. 1043: Mr. PICKERING.

H.R. 1049: Mr. HOLT.

H.R. 1063: Mr. MILLER of Florida.

H.R. 1084: Mr. BURGESS.

H.R. 1087: Mr. WILSON of South Carolina and Ms. LEE.

H.R. 1100: Mr. CRANE.

H.R. 1115: Mrs. BIGGERT, Mr. FRANKS of Arizona, Mr. KENNEDY of Minnesota, Mr. SESSIONS, Mr. OSBORNE, Mr. DEMINT, Mr. SOUDER, Mr. SCHROCK, Mr. HENSARLING, Mr. PUTNAM, Mr. SULLIVAN, Mr. MICA, and Mr. CALVERT.

H.R. 1125: Mr. KIRK, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. INSLEE, and Mr. WHITFIELD.

H.R. 1146: Mr. FRANKS of Arizona.

H.R. 1157: Mr. NEAL of Massachusetts and Mr. DUNCAN.

H.R. 1196: Ms. CARSON of Indiana and Ms. WOOLSEY.

H.R. 1199: Mr. KUCINICH.

H.R. 1205: Ms. LEE, Mr. DAVIS of Illinois, Mr. RANGEL, and Mr. CROWLEY.

H.R. 1250: Mr. HAYWORTH.

H.R. 1259: Mr. OWENS and Mr. ROSS.

H.R. 1268: Mr. KILDEE, Mr. NEAL of Massachusetts, and Ms. LEE.

H.R. 1276: Mr. LARSEN of Washington.

H.R. 1279: Mr. WILSON of South Carolina, Ms. MCCOLLUM, and Mr. ROTHMAN.

H.R. 1283: Mr. TOWNS and Mr. PAYNE.

H.R. 1295: Mr. GUTIERREZ.

H.R. 1305: Mr. JENKINS, Mr. SHIMKUS and Mr. WHITFIELD.

H.R. 1336: Mr. FROST, Ms. WOOLSEY, Mr. HAYWORTH, and Mr. STRICKLAND.

H.R. 1340: Mr. LANTOS and Mr. BELL.

H.R. 1377: Mrs. KELLY, Ms. WOOLSEY, Mr. BOUCHER, and Mrs. MALONEY.

H.R. 1429: Mr. DAVIS of Alabama.

H.R. 1470: Mr. ROSS and Mr. BELL.

H.R. 1473: Ms. SLAUGHTER.

H.R. 1478: Mr. PRICE of North Carolina.

H.R. 1482: Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. FILNER, and Mrs. CAPPS.

H.R. 1523: Mr. BURGESS, Mr. FLETCHER, Ms. WOOLSEY, and Mr. MILLER of Florida.

H.R. 1536: Mr. WELLER.

H.R. 1565: Mr. REYES and Ms. WOOLSEY.

H.R. 1580: Mr. GUTIERREZ.

H.R. 1612: Mr. BURGESS.

H.R. 1657: Mr. HINOJOSA and Mr. OWENS.

H.R. 1675: Mr. UDALL of New Mexico, Mr. JONES of North Carolina, and Mr. HEFLEY.

H.R. 1711: Mr. HEFLEY and Mr. BLUMENAUER.

H.R. 1716: Mr. GILLMOR.

H.R. 1723: Ms. MCCOLLUM.

H.R. 1749: Mr. LAHOOD.

H.R. 1858: Mrs. MCCARTHY of New York, Mr. CUMMINGS, Mr. BECERRA, Mr. FROST, Mr. STARK, Mr. ENGLISH, Mr. MCHUGH, Mr. MCNULTY, Mr. WEXLER, and Mr. DOYLE.

H.R. 1870: Mr. THORNBERRY.

H.R. 1874: Mr. DEAL of Georgia, Mr. BROWN of Ohio, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. MEEHAN, Mr. OLVER, Ms. SCHAKOWSKY, Ms. KAPTUR, Mrs. MALONEY, and Mr. TURNER of Texas.

H.R. 1887: Mr. KUCINICH.

H.R. 1910: Mr. UDALL of Colorado, Mr. MARSHALL, Mr. DOGGETT, Mr. REGULA, Mr. SANDLIN, Mr. FATTAH, Mr. JACKSON of Illinois, Mr. LEVIN, Mr. QUINN, Mrs. NAPOLITANO, Mr. BASS, Ms. KILPATRICK, Mr. KOLBE, Mr. VISCLOSKY, Mr. BERRY, Mr. HASTINGS of Florida, Mr. OLVER, Mr. BELL, Mr. LIPINSKI, and Mr. THOMPSON of Mississippi.

H.R. 1943: Mr. BARTLETT of Maryland and Mr. PICKERING.

H.R. 2020: Mr. GOODE, Mr. CLAY, Mr. MEEK of Florida, Mr. DAVIS of Tennessee, and Mr. WELDON of Florida.

H.R. 2028: Mr. KING of New York, Mr. MCCOTTER, Mr. MURPHY, Mr. RADANOVICH, Mr. ROGERS of Alabama, and Mr. GERLACH.

H.R. 2030: Mrs. CAPPS.

H.R. 2096: Mr. HASTINGS of Washington, Mr. MURPHY, Mr. TERRY, Mr. CARDOZA, and Mr. PLATTS.

H.R. 2118: Mr. SHAYS, Mr. WILSON of South Carolina, and Mr. JANKLOW.

H.R. 2176: Mr. CALVERT.

H.R. 2193: Mrs. MALONEY.

H.R. 2198: Mrs. JONES of Ohio and Mr. CRAMER.

H.R. 2202: Mr. MILLER of Florida and Ms. CORRINE BROWN of Florida.

H.R. 2207: Mr. OWENS.

H.R. 2208: Mrs. MUSGRAVE, Mr. LUCAS of Kentucky, Mr. COOPER, Mr. HOBSON, and Mr. ROGERS of Kentucky.

H.R. 2233: Mr. DEFAZIO.

H.R. 2260: Mr. FILNER, Mr. WOLF, and Mr. DAVIS of Florida.

H.R. 2284: Mr. FILNER, Mr. TOWNS, Mr. HINCHEY, Mr. UDALL of New Mexico, Mr. SERRANO, and Ms. CARSON of Indiana.

H.R. 2286: Mr. SCHIFF, Mr. CLAY, Mr. GREEN of Texas, Mr. PASTOR, Ms. LINDA T. SANCHEZ of California, Mr. BISHOP of New York, and Mr. WEXLER.

H.R. 2291: Ms. MCCOLLUM, Mr. DAVIS of Tennessee, and Ms. SCHAKOWSKY.

H.R. 2300: Mr. OWENS, Ms. LOFGREN, and Mr. WEXLER.

H.R. 2318: Mr. PAUL.

H.R. 2319: Mr. CHABOT.

H.R. 2325: Mr. VAN HOLLEN, Mr. TURNER of Texas, Mr. GREEN of Texas, Mr. KIND, Mr. ETHERIDGE, Mr. WAXMAN, Mr. MOORE, Mr. KILDEE, Ms. KILPATRICK, Mr. WEINER, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Ms. HARMAN, Ms. MILLENDER-MCDONALD, Mr. HONDA, Mr. BALLANCE, Mr. UDALL of Colorado, Mr. CLAY, Mr. COSTELLO, Mr. SABO, Mr. RUSH, Mr. FARR, and Mr. RAHALL.

H.R. 2333: Mr. SANDLIN, Mr. SNYDER, Mr. TANNER, Mr. MCNULTY, Mr. ROSS, Mr. PICKERING, and Mr. HEFLEY.

H.R. 2342: Mr. MCNULTY.

H.R. 2351: Mr. BURTON of Indiana, Ms. HART, and Mr. GREENWOOD.

H.R. 2358: Mr. SMITH of Texas.

H.R. 2370: Mr. WELDON of Pennsylvania and Mr. FROST.

H.R. 2377: Ms. SCHAKOWSKY and Mr. ABERCROMBIE.

H.J. Res. 15: Mr. HOSTETTLER.

H.J. Res. 25: Mr. HASTINGS of Florida.

H.J. Res. 58: Mr. GRAVES, Mr. GOODE, and Mr. BARTLETT of Maryland.

H. Con. Res. 19: Mr. ANDREWS.

H. Con. Res. 37: Mr. GRIJALVA.

H. Con. Res. 93: Mr. SHERMAN.

H. Con. Res. 99: Mr. GEPHARDT.

H. Con. Res. 126: Mr. CUNNINGHAM and Mr. SOUDER.

H. Con. Res. 130: Mr. GRIJALVA.

H. Con. Res. 154: Ms. WATERS, Mr. ENGEL, Mr. GREEN of Wisconsin, Mr. TANCREDO, Ms. WATSON, Mr. CONYERS, Mr. FORD, Mr. JACKSON of Illinois, Ms. NORTON, Mr. CUMMINGS, and Mrs. NAPOLITANO.

H. Con. Res. 169: Mr. OWENS, Mr. WAXMAN, and Mr. BLUMENAUER.

H. Con. Res. 200: Ms. SCHAKOWSKY.

H. Res. 38: Ms. MCCOLLUM.

H. Res. 66: Mr. MANZULLO, Mr. PENCE, and Mr. TERRY.

H. Res. 103: Mrs. MILLER of Michigan, Mr. RAMSTAD, and Mr. COBLE.

H. Res. 199: Ms. MCCOLLUM and Mr. LEVIN.

H. Res. 237: Mr. GREEN of Wisconsin, Mr. THOMPSON of Mississippi, and Ms. KILPATRICK.

H. Res. 259: Ms. KILPATRICK.

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PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, MONDAY, JUNE 9, 2003 No. 83

Senate

The Senate met at 12 noon 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. Daniel P. Coughlin, Chaplain, U.S. House of Representatives.

PRAYER

The guest Chaplain offered the following prayer:

Lord, shed upon any darkness in our souls the bright light of Your wisdom; that this body may be enlightened and serve You with purity of intention.

Monday marks the beginning of another week of work. Bless the work of this Senate, all its Members and all who assist them in their noble endeavor to serve this Nation.

May the very desire to serve You, in the Spirit of truth and justice, be so pleasing in Your sight that You accomplish great deeds in and through Your people.

Let our greatness be measured by You and You alone. Help us to never settle for less or live by any other standard than what You expect of us.

With You as our source of inspiration, our work will be sanctified and our interaction with others laudable.

With You as our judge, all hesitancy will be set aside and every accomplishment will give You glory now and forever.

Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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 PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning there will be an hour of morning business for Senators to give statements and introduce legislation. At 1 p.m. today, the Senate will resume consideration of S. 14, the Energy bill. Chairman DOMENICI will be here and available for Members to come to the floor today and to offer their amendments.

Last week, in addition to finishing action on the child tax credit and the Defense authorization bill, we were able to make progress on the Energy bill. The Senate worked its will on a number of amendments relating to ethanol. We conducted six rollcall votes on that issue last week, and I thank all Members in the energy debate last week and look forward to their continued participation over the course of this week. We will continue to move forward on this important legislation to produce a national energy policy which our Nation so badly needs.

To this end, we will continue to have discussions with the other side of the aisle in an effort to reach an agreement on the remaining amendments to the Energy bill. We would like to finish consideration of the bill this week, so it is my hope that we will have a filing deadline for amendments to allow the chairman and the ranking member to work through an amendment list. Again, we are working with the chairman and ranking member and our colleagues to produce such a list.

As a reminder, there will be a rollcall vote today beginning at 5:45. That vote will be on the confirmation of the nomination of Michael Chertoff to be a United States Circuit Judge for the Third Circuit.

For the remainder of the week, Chairman DOMENICI will continue to process amendments on the Energy bill. In addition, we are working on an agreement for the FAA reauthorization bill. This week, we will be looking for the appropriate window to consider that reauthorization of the Federal Aviation Administration.

Also, we will continue to work toward consent agreements on the State Department authorization bill as well as the bioshield bill so that they can be placed on the Senate's schedule as well.

This week, we will likely—almost certainly—consider a bill on which Senator MCCONNELL has been working related to Burma and proposed sanctions.

Finally with respect to the schedule, I would remind my colleagues that on Monday of next week—that is, 7 days from today—the Senate will begin consideration of a Medicare improvement and prescription drug bill. Members should expect busy sessions during both this week and the 2 following weeks; that is, the total of the coming 3 weeks prior to the next scheduled adjournment.

We have had a very productive session thus far. I do want to thank all Members for their hard work and cooperation.

Mr. REID. Mr. President, if I may, briefly, our leader announced to the assembled Democrats last Thursday that we were not going to ask for a filing deadline on amendments but we would request from our folks a finite list of amendments so that we could get a list of the amendments people wished to offer. We were confident the Democrats were going to offer amendments that would be relevant to the bill. I am not sure what that term means—but anyway, in keeping with the Energy bill. So we can work, then, with those who have offered amendments.

I have spoken to both managers of the bill. Toward the end of last week, we had a little problem in that our side had an amendment to offer and some of our Senators were not here; Senator DOMENICI wanted to offer an amendment and some of his Senators were not here. I hope this week we can just move forward with the amendments. Senator DOMENICI has an amendment

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

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dealing with Indians he wants to offer right away. We hope that can be done. He knows there is going to be a second-degree amendment offered to that. That will take several hours.

I think we are moving down the road on this most important energy legislation. Once we get the amendments, we can better advise the majority leader and Senator DASCHLE as to how long we estimate it will take. We have acknowledged, in our assembled meetings of Democrats, that we appreciate your allowing the Senate to work its will, and not, as has been done in the past on more occasions than we would like to acknowledge, just filing cloture. You have indicated you are not going to do that until you believe it is necessary, and I don't think it is necessary, at this stage.

Mr. FRIST. Mr. President, I appreciate the comments of the assistant Democratic leader. We are in discussions. The real objective is to have a list of amendments so we can have the definition to both gather support on both sides of the aisle and to really give a focus so we can establish a roadmap by which we can adequately debate, adequately amend this bill appropriately so. That is the purpose. Again, we are working on both sides of the aisle, with the two managers of the bill to that end.

Mr. President, I want to very briefly comment on the last 2 weeks. As we start each week—at least as I start each week, I can't help but come in early Monday morning and look at where we have been and project where we are going. As I laid out the schedule, where we are going is pretty clear, in terms of how we will spend the next 3 weeks on the floor of the Senate. I hope the clarity and the specific plan that I lay out—recognizing it can be modified at any time and should be modified according to circumstances that arise over the course of the day, but I hope that outlook, that vision of where we are going, that agenda setting, does facilitate the overall action, debate, and amendment process of this body.

It also gives me the opportunity to look back over the last 2 weeks. Indeed, as I look back over the last 2 weeks, we made huge progress, I believe, especially for America's taxpayers. That 2003 jobs and growth bill passed by Republicans in the Senate, signed by President Bush, will provide an average of $1,786 in tax relief for over 45 million married couples. Forty million families with children will see their taxes lowered by over $1,549.

Six million single mothers will receive an average tax cut of over $550. Twelve million elderly taxpayers will receive an average tax cut of $1,401. Meanwhile, 3 million individuals and families will be taken off the tax rolls completely.

Indeed, that is progress. That is action. That is delivery for the American people. Republicans in the House and Senate worked hard to provide this substantial tax relief for America's working families. Indeed, we have delivered.

Democrats spent a lot of time talking about tax relief for minimum-wage families. But it was the Republicans who took action and got tax relief done. Thanks to Republicans, the Senate now has provided tax relief for families at all income levels, including middle-class families in which both parents work. Working families will now have extra money in their budgets to pay the bills, to purchase clothes, to put food on the table, and maybe even take a family road trip.

Last week, we passed a second tax bill that provides additional tax relief for families with children. This bill included some important tax reforms as well. This second family tax relief bill in 2 weeks creates a uniform definition of a child. Instead of five confusing and even seemingly conflicting and separate definitions, the Tax Code has been simplified to make it easier for folks to fill out the forms and get the tax relief to which they are entitled.

Tax simplification has been a longstanding goal of Republicans. Expect more efforts on the part of Republicans to make the Tax Code more understandable and less burdensome for America's tax filers.

That family tax relief bill will also accelerate the currently scheduled increase in the refundability of the child tax credit, and it will phase in the elimination of a marriage penalty that is built into that current formulation of the credit. These fixes will allow the child tax credit to benefit more middle-income families.

Together, just in the last 2 weeks, the 2003 jobs and growth package coupled with the family tax relief bill provide the third largest tax relief in the history of the United States. These actions have helped lift consumer confidence.

Interest rates and inflation remain low. Credit conditions have improved as long-term interest rates have fallen to their lowest levels since the 1950s. Families are rebalancing their debt from short-term consumer credit to longer term credit such as mortgages—a wise and prudent move. We are seeing declines in energy prices.

We have a lot of reasons to be optimistic. Economic growth increased 1.6 percent in the first quarter of this year, up slightly from 1.4 percent in the last quarter of this year. Many economists expect continued growth in the current quarter. Consensus forecasts expect growth to approach 3.7 percent by the final quarter of this year.

I say this in a very optimistic vein as we look to the future. Yet there are some clouds. We heard last week the unemployment rate has risen to levels last seen in the economic upturn of 1994. This suggests the growth in the economy over the last few years has been in large part due to rapid productivity gains.

In addition, since 1999, the rising cost of health benefits has exceeded the growth in wages and salaries. As a result, health care costs are driving up the cost of hiring and employing workers. In other words, good jobs are becoming more expensive—another important reason we need to strengthen Medicare, to save and preserve and strengthen and indeed modernize Medicare and add prescription drug coverage the right way, not just giving new benefits without consideration that we have an obligation to make sure whatever we promise can be sustained, not just in the short term and in the midterm but in the long term.

We need to look at all the ways we can expand the economy, and in turn increase the supply of good jobs for America's workers.

If we look to the last 2 weeks and project over the next 3 weeks as we have addressed tax relief and tax reform, a sound sustainable energy policy as well as strengthening and improving Medicare and adding a prescription drug benefit, I think the American people and our colleagues will agree we are moving America forward by doing business in a sound and productive way.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for morning business not to extend beyond the hour of 1 p.m., with the time equally divided between the two leaders or their designees.

The Senator from Maine.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1208 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. Mr. President, I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator is recognized.

Mr. THOMAS. Mr. President, I understand we are in morning business.

The PRESIDENT pro tempore. That is correct.

THE ENERGY BILL

Mr. THOMAS. Mr. President, I will talk a little bit about the pending business that will be before us at 1 o'clock. That, of course, is the Energy Bill.

I am pleased we are now in our second week of consideration of the Energy Bill. I must say we are also in our second year of consideration of an energy bill. We did this last year. We talked about it for a couple of weeks on the floor and finally came up with a bill. We went to conference committee and were actually unable to put something together.

I continue to believe one of the most important things for this country at this time is to have a policy on energy, a policy that begins to describe a little more completely where we think we need to be in terms of the future, what we have to do to achieve that vision of where we need to be, and I think to remind ourselves that we are so involved with energy. Whether it is in your business, whether it is in your family, whether it is in defense, whether it is in the economy, energy has something to do with everything we do.

We have let ourselves get into a position where we are 60 percent dependent on foreign oil, much of which comes from that part of the world that is certainly in turmoil much of the time. So that is a real security problem for us, and an economic problem as well.

Right now, we find people talking about a shortage of natural gas, to be used largely for air-conditioning when it warms up in the summer. That is among the kinds of things that really do have an impact on our lives which we could do something about.

Again, one of the aspects of energy, which I think is true of most any part of our lives, is that things change, and they change substantially. This is particularly true in energy, and we have to make changes to accommodate the differences that occur.

With regard to natural gas, for example, we are using much more natural gas domestically than we did in the past. For one thing, where we had traditionally used coal in the generation of electricity, 97 percent of the generators, in the last several years, have been gas fired. Well, maybe that is all right, but we are not properly prepared to do that.

Right now our biggest source of natural gas is in the West, the area I come from, in the mountain region, and Wyoming particularly. That is our largest source of natural gas for the future. But our problem is we did not expect that, and we have not had the proper delivery system to move that gas from where it is available to the marketplace. Now we do not have the capacity to move the amount of gas we have available, so if there is a shortage, it is not going to be a shortage of the resource; it is going to be a shortage of our ability to have an infrastructure to move the gas where it needs to go.

There are other types of energy in the very same position. I mentioned electricity. There was a time when electric utilities generated and distributed their resource in the same area. If you were served by a particular company, that company generated the electricity and distributed it to your business or to your home, and those two things went right together. Now we have come to a situation where much of the generation is done by what is called a market generator who does not do distributing but sells it wholesale to the distributor.

So what does that require? Obviously, it requires the transmission capacity to move that energy to where the markets are. And we have not been prepared to do that. So we find ourselves in an unusual situation.

In the area of electricity, we also find ourselves at a time when we need to have a little different structure to be able to regulate this energy.

Again, as I said before, when the distribution and generation was in one place, the State public utility commissions could handle all of those things. Now it moves quite often across State lines, so that the States have less involvement in the movement of the electricity. So we need to develop what are called RTOs, regional transportation organizations, which include a number of States. There would be one in the West, for example, that probably would include 10 or 11 States, so there are joint efforts to be able to control the movement of the energy as it goes among the States and not each State competing with one another to cross State lines. There is a change in the way we do things. But we have not kept up with that change in terms of the way we regulate or prepare for that movement.

There is a great controversy within the Federal Energy Regulatory Commission, where FERC has moved in to do more of that regulation. States do not like that particularly. They would like to do it closer to home. I agree with that, but we have to have the structure to do that.

Obviously, there are other things that are equally as important, such as the idea that we find alternative sources of energy and are able to put them into a situation where they are competitive economically with the old sources we have always had. It takes a lot of investment, incentive, and research to be able to put those things together. Therefore, we need to have a policy that moves us in the direction of wind energy, or whatever it may be.

One of the real opportunities the President has talked about and we ought to be doing something about is converting coal, for example, to hydrogen so that it can be much cleaner for its use, so that it can be more easily moved about for its use, and it could even be used in automobiles, if we could find a way to do that. It takes research and incentive and money to do that. So alternatives are also important.

Along with that, of course, there is a provision for research, so that we can find new ways to do things, so we can find a way to have more conservation and be able to use energy with more of a thought toward conservation. We can do that, but we have not really set those goals for ourselves.

Then, of course, finally, one of the things that is most important is the idea of having increased domestic production. We have a great deal of fossil fuel resources in this country. Coal is the largest one. Coal is available to us, but the production of coal is in two or three areas of the country generally, so we have to find a way to produce that coal, move it to the market, and then have it in a way that is protective of the environment. We can do that as well. It takes more research. We have to do something with cleaner air. We know we can do those things, but we have not done them as well as we might.

So there is a great deal we can do in terms of increasing production. Fifty percent of my State, for example, is owned by the Federal Government. Under much of that land are energy resources—coal, gas, and oil—and we need to continue to find better ways to produce those resources and, at the same time, protect the environment. We can do that. I am not suggesting we produce on every bit of land. Some should be set aside for single uses, such as wilderness. But these are all problems with which we need to deal.

I guess I will continue to emphasize that this bill is not just something that is dealing with today's issues but, rather, an effort to have a vision in the future of where we need to be, to be able to fill our needs and help our economy, create jobs, and have the living conditions we all desire. That means, of course, the availability of substantial amounts of energy.

So I hope we can move forward. I know there are different ideas about how you do it and different notions, depending upon where you live in different parts of the country—whether you are in a city or in a rural area and those kinds of things. But we need to come up with the kind of policy that is good for the country. We really pretty much have done this.

We worked hard in committee, and we came up with a committee plan. The House has a plan. There are some differences, of course, between the two, but that is what our committees are for, to bring together the House and the Senate versions on various issues and come together with the one that will be acceptable to the Congress and, in this case, also acceptable to the administration.

The President and the Vice President, of course, have been very supportive of an energy policy, and they continue to be. They have had some ideas that have all been put into the plan or talked about in the plan.

So we are off on it again this afternoon. We will be doing some things on nuclear power. It is interesting, again, to talk about what nuclear could be in the future. Right now, most people don't realize how much nuclear power is being generated. In some States, 30 percent of the power is nuclear. It is

probably the cleanest way to produce electricity, although there are some problems. One is the waste that comes from nuclear use. We can resolve some of those issues.

Mr. President, I hope we can move in that direction. I want to continue to work at it.

I yield the floor and suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDENT pro tempore. Without objection, it is so ordered. The Chair recognizes the Senator from Ohio.

Mr. DEWINE. I thank the Chair.

TRIBUTE TO ALFRED LERNER

Mr. DEWINE. Mr. President, I rise today to pay tribute to and recognize the accomplishments of a great man and a great leader—Alfred ''Al'' Learner. Mr. Learner passed away on October 23, 2002, at the age of 69, following a courageous battle against cancer. He left behind a lasting legacy of hard work and remarkable generosity. Al gave so much of himself. He never hesitated to share his good fortune with his fellow citizens, particularly those who were most in need.

Al Learner was a man who not only believed strongly in the American dream, he also lived it. He was born the son of Russian immigrants in Brooklyn, NY, in 1933. He graduated from Brooklyn Technical High School in 1951 and received a B.A. from Columbia College in 1955. After college, in the early 1960s, he took a job with the Broyhill Furniture Company as a salesman. His work for Broyhill took him from New York to Baltimore and ultimately to his home in Cleveland.

With him on this journey—with him, always by his side—was his best friend, his partner, his wife, Norma. Al and Norma were high school sweethearts, and they were inseparable. Together they shared 43 years of marriage, and together they raised their two children, Randy and Nancy. Al and Norma's commitment to each other and their children was a strong one. They were both well known for attending every school function and every after-school game their children were involved in, setting their professional lives aside to spend time with their family.

When Al was not spending time with his family, he was working tirelessly in his beloved community. Al's numerous professional accomplishments included his service as chairman and chief executive officer of MBNA Corporation, chairman and owner of the Cleveland Browns, and trustee of Columbia University, Case Western Reserve University, and New York Presbyterian Hospital.

I was particularly struck by something Al once noted about his success. This is what he said:

> This is the only country in the world [where] that would be possible. The only country in the world for a guy like me with nothing—no background, no sport, no connections, nothing to help me, and no talent. It wasn't that I was a great violin player or a great something. Where a guy like me could just sort of figure it out every day and at some point wake up and say: ''You did pretty good.''

Indeed, Al Lerner did pretty well. His accomplishments, both in terms of his personal success as well as his ability to lend a helping hand to his fellow citizens and community members, are clear indications of his success and his compassion and, yes, his humanity.

Al Lerner led by example. He served his country as a Marine Corps officer and a pilot from 1955 through 1957 and later continued his service by becoming a director of the Marine Corps Law Enforcement Foundation.

His service to our country did not end with his departure from the Armed Forces. Al was known in particular for his extremely generous contributions to local and national charities, including a contribution of $10 million in 1993 to Rainbow Babies and Children's Hospital in Cleveland, OH, a donation of $16 million to support construction of the Lerner Research Institute, and a donation of $100 million to the Cleveland Clinic, one of the largest donations to academic medicine in the history of our Nation.

His humility and his dedication to fellow citizens is nowhere better evidenced than in the quiet contributions he worked to provide for families of victims of the tragic September 11, 2001, terrorist attacks.

He helped raise funds, through his affiliation with the MBNA Corporation and the Cleveland Browns, for the Cleveland Browns Hero Fund to aid families from the New York City Fire and Police Departments who suffered the loss of a parent.

Al continued his service to the country following the September 11 attacks by serving as one of 15 members of the President's Foreign Intelligence Advisory Board, advising President Bush on the quality and adequacy of intelligence collection to improve the security of our homeland.

Al Lerner was an American patriot, a patriot with a purpose and one who succeeded remarkably in achieving what he set out to accomplish. By embracing the American dream and dedicating himself to sharing with his fellow citizens the good fortune that resulted from his pursuit of it, Al truly distinguished himself as an outstanding American, and certainly one worthy of the respect of the Senate.

As I think about Al's life, I am reminded of the strong bond he shared with his wife Norma. They were such good friends and were really partners in life, working side-by-side, together, to raise their family and to help their community. I was quite touched at Al's funeral when Norma, a very strong and courageous woman, spoke about her life with Al. I remember her saying:

> [Al] took us from where we were to beyond where we even would have dreamed we are now. . . . He had an unwavering commitment to helping others and he was the most generous man I've ever known. There was always someone he wanted to help, whether they were sick, financially troubled or just needed a good friend.

That was Al Lerner.

I extend my thoughts and prayers to the entire Lerner family—especially Norma, Randy and Nancy—and to the families, friends, and community members who worked with Al and the organizations he supported. As Sir Winston Churchill once said:

> We make a living by what we get, we make a life by what we give.

Few men have adhered more closely to this wise adage than Alfred Lerner.

I am very pleased that last week the Senate passed a resolution that my friend and colleague from Ohio, Senator GEORGE VOINOVICH, and I introduced that recognizes Al Lerner's life, achievements, and contributions. This commemorative resolution is the least we can do in the Senate, on behalf of the entire Nation, to honor a man who dedicated his life to honoring his fellow Americans. I thank Al for all his contributions to our State and Nation.

I thank the Chair and yield the floor.

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.

The PRESIDENT pro tempore. In my capacity as a Senator from Alaska, I ask unanimous consent the quorum call be rescinded.

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

NEW PAGES

The PRESIDENT pro tempore. I ask unanimous consent the names of the new pages serving the Senate during the summer be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE PAGE PROGRAM—2003 SUMMER SESSION 1: JUNE 9–JUNE 27

Chris Amon, Yankton, South Dakota; Sonia Anand, Potomac, Maryland; Alicia Bell, Fullerton, California; J. David Burton, Owensboro, Kentucky; Angela Cacace, Kensington, Maryland; Gavin Chanin, Studio City, California; Sarah Catherine Crutcher, Madison, Mississippi; Laura Cunningham, Washington, DC; John Curran, Las Vegas, Nevada; Nicholas D'Addario, Trumbull, Connecticut; Jacqueline Devereaux, Pembroke, Virginia; Elizabeth Drumheller, Shelburne, Vermont; Nicole Durbin, West Lafayette, Indiana; Mitch Erdel, Columbia, Missouri; and Chase Erkins, Bliss, Idaho.

Bethany Gaikowski, Webster, South Dakota; W. Daniel George, Anchorage, Alaska;

Trey Grover, West Tallahassee, Florida; Seth Halpern, New Haven, Connecticut; Christopher Hart, Ashton, Maryland; David Heidrich, Jr., Oxford, Maine; Barron Hewetson; Bedford, Indiana; Leah Hirsch, Springdale, Arkansas; Emily Hollings, Charleston, South Carolina; Matthew Johnson, Wilmington, Delaware; Adam Kasold, Alexandria, Virginia; Blair Kauffman, Mystic, Connecticut; Stephanie Kelman, Phoenix, Arizona; and David Marquardt, Salt Lake City, Utah.

Carissa Marquis, Weatherford, Oklahoma; Taylor Mitchell, Alexandria, Virginia; Margot Murphy, Hunting Valley, Ohio; Matthew Nemer, Nashville, Tennessee, H. Ross Perot, III, Dallas, Texas; Sumner Powell, Alexandria, Virginia; Brock Synder, Bowie, Maryland; David Straszheim, Chevy Chase, Maryland; Logan Swogger, Miles City, Montana; Fulton Taylor, Alexandria, Virginia; Claire Wasserman, Washington, DC; Hayley Wilson, Jamestown, North Dakota; and Michael Zerihun, Oxon Hill, Maryland.

ENERGY POLICY ACT OF 2003

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 14, which the clerk will report.

A bill (S. 14) to enhance the energy security of the United States, and for other purposes.

Pending:

Campbell/Domenici Amendment No. 864, to replace ''tribal consortia'' with ''tribal energy resource development organizations''.

The PRESIDING OFFICER (Mr. ALEXANDER). The Chair, in his capacity as the Senator from Tennessee, suggests the absence of a quorum.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, I note the presence of Senator DORGAN. I understand he will shortly, at his disposal, offer some amendments with reference to hydrogen; is that correct?

Mr. DORGAN. Yes.

Mr. DOMENICI. And the occupant of the Chair will be finished at 2 o'clock and will manage the bill for a while for us during the time he is discussing his, and we will perhaps speak in opposition. In any event, the Senator from New Mexico will also do that. I may be gone for just a while. I have a statement with reference to some of the support that has been forthcoming over the weekend that I want to read into the record so Senators are aware of where the various groups in our country are with reference to the amendment to strike the loan guarantees that are pending under the bill, S. 14. I will do that and then I will yield the floor. It won't take me very long.

I am grateful that so broad a coalition of interest groups has been willing to send letters supporting the nuclear loan guarantee provisions in the Energy bill. I do not intend today to go into detail analyzing the relevance and significance of these loan guarantees and what I see as the fallacious nature of the arguments against them but merely to state the broad support at this point for the proposal.

No one is surprised that provisions in this bill are strongly supported by the utilities and groups such as the Nuclear Energy Institute, but today on my desk I found letters from unions, academics, and broad groups from industry. To some extent, that was a surprise. I greatly appreciate their support and want to spend a few moments going over their reasons for supporting this measure, which I consider to be so important for our country. One is a letter from John Duetch.

I don't think I have to explain to the Senate who John Deutch is. In terms of physics, energy, and nuclear energy matters, he is a ranking expert. He is perhaps the James Schlesinger of the Democratic Party. His letter is accompanied by a Ph.D. from Massachusetts Institute of Technology, well known in academic circles, named Ernie Munis. For those who are not familiar, he served as the head of the nuclear part of the Department of Energy during the Democratic administrations preceding the Republicans during the last 12 years.

Munis joins Dr. Deutch and they concurrently chair an MIT-sponsored study on the future of nuclear power.

I note the presence of the junior Senator from New Mexico and minority manager. All I have done so far is talk about some support, and the letter I am alluding to he is aware of.

I met with Drs. Deutch and Munis last week and asked for their views on the nuclear loan guarantee provisions in the bill. Their letter reads:

We believe such assistance is important and justified, and that action taken now will influence future investment decisions on nuclear power generation.

In fact, they propose what some would consider to be an even more direct subsidy for new nuclear powerplants. Their letter explains:

The mechanism [they] propose for this assistance is a production tax credit of 1.7 cents per kilowatt hour up to a total of $200 million per 1000 megawatt plant.

We did not do that in the bill. We had contemplated it at various times during the evolution of the legislation and thought for different reasons that the loan guarantee might be preferable. We now have a letter that says either of the two would be good, and for the first time two very powerful people say both would be good for our country.

I received letters today from the AFL–CIO, and I am most grateful for their support because I know it is not always easy for groups to support matters that pertain to nuclear power. I believe, as we have been saying for a number of days, nuclear power has arrived. The question is, How will it come on the scene so that America and the world can find out, once again, what it is all about.

I do know without a doubt that if a bill is going to be good for the American economy by creating jobs at home, the AFL–CIO will back it. I am grateful they are doing so today.

One of the letters from the Building and Construction Trades Department of the AFL–CIO says:

The fifteen unions comprising the Building and Construction Department consider nuclear power an integral, emission-free component in a broad array of national energy choices. And, not unlike the current state of Federal transportation and water systems, our domestic energy infrastructure is in need of a serious upgrade and American workers are in dire need of the jobs created.

The construction of these new plants will create significant employment opportunities for our highly skilled members. The construction of just one new nuclear power plant would stimulate the economy by creating between 2,000 and 3,000 family wage construction jobs. And, maintaining and operating that plant would create an additional 1,000–1,500 permanent, full-time, high paying jobs.

The other letter I received was from the Metal Trades Department. It reads in part:

On behalf of the AFL–CIO Metal Trade Department, I urge you to support provisions in the pending energy policy legislation that would enable the construction of new nuclear power plants in the U.S.

America's power demands are growing exponentially. A rational and effective energy policy depends upon a diverse mix of fuels and technologies, including nuclear fuel. The health of the nation's economy will require the construction of new nuclear facilities to ensure adequate power resources.

Loan guarantees for new nuclear power plants are a critical element of the energy legislation. We urge you to support them.

Letters will be forthcoming and will be circulated to Senators. I could not have said it better myself had I been preparing a speech. Rather than the numerous ad lib comments I made heretofore, I could not have said better what has been said by those who write in behalf of the working men and women who need good jobs and who have great skills that can put together these needed facilities. The Chamber of Commerce sent one of its key vote alerts about the Wyden-Sununu amendment. The Chamber is straightforward:

Our Nation's economic vitality and energy security rely upon the ability to utilize a diverse array of fuels and technology to generate electricity. Nuclear energy plays a vital role in assuring this diversity, producing some twenty percent of the country's electricity. Resources for research and development of energy sources ranging from clean coal and geothermal to wind and even fusion are provided by S. 14. To eliminate support for any of these sources would be near-sighted and risk energy stability in the years to come, perhaps leading to devastating economic effects.

The U.S. Chamber of Commerce urges you to vote against the Wyden-Sununu amendment to S. 14.

Mr. President, the National Electro-Industry Manufacturing Association issued a press release today that certainly sums up my position and, hopefully, the position of many in the Senate. In the press release they say:

The reliability and security of our nation's energy supply requires us to have a diverse energy portfolio, including nuclear power.

Votes against incentives, particularly loan guarantees, are a vote against reliable, low cost, stable, and environmentally friendly energy supplies. It is also a vote against jobs and a stronger economy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I ask unanimous consent that we set the pending amendment aside so that I might be able to offer an amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 865

Mr. DORGAN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Ms. CANTWELL, Mr. LIEBERMAN, Mr. AKAKA, Mrs. CLINTON, Mr. KERRY, Mr. NELSON of Florida, Mr. SCHUMER, Mr. HARKIN, Mr. DODD, Mr. REID, Mr. LAUTENBERG, and Mr. KENNEDY, proposes an amendment numbered 865.

Mr. DORGAN. 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 that the hydrogen commercialization plan of the Department of Energy include a description of activities to support certain hydrogen technology deployment goals)

On page 296, line 21, before ''Not'' insert ''(a) IN GENERAL.—''.

On page 297, between lines 2 and 3, insert the following:

(b) CONTENTS.—The plan shall describe the activities of the Department of Energy, including a research, development, demonstration, and commercial application program for developing technologies, to support—

(1) the production and deployment of—

(A) 100,000 hydrogen-fueled fuel cell vehicles in the United States by 2010; and

(B) 2,500,000 hydrogen-fueled fuel cell vehicles in the United States by 2020 and annually thereafter; and

(2) the integration of hydrogen activities with associated technical targets and timetables for the development of technologies to provide for the sale of hydrogen at a sufficient number of fueling stations in the United States by 2010 and 2020.

(c) PROGRESS REVIEW.—The Secretary shall include in each annual budget submission a review of the progress toward meeting the targets under subsection (b).

Mr. DORGAN. Mr. President, I offered this amendment on behalf of myself and Senators CANTWELL, LIEBERMAN, AKAKA, CLINTON, KERRY, NELSON of Florida, SCHUMER, HARKIN, DODD, REID, LAUTENBERG, and KENNEDY.

I am offering a piece of legislation the Senate has previously passed and endorsed in the consideration of the Energy Bill last year. Let me spend a few moments talking about the amendment specifically.

Very simply, this amendment is one that tries to establish some targets and timetables with respect to moving toward a hydrogen economy, which is something the President talked about doing. Targets and timetables, what I mean by that is we cannot enforce targets and timetables that are absolute, but we can as a Senate think big and decide to see if we can establish some targets and goals for the movement toward a hydrogen economy with fuel cells for our economics.

I will describe why I think we ought to do this and why this is an important amendment. I will harken back to the Apollo program. On May 25, 1961, President John F. Kennedy announced our Nation was establishing a goal of sending a man to the Moon and having a safe return from the Moon. He said we will have a man walk on the Moon by the end of the decade. That was 1961. In 1969, Neil Armstrong and then Buzz Aldrin stepped on the Moon.

The Apollo project was an enormous undertaking. The NASA annual budget increased from $500 million in 1960 to $5.2 billion in 1965. It represented 5.3 percent of the Federal budget in 1965. Think about that. In today's terms, that would be $115 billion. NASA engaged private industry, university research, and academia in a massive way. Contractor employees increased by a factor of 10, to 376,000 people, in 1965. When President Kennedy said in 1961 it was his vision to have a man walk on the Moon by the end of the decade, there was no technological capability to do so at that moment, no guarantee it could be done. The Soviets had an advantage in space flight. They had put up a satellite called Sputnik. We were eager to see if we could not overcome that advantage. During the height of the cold war, that Soviet advantage was of great concern to us. The technological barriers were very significant. The expense was daunting. Yet, on July 20, 1969, Neil Armstrong stepped down off of that lunar lander and stood on the surface of the Moon; Buzz Aldrin followed him. I recall they actually pantomimed a golf game and jumped around on the surface of the Moon. In a decade, the President said let's set a goal and reach that goal.

I will talk about another goal, another big idea, one that we ought to establish now for this country and for its future. That is the goal of deciding, as President Bush has suggested, that we move toward a hydrogen economy and fuel cells for our vehicles. I will describe why I think that is important.

This chart says what the President is telling us:

America's energy security is threatened by our dependence on foreign oil. America imports 55 percent of the oil it consumes. That is expected to grow to 68 percent by 2025.

Again quoting the President:

Nearly all of our cars and trucks run on gasoline, and they are the main reason America imports so much oil. Two-thirds of the 20 million barrels of oil Americans use each day is used for transportation; fuel cell vehicles offer the best hope of dramatically reducing our dependence on foreign oil.

That is from President Bush, and I fully agree with that statement.

This graph shows what is happening with respect to consumption and domestic supply of oil. We are importing 55 percent of our oil at the moment, much of it from very troubled parts of the world, and that is expected to grow to 68 percent. The American economy is and will be held hostage by our ability to find oil and import it from outside of our country's borders. Should that be difficult for this country? Should it cause all of us great concern? The clear answer to that is yes. That is a very serious problem.

Here is another chart. This is a list of the countries that are supplying our oil. Our top supplier is Saudi Arabia. Almost one-third of our oil, incidentally, comes from the Middle East. Iraq has been our fifth largest; it is the sixth largest supplier on this chart. Also listed are Mexico, Nigeria, Venezuela, and Angola. And when you look at the amount of energy we are importing from that part of the world, it is a very serious problem.

Some want this energy debate to be a debate about two issues. If it is only those two issues, we lose. They are: Should we drill in ANWR? How about doing something on CAFE standards? Well, if this is only about ANWR and CAFE standards, then we lose. We need to pole-vault over those issues. Yes, we can address them, but it seems to me if we don't pole-vault over to new ground and deal with these issues in a much different way, every 25 years we will come back and debate energy and we will be debating exactly the same issues: where next do we drill? How much more efficient can we make a carburetor, through which we run gasoline, much of it imported from overseas?

If our strategy for energy for this country's future is simply digging and drilling, then it is a strategy I call ''yesterday forever.'' It doesn't really change very much. Every 25 years, we can redebate the issue of how dependent we are and how dangerous it is for us to be that dependent on foreign sources of energy. I would like to see a different debate, one that says let's break out of this cycle. When I say digging and drilling is yesterday forever, I don't think we should not dig and drill. We will, we can, and we should. We will always use fossil fuels. Using our coal resources in an environmentally acceptable way with clean coal technology makes great sense to me. Using our domestic sources of energy and natural gas—especially oil and natural gas—makes sense to me. We will dig and drill.

But if that is our energy strategy, we really have not moved the ball forward at all. So the question is, what more can we do? The President suggested in his State of the Union Address that we ought to chart a different course.

I introduced legislation prior to the President's State of the Union Address saying let's move to a different kind of technology, a different kind of energy economy; let's move to a hydrogen economy using fuel cells.

First of all, using fuel cells and hydrogen is twice as efficient in getting power to a wheel as using the internal combustion engine. Second, when we use hydrogen fuel cells in automobiles or vehicles, we are sending water vapor out the tailpipe. What a wonderful thing for our economy. We double the efficiency of the energy source, and then we eliminate the pollution out the tailpipe. We double the efficiency using hydrogen, which is a ubiquitous source of energy—it is everywhere—and then we decrease air pollution by putting water vapor out the tailpipe of a vehicle. That makes great sense to me.

I introduced legislation. It is called the Hydrogen Fuel Cell Act of 2003. I compliment President Bush for proposing in his State of the Union Address that we move in this direction. I have said it is not small or insignificant for a Republican President to say let's do this. It was a rather small thing in terms of his proposal to fund it. It was not a bold approach. It was a rather timid approach. But that should not detract from the fact that this administration put itself on the line to say: Let's move in this direction.

The President proposed $1.2 billion in 5 years. Only slightly more than half was new money. It appeared to me some of it came at the expense of other important areas of conservation and renewable energy.

Having said all that, in the Energy Committee we came very close to tripling that amount of money. We bring to the floor of the Senate legislation that substantially improves the initiative dealing with hydrogen fuel cells. I think that is a significant step forward, one that I appreciate.

What is missing is, in addition to the legislation I introduced, which actually calls for $6.5 billion in 10 years—so more money—and also pilot projects, Federal purchase programs, tax credits, and so on—what is missing is targets and timetables. If we are going to do this program, let's set out targets and timetables. I am not suggesting they can be ironclad. They cannot.

If we are going to make this a big proposal, a bold proposal in the spirit of an Apollo project saying let's do this, let's make a difference, let's do this, let's decide that 25 years from now we will not have a debate about how much gasoline we are running through the carburetors of America's vehicles because we found a way to take hydrogen from water, use it as an energy supply, and through fuel cells use it to power America's vehicle fleet, we can do that.

Many of my colleagues, Republicans and Democrats, on the Energy Committee have been supportive of this proposal. There is nothing partisan about this at all. As I said, it was in President Bush's State of the Union Address. It comes in legislation I have introduced. It comes in initiatives my colleagues have talked about and introduced as well. The question is, How do we make progress by establishing some big and bold goals?

This legislation I have introduced, taking one piece of the Hydrogen Fuel Cell Act of 2003, tries to establish some way points. When I learned to fly airplanes many years ago, they taught me, with modern instrumentation, that I can create way points for my airplane. When you get up in the air, you program into the computers on the plane the way points to which you want to fly. It is a fictitious point 300 or 400 miles away, but once you establish that way point with your instruments, you fly to the way point. When you reach that way point, then you take a new course to the next way point.

My point is, we need way points—targets, and timetables—to transfer to some new hydrogen fuel cell economy. If we do not, we will not get there. If we do not, as President Kennedy said, put a man on the Moon by the end of the decade, if we do not today make the equivalent of that commitment in deciding how and where we are going to head with this hydrogen fuel cell economy, we are not going to get there. We just will not.

Let me show some examples of what is happening in hydrogen fuel cells. General Motors Hy-wire fuel cell concept car unveiled in August 2002. Some say there are no such things as fuel cells. Of course there are. I have driven a fuel cell car that drove from California to the east coast, across this country.

Are they commercially available now? No, they are not. Are they horribly expensive? Yes. But we are in the design stage and the research and development stage to make hydrogen fuel cell vehicles affordable.

This is the Nissan Xterra fueled by compressed hydrogen tested on California public roads in 2001.

This is the Ford Focus fuel cell vehicle. Production is ready for prototype, autumn 2002.

This is a hydrogen fueling station by Powertech Labs.

This is a picture of a DaimlerChrysler fuel cell bus introduced in Germany in 1997. I have actually ridden in a fuel cell bus running on the streets of this country.

The point is, we can do this. Is this easy to do? No, it is not, not at all. What do you have to do to convert to a hydrogen fuel cell economy for our vehicle fleet? Notice, I am not talking about stationary power centers. That also exists as the capability with respect to hydrogen and fuel cells, stationary engines, and so on.

I am talking about the vehicle fleet because a substantial increase in the demand for oil comes from our vehicles. I do not have a chart to show that. It is quite clear that unless we do something, especially about our vehicle fleet, we will, 25, 50, and 100 years from now, still be debating on the floor of the Senate how much additional gasoline we run through America's carburetors.

What do you have to do to switch? A bold plan means we are going to change our entire infrastructure. We have production. How are we going to produce hydrogen? There are a lot of ways to produce hydrogen. We can use electrolysis to separate oxygen and hydrogen in water and store the hydrogen and use it in fuel cells.

Let me give another example. We can put up a wind charger, the new highly efficient wind turbine, a 1-megawatt wind turbine, and take the energy from the air. We can use that energy for electrolysis to separate the oxygen and hydrogen in water and store the hydrogen for use in fuel cells.

There are so many ways and different approaches to use hydrogen. We have production issues: How do we produce hydrogen? From what source? But it is ubiquitous; it is all over. That is not an insurmountable problem. How do you produce hydrogen? How do you transport it? How do you store it? How do you make it available at the infrastructure, at service stations across the country for a vehicle fleet?

Those are issues we ought to be dealing with and will deal with and the administration will deal with at the Department of Energy.

What I say very simply in this amendment—and it has taken me a long time to get to the point, but I wanted to make a presentation on why I think this is very important for our country—I say let's establish, as President Kennedy did, a goal. Let's have 100,000 hydrogen fuel cell vehicles on our roads by 2010, 7 years from now. Let's have 2.5 million hydrogen fuel cell vehicles on our roads by 2020. Let's set some goals. Let's set some way points and say: Here is what we strive to do; here is what we aspire to do as a country.

If we do not set goals, I guarantee we will never reach the potential that exists for us to convert our vehicle fleet to hydrogen fuel cell fleets and to relieve ourselves of the danger that exists having so much of our energy coming from outside our borders.

If we wake up tomorrow morning, God forbid, and terrorists have interrupted the supply of oil to this country—and, yes, that could happen—this country's economy will be flat on its back. It will be flat on its back because we rely, to the tune of 55 percent, on oil from sources outside this country and much of it from very troubled parts of the world. That is going to go to 68 percent, and we ought not let it.

If in this Chamber we spend weeks and wrestle and debate energy policy and come out with an energy policy that says what we need to do is just produce more and somehow we will end up just fine, we have done nothing for America's future.

We have done nothing for America's future. An Energy bill that makes sense to me has four parts. One is, yes, let's produce more. Let's incent more production of fossil fuels, absolutely. I do not support, for example, drilling of the ANWR region, one of our most pristine and delicate areas. I do not think

we need to do that. But let's produce more. There are thoughtful ways to produce more. I happen to believe we ought to be able to produce much more in the Gulf of Mexico in an environmentally sensitive way. Let's conserve more. We waste a huge amount of energy. Production and conservation, that is two parts.

The third is efficiency. Everything we use almost every day, in every way, with all of our appliances could, should, and will be more efficient if we pay attention to and provide incentives for efficiencies.

Finally, and importantly, is the area of a renewable and limitless source of energy, and that includes ethanol, biodiesel, and many others, but most importantly it includes this proposal: Hydrogen and fuel cells can be our future. It can make this country more secure. It can remove from this country's neck the yoke of having over half of its oil coming from troubled parts of the world. In a very substantial way it can do what President Kennedy did in establishing new goals in space travel for our country. It can inspire our country to be able to control our own destiny with respect to energy.

I close as I began by saying that President Bush was absolutely correct in the State of the Union Address, and it is not a small thing for this President to say let's move in this direction. I am putting my administration in support of this direction, this movement. That is not a small thing. It is a big deal.

I have said his proposal is more timid than I thought it should be. I do not mean substantial criticism by that. What I mean by that is I think to do this it has to be big and bold. Especially it has to set timetables and targets.

The Senate committee has nearly tripled the amount of money the President has proposed. That is a significant start, in my judgment. We could even do more in the authorization bill with the type that I have suggested. This amendment I have offered today is not that authorization bill. It is simple. It says while we have made significant strides in the Energy Committee on this subject, and now that we have a Republican President, many Democrats and Republicans in Congress believe we ought to move in this direction, so let us be bold enough to set some timetables and targets.

As I indicated, the Senate has already passed this legislation last year, and I hope the Senate would embrace it once again and pass these targets and timetables.

One final point: These targets and timetables simply say the Department of Energy shall report to us on how they establish the strategies to reach these targets. We cannot impose our will in the sense that we cannot tell an Energy Department they must reach these targets. We do not have the capability of doing that. The technology does not exist to get from here to there. But we can ask the Department of Energy to provide for us the strategies by which they could meet these targets, and that is what our amendment asks. My hope is this will be unanimously supported by the Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. Gregg). The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I begin by complimenting the Senator from South Dakota on the work he has done on fuel cell hydrogen over the years, and also compliment others on the other side of the aisle—I see the ranking member of the committee, Senator BINGAMAN from New Mexico. For at least a dozen years, this Congress, and particularly this Senate, has been interested in the hydrogen fuel cell technology. The Senator from North Dakota and the Senator from New Mexico are the ones who have pushed that the hardest.

What we have now is some consensus, at least in our committee, and I hope in the Senate at large, on the importance of this bold proposal. I will take a moment to put in perspective what the committee has done.

Mr. DORGAN. Will the Senator yield for just a moment?

Mr. ALEXANDER. I would be happy to.

Mr. DORGAN. I intended to complete my comments by complimenting Senator ALEXANDER and others on the committee who have taken a position I think provides some leadership in this area. I did not mention those in the committee who, when we marked up these issues, played a significant role in the hydrogen title. I intended to do that at the end of my remarks. So I thank the Senator for allowing me to do that.

Mr. ALEXANDER. I thank the Senator for his comments, but the bottom line is the process by which this committee worked on the hydrogen fuel cell proposal, which is title 8 of the Energy bill, which was a good process for those who would like to see how two parties in an evenly divided Senate can take an issue and come to some consensus and narrow the differences. It was a pretty good process. What is remaining are the two issues of which the Senator from North Dakota spoke.

One is more money and two is more mandates, which he now has suggested are targets, if I understand correctly, rather than mandates. Am I correct in that?

Mr. DORGAN. Mr. President, if the Senator would yield further?

Mr. ALEXANDER. Yes.

Mr. DORGAN. There is nothing in here that would be a mandate. These are establishment of targets by asking the Department of Energy to provide Congress with their strategies on how to reach them. I have specifically not imposed mandates. I am simply asking them to develop strategies and to report those strategies to the Congress.

Mr. ALEXANDER. I thank the Senator. So that narrows the differences considerably.

Having acknowledged the good work done on the other side, I will also acknowledge the good work the President did. Only a President of whatever party can put something on the agenda the way a President can, and so it was exciting to all of us who cared about this issue and about the goals, which are to reduce our dependence on foreign oil and to clean the air, which is what this does, to see President Bush, in his State of the Union Address, make a bold proposal to direct the Secretary of Energy to explore the possibility of a hydrogen economy and to develop the next generation of technology that would include hydrogen.

What we are really talking about, as the Senator from North Dakota explained, is a completely new way of thinking and living our lives. I noticed the other day in our local newspaper in Tennessee there was a picture of a filling station in Iceland that opened. Iceland has a hydrogen filling station. The buses that operate in Iceland back up to that hydrogen filling station and instead of putting gasoline in their tanks, they put in hydrogen. They drive around on the hydrogen, and instead of emitting some carbon-based pollutant into the air, they emit only water, which is the product of that process.

It takes a little while for someone who has not thought about this much, as I was at one time, to get one's mind around this, but we are basically taking the internal combustion engine and putting it to the side and putting in a new process that reduces electricity, runs the car and, as the Senator said, the only emission is water. So there is an enormous advantage on two matters that concern us greatly: One is reduce our dependence on Middle Eastern oil, and we are in the middle of a process right now where we have been reminded about what a challenge that is to our national security. Some estimates are that by the year 2035 or 2040 we would have 11 million barrels per day less of reliance on our need for oil if we had a hydrogen economy. No one can know for certain what those numbers are, but all of us know it is a big change and a big number.

Of course, the second aspect is clean air. This week, and for the next few weeks, we will be talking about ways to clean the air. The most interesting, and difficult sometimes, arguments we have that come before our committee and the country are those that intersect with energy and the environment. Here is a nice intersection between energy and the environment because if we are emitting only water, then the parts of our economy, and especially the transportation parts that use hydrogen-based cars instead of the internal combustion engine, will make a remarkable difference in not just our clean air but our standard of living because our lack of clean air and our difficulty with finding ways to clean the air is a limit on our ability to grow our economy. So this is a very important topic and all of us recognize it as such.

Now let me start with the President's proposal, to put this in perspective, including the Senator's amendment. The President's proposal authorizes the Department of Energy, including our National Laboratories, to spend about $1.3 billion over the next 5 years in research and development in the following areas: research on hydrogen-powered engines, and research on the production of hydrogen.

We have to make the stuff. It can come from many places. It can come from fossil fuels. It can come from renewable resources, a major part of the discussion in the Energy bill last week. It can come from nuclear energy, which is a major part of the discussion in the Energy bill this week. At a nuclear power plant one might be able to produce some of the hydrogen that would clean the air. And it can come from natural gas, which is the easiest way, arguably, to get it today. But with the recent spikes in the price of natural gas, we can see the difficulty relying on one form of energy too greatly.

The President's proposal would fund additional research on transportation and delivery of hydrogen via pipelines and fueling stations. Iceland has a hydrogen fueling station. We do not have any in the United States. We have a few hundred miles of hydrogen pipeline. Imagine a different America where, instead of backing your car or truck up every block—sometimes more often than one block—to a station where you get gasoline, you back it up or drive into a place where you fill up with hydrogen. That is a big change in our infrastructure. This research would help figure out how better to do that.

Also, we need additional fuel cell research. The Senator mentioned some of the obstacles that exist to this wonderful vision. One of the difficulties is we need to find new ways to produce hydrogen, which I mentioned. Another is we need to find a little cheaper way of building a hydrogen car. The Senator and I drove the same one, I believe a Ford, around the block. I believe that car costs a couple million per unit to make right now. In other words, the early models are extremely expensive.

We need to find safe ways to store hydrogen. We need to meet the challenge of this infrastructure.

We have great obstacles to overcome. But in this United States of America, if anything defines our national ethic, it is that anything is possible. We are ready to leap ahead and go after this. The President recommended we put $1.3 billion behind it, and that was step 1 in this session. Then the committee sat down and began to recognize the suggestions made by those who had gone before. Instead of the $1.3 billion recommendation the President made, we took those recommendations, reduced some of them to what we thought were a manageable number, and still more than doubled the amount of money we recommend to the full Senate that we authorize—nearly $3 billion total. As the Senator from North Dakota said, nearly triple the amount of money. So in addition to the President's $1.3 billion proposal, we have about $1.6 billion more for other ideas brought into the bill by people other than the President, from the Senate and the other side.

We have a hydrogen vehicle demonstration program for the Government and nonprofit agencies; a stationery fuel cell demonstration program for use in residential and commercial buildings; a hydrogen car and fuel cell demonstration program in three national parks. That is a terrific idea. I would like to see one in the Great Smoky Mountains, our most polluted national park today. Many people think of Yellowstone as receiving the most visitors; but only 3 million people visit Yellowstone while 10 million go to the Great Smoky Mountains. The Great Smokies is polluted, particularly because of the cars and coal plants.

An idea for which I commend the Senator is providing for the establishment of a university education degree curriculum designed to help our workforce move into a hydrogen economy, with centers of excellence in our great research universities to help realize this shared vision. In the United States, we have the world's only great research universities. They are our secret weapon. We need to fund them and the research and technology better. That is a sure way to move toward this goal.

This bill before the Senate today is a combination of ideas from both parties, from the President and from the Legislature. The amounts we included, taking ideas from the other side to the bill, actually cost more than the proposal from the President—nearly $3 billion.

That brings us to the point of the amendment. Is it enough money? Do we need targets? I will respond to that in this way. The President mentioned the Apollo. That is vivid in our minds. I remember as Education Secretary I tried to think, using that Apollo objective, which sticks in our minds to say, can we have in 10 or 20 years the best schools in the world? Nothing is quite like that Apollo mission. It is always hard to make an analogy, but the President has the same dream that we have here. The dream is that we have an America less dependent on foreign oil, an America that has cleaner air, something that increases our national security and our health and well-being.

However, there are other parts to that dream than just the hydrogen car. There is, if we are talking about energy, the need to revive our nuclear energy. Japan was decimated by an atomic bomb, and they are relying primarily on nuclear energy. And France is relying primarily on nuclear energy. It has been since the 1970s that we started a new nuclear power reactor in this country. So this bill, in addition to hydrogen, is to help stimulate our nuclear energy.

We need not just stimulate nuclear and hydrogen; we need to find a way to burn coal in a cleaner way. We make half our electricity from coal, but it pollutes the air more than we can tolerate. So we need coal gasification, as an example. This bill encourages that. The Senator from North Dakota mentioned wind turbines in North Dakota. They are part of the dream as well. Natural gas is part of the dream. Its price went up, so we need to explore more and we need pipelines to get that gas to the places it needs to go. This bill encourages that. We need more new oil that is not dependent on some other country. We have tried—although we do not always agree in this body on where to drill—to do that.

So the dream of clean air and less dependence on foreign oil has many parts, including the hydrogen vision the President outlined in his address, so that a child born today can have a choice in this generation of driving a car fueled by a fuel cell hydrogen engine.

The Apollo dream is not exactly the same. We have a dream, but this is only a part of the dream.

As far as the amount of money is concerned, I suppose one could always argue about the amount of money. We considered that very carefully in the committee. We nearly tripled the amount of money the President requested. We took into account virtually all of the suggestions by the Senator and others on the other side, which is why this bill came to the floor from the committee, because we had such a consensus. For a new technology which, while bold, is still unproven, we believe this is a generous amount of support in a bill that is balanced across a broad number of sources of new and improved energy.

That brings me to the targets and the timetables. I appreciate the Senator moving from mandates to targets and timetables. That is a step forward. However, I prefer we not make, if I may say with respect, wild guesses about how this unproven technology might work, but that we join as we have in this bill to find a variety of ways to stimulate and not fool ourselves into thinking we are going to get to this point or that point in any particular year.

President Kennedy said let's go to the Moon, and he said by when he hoped to go, but he didn't say fly this kind of airplane, or use this kind of rocket, or get a third of the way there by 1963. He said, Let us go there.

So let us go toward a day when we have cleaner air and when we have less dependence on foreign oil because of a variety of steps, one of the most impressive of which is the vision of a hydrogen fuel cell car. But let us not try to make a wild guess just about when that will come, in what year. I believe one of the greatest underutilized powers of this body is the oversight power. Really, the Senate, the Congress, has two great functions: One is to spend

money, and one is to oversee how that money is spent. There is nothing to keep us from that. In fact, as chairman of the Energy Subcommittee, I would want to make it part of my responsibility to regularly ask the Secretary of Energy to come forward with his plan, about what progress he is making, and suggest to him faster progress, and to ask him what timetables seem reasonable.

There is another aspect to this, too. The Government is not going to invent the hydrogen car. No one has suggested the Government will. We are just providing some free commercial researching. But we should leave it to the market to make the greatest progress in determining what timetables will work, what targets make sense, what research will finally work, and what the customers will buy.

I had an opportunity within the last couple of weeks to talk with the chief executive of Nissan, Mr. Ghosn, who has had a remarkable record. In 1999, Nissan had a $19 billion debt and was headed down. Today, it has no debt. It is headed up. I asked him about the hydrogen car because some of my scientist friends had been throwing a little cold water on the idea, saying some of us in the Senate were coming up with a pipedream that might never work. Here is what the head of Nissan said, and he said this publicly: Nissan is spending $800 million in the next 7 years on research just on fuel cell hydrogen cars. He wants to be, and has publicly stated that Nissan intends to be, not just a leader but the leader in that area. In other words, they are putting money there, real dollars. They are making that kind of investment of prestige and dollars.

Toyota and Honda, industry sources tell me, are spending at least that much of their own money. And the General Motors president has said to me he takes this seriously as well.

So the President's focus on the hydrogen car has done one good thing. It has taken the work that has been done in this body in the last 10 or 12 years on hydrogen and put it in this bill in the form of $1.6 billion. It has taken the President's own proposals of research—that is another $1.3 billion. But the real value is the President's proposal, and our agreement on this, if we do agree, will put this up front, create a national commitment, the kind of commitment we had when we went to the Moon. That is right. It is that kind of national commitment. But let us realize that when we went to the Moon, we went in reasonable steps and this plan for cleaner air and for less dependence on foreign oil has many parts, including other forms of energies, and the timetables and the targets are best left to the marketplace.

So I rise to say this represents great progress by the committee. I commend, again, the Senator for his leadership. I urge that we not support an amendment creating wild guesses and artificial targets and timetables, but move forward and let the marketplace help us make sensible judgments about that, using our oversight role as Senators to make sure the program stays on course.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I rise to speak briefly in favor of the amendment by the Senator from North Dakota and give the reasons I believe this is a meritorious amendment that would strengthen the bill.

First, I think everyone needs to understand the amendment is an amendment that just sets targets. It really says that the plan—this is the plan the administration is going to come up with to spend this $1.3 billion, I believe it is—

> shall describe the activities of the Department of Energy, including a research, development, demonstration, and commercial application program for developing technologies to support—

and then it goes on to set these targets to support:

> the production and deployment of . . . 100,000 hydrogen-fueled fuel cell vehicles by 2010; and . . . 2.5 million hydrogen-fueled fuel cell vehicles by 2020 . . .

As I say, this is an amendment that sets some targets. They are not mandates; they are targets. I think they add greatly to the bill. Unfortunately, the Senator from Tennessee, as chair of the Energy Subcommittee in the Energy and Natural Resources Committee, does have the primary responsibility for the oversight of a lot of this activity. I would see this amendment, frankly, by the Senator from North Dakota as a way to give him more ability to perform that oversight.

Frankly, the only oversight target in the bill right now is you could call in the various officials from the Department of Energy and ask them whether in fact they are spending the money we have authorized to be spent. That is not a very effective kind of oversight. I am sure they would tell us they are spending the money.

The real question is, Are they achieving something with the expenditure of those funds? I believe this amendment tries to put in place some targets for what we would like to see them achieve. Clearly those are not hard-and-fast targets and they will change over time, but they do give us some benchmarks against which we can measure progress. I think that is very useful.

The Senator from Tennessee made the point that, in his view, his preference would be to leave it to the market as to how quickly these technologies develop. Clearly the private sector is going to determine to a very great extent how quickly these technologies become commercialized and how well they develop. But this legislation is authorizing the expenditure of Federal funds. It is entirely appropriate that we specify what we want to see as results coming out of the expenditure of those funds. To me it is not incumbent upon us to leave that kind of decision to the market. The market will have a major role, major voice, major determination as to what actually comes to market and what actually is commercialized and how quickly. But in the expenditure of taxpayer dollars it is our job to set out there what we would like to see achieved. If we determine after a few years that those targets are not realistic, we can always change them. Congress is in session every year. But this gives us something to shoot at. I think it is a major step in the right direction.

The Department, under the legislation we are considering, would invest $171 million in the current fiscal year, $272 million next fiscal year, $1.7 billion over the next 5 years—I said earlier $1.3 billion. I gather it is $1.7 billion. In my view, it is entirely appropriate that we look at trying to achieve some particular targets so we can then go back to our constituents and say this is what this money is going for and this is how we are making progress.

I do want to say, just before I yield the floor here, that this has been a very good, bipartisan effort. The Senator from North Dakota has been a long-time leader in trying to get more attention to the use of hydrogen in meeting our future energy needs. The Senator from Tennessee is certainly a strong proponent of this and has demonstrated that in our debates this year.

I know there are others on our committee who have taken a very major role: Senator AKAKA, as well, of course, and others before him. So I think this is a very good part of the bill. I think this amendment by Senator DORGAN will strengthen it even more.

I hope very much we can see it adopted.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, because the Senate in the last Congress passed an Energy bill which included targets and timetables, I think it would be considered a retreat if for some reason or another we this year objected to targets and timetables that were included in this Energy bill. In the past Congress, with the President supporting fuel cells and a hydrogen economy, I don't think we ought to be retreating on these kinds of issues.

The Senator from Tennessee said there are two parts. There are many parts of the bill. He is right about that. There is the part of the legislation that deals with that which we have always done. We have always been concerned about production of fossil fuels. So we have, of course, portions of the bill to deal with that. We have conservation issues and renewable energy issues. Those have always been in the bill.

But this piece is a different part—a part that is different and unusual. This part deals with something that is new, big and bold. It is why the President

put it in his State of the Union Address. That is why he had a special rollout of his proposal down at the Building Museum with hundreds of people present. Virtually every industry leader with respect to hydrogen and fuel cells in the country came to town. Why did the President emphasize that? Because this is a different part. This is not some unusual part of the energy debate. It is the big, new, and bold part of that debate.

I have used the term ''Apollo project.'' That perhaps could have used or I could have used ''the Manhattan project,'' or something that would denote a project by which a country aspires to achieve something. A country aspires to establish goals, and it reaches those goals. A strategy that says, let us spend this money and, by the way, let us know if anything comes of it, is, in my judgment, not much of a strategy.

I am a big believer in understanding that things happen that you make happen—not that you let happen. If you have a problem and resources, you have two choices: Let us move this money out and see what we let happen with it, as opposed to deciding what we are going to make happen. There is a very big difference.

My colleague from Tennessee used the term ''wild guesses'' several times. Let me just tell you that Nissan, Toyota, Honda, DaimlerChrysler, Ford, and General Motors are not engaged in wild guesses. None of them is engaged in wild guesses. They are making substantial investments in fuel cell vehicles believing that we are moving toward a hydrogen fuel cell economy—not wild guesses at all.

Incidentally, I think my colleagues would, if they checked with most of these organizations I have mentioned and others in the industry, find that they very much support us being bold and establishing these targets and timetables. Why? Because they know that a country that establishes targets and timetables in pursuit of a policy is a country that is going to be fostering new development through research, and opportunities through research in the private sector as well. I just think it is really important for us to do this.

All of us come from different kinds of hometowns. I come from a small one with about 300 people. I am guessing, probably like every hometown, we had two or three people who every day went down to the bar and played Pinochle all day long. That was their social life. They just stayed there all day long and played Pinochle. They most likely in their conversations opposed almost everything new that was going on in the community: ''It won't work, can't work; shouldn't do it.'' They just played Pinochle and criticized anyone who was making things happen in the community.

The President has said we ought to do this. There are going to be doubters outside of this Chamber and doubters in the country who don't want us to move in this direction who say it can't work, it won't happen, or this is not our future. But they are wrong. President Bush is right. They are wrong.

This country will best serve its future, in my judgment, if we decide that we are going to do this with the President and with the Congress; we are going to do this and make it happen. Should we just say, well, except that there are other alternatives and no such picking and choosing?

If President Kennedy had said, let us not pick a goal to go to the Moon, maybe it ought to be Mars, but if we decided the Moon, let us not decide it had to be in this decade because the technology doesn't exist, let us say we are going to one planet and the Moon maybe someday, we probably would have never gotten past Cape Canaveral. We probably would have never gotten off the launch pad.

He established for this country a very bold vision. The Manhattan project was a very different project. It was the same thing: We are going to do this. We are going to marshal all of the resources and try to make this happen.

My amendment is much more timid than that. I do not suggest we can strap a mandate on this country and a burden on the Department of Energy, or the private sector for that matter, that says we have to meet these goals, timetables, and targets. That is not what I am saying. I am saying, in the pursuit of this money, that we are going to spend several billions of dollars, let us ask the Energy Department in their plan to describe their activities in pursuit of this goal which says we aspire to have 100,000 hydrogen fuel cell vehicles in the United States by 2001 and 2.5 million by 2010. Maybe it can't be reached; I don't know. It is certainly not a wild guess; it is just deciding that we ought to as a country establish some goals.

Once again, I think there is a big difference between letting things happen and making things happen. We have the capability, it seems to me, with this President and this Congress—and with the private sector very engaged with an aggressive aim, which my colleague from Tennessee described a while ago—to do some really remarkable things in this area. I think they will be enhanced by establishing these targets and timetables.

I really see no downside at all. I sometimes can see in legislation or amendments that are introduced that there is an upside and a downside. What if it succeeds or fails? For the life of me, I cannot see the downside of Congress establishing in this legislation some targets and timetables that put us on a path to a new, bold, and aggressive energy policy that will do all of the things my colleague from Tennessee described and all the things I described which are good for this country—substantially limiting our dependence on foreign oil, which provides much greater economic and energy security for this country, and dramatically improving air quality in America. Instead of putting pollutants out of the tailpipe, you are putting water vapor out of the tailpipe.

There are so many things that make sense with respect to this proposal. Much of the proposal that is in the Energy bill makes great sense. I support it. I wish it were a bit bolder than it is. Nonetheless, it is substantially better than what was sent to us in the President's budget. I compliment my colleague from Tennessee and my colleague from New Mexico and others on that score. But I still believe we will do this country a favor and improve this legislation as it leaves the Senate by including timetables and targets which were in the legislation in the last Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senator from North Dakota and I agree on so much about this subject that I am not going to extend this discussion very much further for fear of dredging up something that we might disagree on because we don't have many differences here.

If I may briefly comment, I was listening to the Senator's discussion of that bar in North Dakota. When I was growing up in the mountains of Tennessee, Blount County was a dry county, we didn't have bars, but we had Byrne Drugstore, which is where all that same kind of discussion must have occurred.

I was just thinking. Talking about the suggested timetables, the Senator suggested that, for example, we have in here a timetable of 100,000 hydrogen fuel cell vehicles in the United States by 2010. I was wondering what they would say in Byrne Drugstore if I went back to it and said I just became a Senator, and I drove a new hydrogen fuel cell car around the block which emits water out the tailpipe and doesn't burn any gasoline. The car costs $2 million a car to make. I got so excited about it I went over to the Senate and I voted to say we ought to have 100,000 of those in the United States by 2010 and 2½ million of them by 2020.

I think they would say to me: Well, LAMAR, I think you got carried away a little bit. At 2 million times 100,000, how do you know what the cost of that car is going to be in 2010? I might say: Well, I may not have really meant that. We meet every year, and we can change that next year if we want to.

They might say to me: Why did you put it in there in the first place if you didn't know that much about what you were talking about? The idea sounds exciting, but why would you guess how you would take a $2 million car and make sure it made any sense at all to target that we have 100,000 of them in the United States by 2010? What ability does the U.S. Government have to wave a magic wand and make sure that happens?

I was then thinking, too, about all the automobile companies both the

Senator and I talked about. Now, they are hot on this. I mentioned Mr. Ghosn at Nissan. He wanted to make sure I knew he intended not just to be a player in the fuel cell hydrogen car, he intends to be ''the'' player, and he is going to spend $800 million of his company's dollars on research in this far out idea that probably will not be commercially viable—none of us believe—for 15, 20, or 25 years.

That is a big step. But I really doubt Mr. Ghosn went to his board or the chairman of General Motors went to his board or the chairman of Ford went to his board and said: I want you to authorize that we require that our company make a certain number of these cars by a certain year. I think they would say: You are not being entirely realistic. You have gotten a little carried away.

So I want to show great respect for the Senator's goals, his hard work, and his energy. We agree on 95 percent of this. But I think to adopt those kinds of targets and timetables—to use a gentler word—might be misleading at the very least because I don't think that is the way to go about it.

Let's encourage it in any way we can—and we tried to do that here—and then let's have oversight on a regular basis. Then, if the technology is proven enough that it makes sense for us to be a little more specific, well, maybe we can take it up then. But if I went into the Byrne Drugstore in Blount County, and said, ''I have just driven a $2 million car around the block and then went over and voted we ought to have 100,000 of them by a particular year,'' I think they would think I had gotten a little carried away with my good idea.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I shall not carry this much further either because there is much we agree on. But let me just say to the folks at the Byrne Drugstore, a drugstore I have not had the pleasure of visiting, my guess is, at Byrne Drugstore, if you told the folks sitting around the cracker barrel there—if they have a cracker barrel—in talking about life that we are going to give $2 billion plus to the Department of Energy, and we would just like them to use it as best they can, we really have not told them what we aspire to have happen in terms of goals or timetables and, what do you think of that, my guess is they would say: They are going to send their great-grandchildren back to you to say, ''We have not reached any conclusions yet.''

My guess is, the folks at Byrne Drug, just as the folks playing pinochle in my hometown's little bar, would probably say: If you are going to give the folks over there in that big bureaucracy some money, you might ought to give them a plan in terms of what you might want to accomplish with that money because they will find a way to spend it if you don't give them some sort of plan. They will tell you the money is all gone, but they really don't have a product yet.

There are plenty of examples, of course, of that. But my own view is, if we are going to give the Department of Energy money—and we must because, as the Senator from Tennessee knows, we cannot convert to a hydrogen-based fuel cell economy without public policy support. You have to, after all, have a complete infrastructure change in this country, so that in the future, if we are driving mostly hydrogen fuel cell cars, you are not pulling up to a pump that pumps regular gasoline, you are pulling up to a pump that pumps hydrogen fuel.

The question is, as I indicated before, where do we produce the hydrogen? How do we transport the hydrogen? How do we store the hydrogen? What is the infrastructure for dispensing the hydrogen at fuel stations across the country? All of that is important. And all of that is a function of public policy. The private sector cannot by itself do that. That is why the public sector lays the groundwork for it. It is like building the roads. We don't have General Motors building roads in this country. We build roads, and they build cars which you drive on the roads.

We create the public policy by which we will move toward a hydrogen fuel cell policy. It is what the President believes we ought to do. It is what I believe we ought to do. The Senator from Tennessee and the Senator from New Mexico believe we ought to do that. So as we do that, the question is: In pursuit of public policy, when we provide the Department of Energy with $3 billion plus, should we say to them: ''Here is $3 billion plus. You folks—you good men and women at the Department of Energy—use it as best you can, and try to give us some idea of what you might accomplish with it'' or should we say to these people in the large, vast bureaucracy here: ''Here is $3 billion plus, and what we want you to do is the following. Our goal, our aspiration, what we strive to achieve for the country is the following''? I think that is a much better approach because, I guarantee you, we will provide that $3.3 billion, and at the end that money will be spent.

I have not ever, I guess, seen a Federal agency that has failed to spend the money. They do pretty well at that. But when they spend the money, and it is gone, the question is, Will this country have moved beyond where we are today in energy policy? Will we have achieved the result we wanted? Will the President have advanced the issues he portrayed so well in his State of the Union Address? I guess my answer to that is, I do not think so.

I come back finally to this point—and I will have to leave the floor but make this my last word—I fail to see any downside at all to putting in these targets. Again, this is not some wild guess.

I go back to the Nissan example. The chairman of Nissan does not go to the board of directors aspiring to spend $800 million, and say, ''By the way, I have a wild guess, and I want you to authorize my spending $800 million on it.''

This is not a wild guess. The private sector does not believe it is. I do not believe it is. President Bush does not. I think most of us understand this is a new, big, bold direction. We can do this the old way, giving the bureaucracy some money and hoping it turns out or we can do this a different way, saying: Here is what we aspire to achieve as a country. Here are the targets. Here are the timetables. Let's get about the business of doing this.

If we, in fact, want our children and their children to be able to drive hydrogen fuel cell cars, then that is not going to happen because we let it happen; it is going to happen because in the private sector and in the public sector we are taking the steps that can make this happen.

Having said that, I have enjoyed our discussion. Again, I have great respect for the Senator from Tennessee. I think the work he has done in the bill is excellent. I hope in the intervening hours or days before we vote on this proposal that I will be able to garner his support for this very minor, very small adjustment to a piece of legislation that is not a mandate but that, in fact, is a commonsense approach in terms of how we ought to spend this money and what we ought to expect the taxpayers to get for this money.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator. I thank him for his amendment. I know he is leaving, and I will not take advantage of that by continuing the debate. I have had a chance to say almost all I want to say.

The president of Nissan is a good example, actually. He has gone before his board and said he wants to spend $800 million. I do not think he went before the board and said he wanted to have 100,000 Nissan cars and trucks on the road in 2010 whether they worked and no matter how much they cost. That is the difference here.

I respectfully suggest there is a blueprint in this legislation, much of it provided by the Senator from North Dakota himself. The President's blueprint includes research on hydrogen-powered engines. That is what the $1.3 billion in research is for—research on the production of hydrogen fuel cells, et cetera, research on the transportation and delivery of hydrogen via pipelines and fueling stations, research on how to store hydrogen better and safer, on additional research on the fuel cell engine.

Because of the Senator from North Dakota and others, there is a blueprint for various demonstration programs, which I mentioned earlier—the vehicle demonstration program for Government and nonprofit agencies, the stationary fuel cell demonstration program, hydrogen car and fuel cell demonstration programs in national parks,

the Centers of Excellence at the university. Those are very specific proposals.

So I respectfully suggest we have a good bill. We have a broad bipartisan consensus that we have a bold vision, and yet with unproven technology it is not wise for us in the Government to try to guess just how many of those cars there might be but to encourage it and let those who make the cars do it as rapidly as possible and use their talents to persuade consumers to buy the cars.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SUNUNU. Mr. President, I join with my colleague, the Senator from Tennessee, in the concerns he has expressed regarding this amendment. I am intrigued and as interested as any Member of the Senate, including the Senator from North Dakota, in this new technology, the potential to use hydrogen-based fuel cells for power storage, energy storage, and the impact that can have on our automotive industry.

There are, and ought to be, concerns with an amendment that attempts to set a specific target for using such a future technology by a specific date. I remember some 10 years ago being told that everyone in America would be watching a high-definition TV by 1995; 1996 at the absolute latest. That was a technology prediction regarding television, something with which I think every American is quite familiar. We couldn't even get that future scenario right. To suggest that we know the future of fuel cell technology or even the automotive industry 10—and I think as this amendment goes almost 20—years from today is an enormous mistake. It is a mistake for a couple of reasons.

First, as the Senator from Tennessee pointed out, the current cost of these vehicles is $2 million or so, wildly out of the reach of anyone in the country who would be using these vehicles on a day-to-day basis. The private sector is putting a lot of money into this area. That is another reason to try to strike some balance in the bill. But even more basically, despite the fact that the Senator from North Dakota points out that this is just a target, what it does is suggest that a target for this technology is somehow better or more important than a target for any other technology.

What about solar power? What about photovoltaics? What about hybrid combustion technology? The highest fuel efficiency cars out there today often use a combination of electricity and traditional gasoline combustion engines to try to get their fuel efficiency up to 60, 70, 80 miles per gallon. There is certainly tremendous potential there if it can be made cost effective for the average consumer to immediately begin saving energy for our country and for the world sooner rather than later.

We should not prejudge which technologies will win out in a competition of ideas, a competition of cost or a competition for consumer interest in the marketplace. This amendment does just that. It tries to predict where the future will take us rather than trying to create a level playing field where different ideas can compete. Certainly money will be put into a lot of leading edge technologies, fundamental technologies regarding energy, and the Senator from Tennessee listed a lot of those. I don't think we should try to predict which ones will make the greatest impact in the automotive industry or in any other industry.

While I am as interested as the Senator from North Dakota in this new technology—I believe it may well prove to be a very important source of energy storage in our future—I think it would be a mistake to try to prescribe exactly how it needs to be implemented on behalf of the automotive industry and the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I have one short reaction to the comment of the Senator from New Hampshire. I will have nothing further to say on the amendment.

The Senator from New Hampshire reminds me of an experience I had in 1980, discussing the idea of predicting a new technology. I hope my friend Fred Smith, chairman and chief executive of Federal Express, will not mind my using him as an example. All this is public information. In the early 1980s, although it is hard to recognize this today, no one knew what to do with the fax. They didn't know what would be the future of the fax machine. There were those who were saying it would revolutionize communications as much as the fuel cell might revolutionize the automobile.

Mr. Smith, since he was in the business of delivering overnight packages, had to think about what the fax machine might do to Federal Express. He thought about it, and he came to this conclusion: His conclusion was that probably by the end of the 1980s, all Americans would go down to the street corner and find a Fed Ex fax machine and they would use the Fed Ex fax machine on their street corner to send a fax to their friends wherever in the world they might want to do that. That was his vision of what might happen with that new technology.

Well, we have seen what has happened since then. People didn't go down to the street corner and send a fax to their friend. Everybody has a fax in his or her office. Many people have them in their homes. They became personal faxes. Mr. Smith was wrong about that. Fed Ex lost a few hundred millions dollars. Fortunately for Tennessee, he had other great ideas, and Fed Ex is our leading employer in Tennessee today because of his entrepreneurial spirit.

But what if the Congress had gotten excited and said: Fred Smith has a great idea. The fax is a great invention and has an unlimited future. Let's pass a law saying that the Senate, having heard about the fax, hereby decrees that by the year 1990, there shall be a fax on 100,000 street corners in America and by 1992, there will be 300,000 faxes on street corners. All those faxes would be in the wrong places because the Senate, with respect, would not have known enough about the future to know what it was talking about. It was right about its vision of the fax. It was wrong about how far that might work; Fed Ex was at that time.

The analogy is pretty good here as well. We have a broad consensus on our excitement about the hydrogen car fuel cell and what it might do, not just for the automobile but throughout our economy. It is part of a balanced approach to toward energy. It could make the air cleaner and reduce our dependence on foreign oil. We are recommending $3 billion to stimulate precommercial research on that. But let's not put ourselves, in the Congress, in the position of making the same kind of mistake we might have made 20 years ago if we had passed a law suggesting we have 100,000 fax machines on the street corners of America.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRAIG. Mr. President, we are beginning this week again debating a national energy policy for our country, an issue whose time clearly has come, an issue that should have been resolved well over a year ago, but because of the difficulties and differences of approach, that was an impossible resolution.

I will never forget the day I met in our majority leader's office with the then-elect President George Bush. He had not yet taken the oath of office. He was not yet our President. While he talked about a lot of his campaign promises and the priorities he would bring with his leadership in the Presidency, he said at that time—and honored it immediately when he became President—first and foremost for this country was the desperate need for a national energy policy.

He, of course, upon becoming President, assigned Vice President DICK CHENEY to build a task force and make recommendations to Congress, proposals that should be contained within a national energy policy for our country.

Let's remember, it was not a decade ago. It was not 30 years ago. It was just a few years ago that our President was reacting to what had gone on in California with brownouts, blackouts, and a frustrated population, and a very

concerned economy that no longer were we the masters of our own energy fate; that somehow we had become increasingly dependent on foreign countries for hydrocarbons, or oil, and even within our own structures of systems of delivery and interconnection of electricity and pipelines for gas we were no longer as independent, strong, and self-reliant as we had been; that some while over the course of the nineties, as our economy grew, we were not replacing or building new infrastructure to serve that economy, we were simply relying on the surplus and the old infrastructure that it delivered for that energy. And all of that was true.

The President made his proposals. We crafted a policy, and when the majority in the Senate changed, the Energy Committee was shut down and a new bill was crafted in the office of the then majority leader, TOM DASCHLE. The bill came to the floor. We had the debate. It ultimately got into conference, but we could not produce a final product for our President. The differences between our parties and our interests were too great.

This year the Energy Committee, under the leadership of PETE DOMENICI, in a bipartisan way, held the hearings, held the markups, and what we have before us today is that legislation, a bill that is bipartisan, that has a broad range of interests in it, and really serves what I call the market-basket approach to energy, not that we have decided one source of energy is going to be the future of our country. We have learned differently about all of that in the last decade or two.

There are multiple sources and there are different markets and different economies that demand different kinds of energy. Clearly, to advance electrical production in this country from a coal-fired base, we have clean coal technology built within this bill so that we can build future coal plants for electrical production that are less emitting and cleaner.

Within the bill, there is a hydro relicensing provision that will allow us to relicense the hundreds of hydro facilities that now serve impoundments on our river systems, and do so in a much more environmentally sound way that will become more fish friendly but will still allow us to maintain that very clean base of electrical energy known as hydro.

It is very important, where I come from and where the Presiding Officer comes from, that these facilities remain productive and, at the same time, as we relicense them, that they can be retrofitted to meet the demands of a new attitude, a new understanding of the management of our river systems.

In this bill also are the underpinnings of the hydrogen economy that could in the future fuel the transportation needs of our country. The Dorgan amendment that is before us today deals with those goals about which we talk. We have been investing as a country for some time in hydrogen fuel cell technology.

About 2½ or 3 years ago, I was at Dearborn, MI, at the Ford engineering facilities and test track. While I was there, I drove a new hydrogen fuel cell car. It was a car about the size of a Ford Taurus. It had a hydrogen fuel cell within it that powered electric motors on all four tires. It was a marvelous, quietly running car. I got in, sat down, turned on the key, and nothing happened except the dashboard lit up, and pretty soon the dashboard said: Go. I stepped down on the accelerator, and away I went. There was a small whirring sound as the hydrogen fuel cell generated fuel that produced electricity that sent it out to the electrical motors on each one of these four tires.

When I was out on the test track with the engineer, he said: Pick it up; speed it up a little bit. It had been raining, and as I went around one corner of the test track, I slipped a little bit, and he suggested rather sheepishly that we probably ought to slow down. I was willing to do that in his car, his baby. He pioneered and helped develop this car. He said there is another reason besides safety to slow this car down. This car is worth about $6.5 million, and they did not want to lose that very expensive automobile. I did not realize at that time I was driving probably one of the most expensive automobiles ever built. It was a prototype. It was obviously not an assembly-line vehicle.

What I drove that day convinced me that in the future, if we choose to pursue it, we clearly can have, in part, not in toto, a hydrogen-based transportation fuel system in our country.

Is, therefore, the Dorgan approach the right approach at this time? Should we start making it mandatory to set targets that are absolute or need to be met? I question that, and I do so most sincerely because I want to move us and our knowledge base and invest in a hydrogen base.

Where do we get the hydrogen and how does it get delivered? Do we forget that gas station on each corner of every community did not just happen, that it took years and billions of dollars' worth of investment to develop the delivery system we have today by a myriad of companies investing their stockholder money and their profits in a delivery system? That is exactly what it took. That did not happen by accident.

To automatically suggest we are now going to have a hydrogen-based transportation system and that all of these new hydrogen refueling stations will occur overnight is a phenomenal stretch. That is the delivery system, and that delivery system alone would cost billions of dollars and, clearly, as we transition, if we do, into a hydrogen-based transportation system, it will take time and cost a lot of money.

Where do we get the hydrogen? Today we tend to get hydrogen from a hydrogen-rich supply—natural gas. But natural gas today is increasingly in less supply and more demand because of the Clean Air Act and because we decided years ago that if we were going to put additional electrical production in line, it could be a gas-fired electric turbine. It met our clean air standards.

All of a sudden, we began to consume a fuel that was once in surplus and is now becoming scarce. Some 3 months ago, its price spiked to over 260 percent of the average price. Should we be directing ourselves toward that, and should we be setting targets without an alternative supply of hydrogen? In other words, that is why, if you are going to set targets and limitations and goals—and maybe there is a day when we do—it is my argument and my belief that the Dorgan amendment is substantially premature with regard to that point. Let me tell my colleagues why.

In the overall parent bill we are debating, the national energy policy itself, there is a title that in time will begin to produce for this country an ample hydrogen fuel base and not use natural gas as its source. It is to develop, along with the new, safe, what we call passive generation for a nuclear reactor, an electrolysis system where water can be effectively converted into hydrogen. It is a technology that we know is doable. What is most important is that it is doable at much less cost and no demand on our natural gas base.

Why would it be at less cost, especially if it is allowed to be facilitated and built within a nuclear reactor?

Nuclear reactors operate best if they are operated at a constant load, but electricity is not used in a constant pattern, whether it is morning and one is cooking breakfast or it is a hot day and one is using air-conditioning or a cold day and using heat. All of that is variable within a range and within a market. So there are up and down supplies. There is peak load and there is soft load, or less load. The beauty of tying to a nuclear reactor a hydrogen electrolysis system as we believe to be engineeringly and technically very possible today—it is why within this bill we authorized the development of a prototype—is the reactor can then be run at a constant load where it performs for the least amount of money, and when it is peaking for electrical demand purposes, the power is shifted over there. When those demand loads come down, the power is shifted over to hydrogen gas production, and it is alternated back and forth from electrolysis to online transmission, from electrolysis to online transmission, based on the demand load at the time, while the reactor is operating constantly.

What I would therefore say about goals and targets within an area of fuel cell technology today, and supply, is let's get the supply at least started in place and the technologies to develop that supply proven effectively before we begin to put targets on governmental fleets or other fleets as we begin to cause the transportation of our economy to shift toward hydrogen.

Having said all of that, the oil industry, oil per se, for the foreseeable future will continue to fuel a very large part of our transportation needs in this country. That is a reality. It is something that we probably ought not force to cause to be different, but we ought to create and put in place the technologies that allow the transfer, that allow the movement, and that ultimately allow the capitalization of a new form of energy that we believe is hydrogen, and we believe this works.

The chairman of the full authorizing committee, who is the author of this legislation, is in the Chamber, so I yield to the Senator from New Mexico, Mr. DOMENICI.

Mr. DOMENICI. I thank the Senator for yielding.

First, please excuse my voice. I have somewhat of a cold. I say to the occupant of the chair, it will be in good form tomorrow. Do not worry. Having said that, I compliment the Senator from Idaho on the wonderful explanation he has given today on the future of hydrogen in the American economy. I also thank Senator DORGAN. Not only this year but before, he has been a strong proponent of moving ahead as rapidly as we can with the hydrogen alternative, the fuel cell, and ultimately an automobile in our future.

Today, Senator DORGAN offered an amendment which will now line itself up with a couple of others and perhaps be the third amendment voted on tomorrow. For that, I thank him because he brought an amendment to the floor which means we are moving.

I ask the Senator a question: The hydrogen car which I rode around in, as did the Senator, does the Senator remember how much they told us it cost?

Mr. CRAIG. Six point five million dollars.

Mr. DOMENICI. I do not say that to in any way belittle anybody, but the point of it is, they wanted to show us what it would look like, what the storage capacity or needs on the rear of this vehicle might be, which meant somebody would have some idea how to refuel it later on, and to put all of that together they spent 6 million-plus dollars.

The point of it is, S. 14, which I am very proud of, is an effort to produce a myriad of energies for America so that there will be a choice. It also says when it comes to hydrogen, let's pursue it with vigor. Let's get on with the research. Let's get the fuel cells moving ahead as rapidly as possible. And, yes, for the first time we had a President say go ahead and authorize a lot of money, $1.6 billion, to enter into partnership arrangements with the automobile manufacturers to see if our science and their technology could get married up with their money and taxpayers' money to pursue this with some degree of vigor.

I do not think I am trying to make a mountain out of a molehill in terms of the issue, but to now say, in the midst of all of this, to prove we are serious about this let's go ahead and mandate a purchase of these automobiles by a date certain it seems to me to be a bit premature. I do not think we need it to prove our worth, to prove our valor, to prove that we really want to move ahead with vigor. Quite to the contrary, I think it might indicate that we really are a little bit ahead of ourselves.

So when the time comes tomorrow, after discussing it with Senators such as Senator CRAIG, the Senator from New Mexico will decide whether we will have just a straight yes or no vote or whether we should ask the Senate to table what we consider to be a rather inappropriate amendment because it is too early.

As far as I know, there is no other business today. We are waiting around for the Dorgan amendment to get itself lined up with two amendments that are scheduled for tomorrow. There is still some significant debate on the motion to strike that concerns itself with nuclear power and on the so-called authority to the Indian tribes for the development of their energy. There are two amendments. One is Senator CAMPBELL's amendment, and one is Senator BINGAMAN's amendment. One is a first degree, and a second degree. Those will be debated, and then sometime tomorrow, hopefully, we can prove to the Senate that we are moving ahead with three votes.

Mr. CRAIG. Good.

Mr. DOMENICI. I am going to say now to other Senators who may have amendments, whatever they may be, the majority leader has been pretty fair with us. I am not so sure we have been quite that fair with him in that we have not produced enough amendments, although we are getting there now. We are starting to get a few of the hot button items, and maybe after tomorrow we might be at a point where others will come forth. I am asking now that Senators and their staffs, who consider themselves to have amendment potential on this bill, they should start to get ready. I am aware there are Senators who have amendments. We know the title of their amendments, but the amendments are not ready yet. That is 2 weeks now, not solid but more or less we have had 2 weeks.

So we ask now that Senators reconsider getting on with this so they can be helpful as we move ahead, and then with the minority soon we will begin to ask for some times. Maybe by tomorrow we can start asking for a time certain for the production of relevant amendments. That would be my hope, I say to my friend Senator CRAIG and the occupant of the chair, the distinguished Senator, Mr. SUNUNU.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. I thank the senior Senator from New Mexico for what really has become a very thoughtful and methodical approach toward resolving a national energy debate, and bringing us legislation that not all parties agree on but clearly is that abundant market basket full of ideas and concepts and realities, we believe, that bring this country once again toward energy self-sufficiency, and our ability to stand on our feet and be proud that we are what we are as a country.

Our great strength has always been in our abundance of relatively inexpensive energy. It has driven our economy. It powers us up as a great country. Without doubt, it is what lights up the computer screens of our country and has made us the leading high-tech manufacturer in the world.

I was in San Jose, CA, this weekend speaking to a group. There were about 50 CEOs from high-tech companies from the valley, the heart of the Silicon Valley. We call it Silicon Valley West because right here at the beltway in northern Virginia is what I call Silicon Valley East, the heart and home of the Internet systems and internet companies. While I was talking about technology, they wanted to know about energy. In that valley they demand a high quality of electrical generation, constant power loads to feed their manufacturing facilities. They are very frustrated because of the problems California has had, which has been in part a policy issue and in part a transmission problem.

All of those problems are embodied in our legislation. That is why it is important we resolve and get to our President's desk a bill so we can help the energy segment of our economy get on its feet and get moving again for the sake of all.

I have said several times, and I think most agree, this legislation, S. 14, has more new jobs to be created in the next 4 to 5 years than the stimulus package. While the stimulus package was critically important, and I voted for it and it already appears to be turning on the economy across this country, the long-term infrastructure investment for the energy industries of our country that will fuel our homes and light up our computer screens in the future is embodied in this bill. That is why it becomes so important for everyone.

Let me step back to hydrogen for a moment. I have no difficulty with the Senator from North Dakota proposing legislation that said agencies ought to submit annual plans and reports that look at transition and talk about and build a system or a mechanism for transition to a hydrogen economy as these technologies develop, as these new production capabilities come on line. That would be a right and appropriate thing to do in light of where the technology of this industry is.

I have visited with hydrogen fuel cell engineers, scientists who study this area. They are telling me it would be very hard to measure. They are suggesting we need to prove the worth of this technology to the American consumer—''worth'' meaning a sense of safety. A lot of folks are wondering, Is

a hydrogen car going to be safe? They fail to recognize that a gas-powered car that they assume is safe sometimes is not as safe as we think it is. There have been fires and explosions. Is a hydrogen car safe? We believe they can be manufactured to be every bit as safe as a gas-powered car, if not safer.

But how do you prove it? One of the ways is to get hydrogen used in the economy before it is transitioned to transportation. How does that happen? The development of hydrogen fuel cells that actually fuel homes, manufacturing plants, other facilities that are perhaps less adjacent to or isolated from transmission capability. To have a hydrogen fuel cell that can actually produce enough power for a factory is not unreasonable to assume, or a single home in a rural setting.

Once that consumerism begins to develop in this country and there is a general understanding that hydrogen is a part of our energy economy, the reality of transition to a transportation base is probably even greater. Maybe they go equally together. But I know the scientists and the engineers are thinking one or the other or both; one before the other. Part of it all comes together at some point. I believe it can.

I, along with Senator DOMENICI and others who study energy sources for our country as members of the Energy and Natural Resources Committee, have spent a long time looking at this as a concept to be explored. As the Senator from New Mexico mentioned, we are committing a lot of public resources to this. We ought to. It is clean. What happens to the exhaust system of a hydrogen-powered fuel cell? No emission, except a drop of water. So there is no emission of greenhouse gases into the atmosphere.

Interestingly enough, when you use natural gas to create hydrogen, the process creates an emissions problem. When you use electrolysis of water to create hydrogen, you do not. So there is another reason to examine and build on the technology of electrolysis. We think the natural blend, the hand in glove, if you will, the synergy that can be created by new passive nuclear reactors that are safe, cool in operation, automatic shutdowns, but can do the constant load, that can create the economies of optimum operation and therefore at great cost saving to the consumer, is a technology that ought to be developed and is embodied within S. 14.

I will now, therefore, have to oppose the Dorgan amendment for all of those reasons. It is not time to require the acquisition in the market. It is time to push the technology. It is time to ask for the reports. It is time for this Senate to be able to understand progress and growth and development in this area and the likelihood of a time down the road when more and more of our economy will actually be using hydrogen as an energy base.

It is with that I come to the floor to debate this amendment. I hope as we get to it tomorrow and a vote in the Senate, as the chairman has spoken to, that Senators will consider the reality that this is not the time for targets. This is not the time for hard goals. This is a time for pushing the technology, building on it, encouraging the private sector to marry up with the public sector, to advance the technology, and it may well be time for the Department of Energy to be required to report and analyze on an annual basis for our sake, for those who make public policy, the reality of these technologies.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. 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. BINGAMAN. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 867

Mr. BINGAMAN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 867.

Mr. BINGAMAN. 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 ensure continued availability of natural gas)

On page 278, after line 8, insert the following:

''(h) TRIENNIAL REPORT ON EFFECT ON NATURAL GAS DEMAND.—Not later than 3 years after the date of enactment of this Act, and every three years thereafter, the Secretary shall submit to Congress an assessment of the effect of increased use of hydrogen, as a result of the programs in subsections (a) and (b), on demand for natural gas.''.

On page 291, strike line 22 and all that follows through page 292, line 8 and insert the following:

''(b) CONTENTS.—At a minimum, each plan shall contain—

''(1) a description of programs under the agency's control in which the use of hydrogen or fuel cells could benefit the operation of the agency, assist in the implementation of the agency's regulatory functions, or enhance the agency's mission;

''(2) a description of any agency management practices, procurement policies, regulations, policies, or guidelines that may inhibit the agency's transitions to the use of fuel cells and hydrogen as an energy source; and

''(3) an assessment of the effect of increased use of hydrogen by the agency, including increased use through programs under section 303(b) of the Energy Policy Act of 1992, as amended by this Act, or section 824 of this Act, on demand for natural gas.''.

Mr. BINGAMAN. Mr. President, this amendment addresses the fact that most hydrogen today is manufactured from natural gas. As far as we can tell, this is likely to remain the case as we make any transition to a hydrogen-based economy. This dependence on natural gas may prove to be a real Achilles' heel for the future development of these promising technologies we have been discussing on the Senate floor today related to hydrogen.

The lead story in today's Financial Times has a headline entitled ''U.S. Faces Natural Gas Shortage.'' I believe Chairman Greenspan has also been testifying about this very important issue today in the House of Representatives. This is not a new story. There are a number of us who have been sounding the alarm for a long time on this issue and the need for effective action to address it. It is a serious situation. It has been in the making for several years, and it will not be easy for us to reverse this situation.

As an example of this concern, on May 27 there were 29 other Senators who joined me in a letter to Secretary Abraham. In that letter we expressed concern about the current and continued high natural gas prices and their effects on consumers and industries that rely on natural gas. We strongly urged the Secretary of Energy to look to conservation, energy efficiency, and fuel switching as important near-term steps that can be taken to alleviate what is shaping up as a critical problem, perhaps this coming winter.

This past Friday, Secretary Abraham wrote back, agreeing with the analysis of the problem and agreeing that—this is a quote from his letter—''the natural gas industry has been strongly supportive of this conservation message. . . .''

Mr. President, I ask unanimous consent that the letter sent by 30 Senators to the Secretary of Energy and the Secretary of Energy's response be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BINGAMAN. Mr. President, it would be ironic if, in the name of increasing the diffusion of hydrogen-based energy technologies into the U.S. economy, we wound up exacerbating the long-term problem we have with the natural gas supply. To make sure we maintain the awareness of this linkage, and the potential downside that could arise because of it, this amendment I have sent to the desk would make two changes in the underlying hydrogen title of the bill.

First, the amendment would require a triennial report from the Secretary of Energy with an assessment of how the various programs in the bill to increase the number of hydrogen vehicles and the use of hydrogen as a fuel were affecting our long-term demands for natural gas. If other sources for the manufacture of hydrogen were coming

to the fore, such as renewable sources of electricity, and the increased dependence on natural gas was not looming as a big problem, then fine. But we would be looking at this natural gas issue on a periodic basis at least each 3 years as hydrogen technologies move forward.

The second change the amendment would make would be to add a similar analysis to a report from Federal agencies that is already required in the bill on their own future use of hydrogen. It would require Federal agencies to assess how their own increased use of hydrogen would affect natural gas demand.

Obviously, all of us want hydrogen to be better developed as a technological option. We all, I believe, also want to make sure we do not have unwanted consequences or unwanted impacts on our strained natural gas picture going forward. This amendment will help ensure that we keep our eyes open and we keep focused on this important potential problem as we move toward a hydrogen-based economy.

Mr. President, I think this amendment would strengthen the bill, and I hope it is acceptable and can be agreed to.

I yield the floor.

EXHIBIT 1

UNITED STATES SENATE,
Washington, DC, May 27, 2003.

Hon. SPENCER ABRAHAM,
Secretary, Department of Energy, Washington, DC.

DEAR SECRETARY ABRAHAM: We are writing to express our concern about continued high natural gas prices, the impact on industries that rely on natural gas for manufacturing, and the possibility of severe price spikes recurring later this year. In your recent address to the National Petroleum Council, you correctly pointed out that the amount of natural gas in storage is unusually low and that injection rates must increase dramatically in order to fill storage to levels sufficient to meet anticipated demand this year. With natural gas prices twice as high as they were last year and the increased demand for electricity expected this summer, market fundamentals are not encouraging for robust storage refill rates.

We commend you for focusing on the near term challenges we face with respect to natural gas and for calling an emergency meeting of the National Petroleum Council next month to identify actions that can be taken immediately to ease short-term supply constraints. The expertise of the NPC's members in the production, transmission and distribution of natural gas should be very helpful. Increased natural gas supplies are needed of course and, in fact, drilling is up thirty percent this year. But significant new gas supplies are not likely to come on line in the near term.

Energy efficiency and conservation, as well as fuel switching, are more likely to make a difference in natural gas markets this summer and next winter. Analysis of the successful efforts of California to reduce electricity consumption in 2001 demonstrated that efficiency and conservation were the fastest and least costly solutions available. We urge you to cast a wider net for recommendations on natural gas including meeting with Governors, state and federal regulators, industrial and commercial gas consumers, electric utilities and independent generators, and experts in efficiency and conservation.

We look forward to working with you to address this critical issue.

Sincerely,

Tom Daschle, Tim Johnson, Jay Rockefeller, Russell D. Feingold, Harry Reid, Joseph Lieberman, Jeff Bingaman, Tom Carper, Frank R. Lautenberg, Ron Wyden, Debbie Stabenow, Maria Cantwell, Mary L. Landrieu, Jon S. Corzine, Jack Reed, Charles Schumer, Evan Bayh, Daniel K. Inouye, Dianne Feinstein, Barbara Boxer, Dick Durbin, Hillary Rodham Clinton, Patrick Leahy, John F. Kerry, Paul Sarbanes, Barbara A. Mikulski, Ted Kennedy, Carl Levin, Daniel K. Akaka, Patty Murray.

THE SECRETARY OF ENERGY,
Washington, DC, June 6, 2003.

Hon. JEFF BINGAMAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR BINGAMAN: Thank you for your May 27, 2003, letter expressing concern about continued high natural gas prices and their impact on consumers and industries that rely on natural gas.

The Administration shares your concern—and it is for this reason that I called for a Natural Gas Summit on June 26, 2003, which your letter referenced. In addition to including members of our National Petroleum Council, the Summit will also bring together State and Federal regulators; industrial, residential, and commercial gas consumers; electric utilities and independent generators; along with experts in energy efficiency and conservation to discuss and develop recommendations relating to the future of the natural gas markets.

Based on the Department's analysis, we concur with the conclusion advanced in your letter that over the next 12 to 18 months there are only limited opportunities to increase supply; and that, therefore, the emphasis must be on conservation, energy efficiency, and fuel switching. That is why the speakers and attendees at the Summit will be substantially consumer focused. I would note, however, that the feedback we have been getting from the natural gas industry has been strongly supportive of this conservation message as they are concerned about the long-term effect on the market of these high short-term prices.

In addition to sharing the same opinion regarding the role of conservation, I am pleased that we also are in agreement concerning the need to increase natural gas supplies. Last year, I commissioned a National Petroleum Council study focused on long-term issues that will more directly address supply. This study, to be released in the fall, will include a comprehensive evaluation of future natural gas supply and demand issues. We will, of course, share the results of that study upon its completion.

I appreciate your interest in the Natural Gas Summit and look forward to working with you to address these important issues.

If you have any questions please feel free to contact me or Ms. Kelly S. Lugar, Deputy Assistant Secretary for Congressional and Intergovernmental Affairs, at (202) 586–5450.

Sincerely,

SPENCER ABRAHAM.

The PRESIDING OFFICER. The senior Senator from New Mexico.

Mr. DOMENICI. Mr. President, we have reviewed the amendment. We have no objection to the studies provided for in the amendment. We think they will be worthwhile and helpful, so we have no objection.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to the amendment.

The amendment (No. 867) was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. BINGAMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I ask Senator BINGAMAN, have you finished with that issue?

Mr. BINGAMAN. Yes, I have.

The PRESIDING OFFICER. The senior Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent to be permitted to proceed as in morning business for no longer than 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, I ask unanimous consent that I be permitted to proceed as in morning business starting in 5 minutes and not to exceed 10 minutes.

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

Mr. DOMENICI. I yield the floor.

Now, Mr. President, I ask unanimous consent that the 5 minutes I asked to transpire before the time started be waived and that I be able to proceed with my 7 minutes.

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

The Senator is recognized as in morning business.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 1211 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

(The remarks of Mr. MCCAIN are printed in today's RECORD under ''Morning Business.'')

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOMENICI. 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. DOMENICI. Mr. President, I understand, from my parliamentary inquiry, that at 5:15 the Senate resumes executive calendar debate.

The PRESIDING OFFICER (Mr. ENSIGN). In executive session, that is correct.

MORNING BUSINESS

Mr. DOMENICI. I ask unanimous consent that we be in morning business until we go into executive session.

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

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

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

EXECUTIVE SESSION

NOMINATION OF MICHAEL CHERTOFF, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT

The PRESIDING OFFICER. Under the previous order, the hour of 5:15 having arrived, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Michael Chertoff, of New Jersey, to be United States Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise today in support of the nomination of Michael Chertoff to the U.S. Court of Appeals for the Third Circuit. I happen to be admitted to the bar of the Third Circuit. I can't imagine a better person we can put on that circuit than Michael Chertoff.

This is not the first time this body has had the opportunity to consider Mr. Chertoff's qualifications. In May 2001, my colleagues and I voted to confirm his nomination to the post of Assistant Attorney General for the Criminal Division of the United States Department of Justice. He has worked tirelessly in that position on behalf of our country prosecuting those whose specific goal is to harm America, and we are grateful for his service.

The same credentials and experience that paved the way for Mr. Chertoff's confirmation as Assistant Attorney General demonstrate that he will make an exceptional Federal appellate judge. He graduated magna cum laude from Harvard College in 1975 and magna cum laude from Harvard Law School in 1978. After his graduation, he served as a law clerk to United States Supreme Court Justice William J. Brennan, Jr.

Following his clerkship, he embarked on a long and distinguished professional career dedicated to fighting crime and corruption that began in the United States Attorney's Office for the Southern District of New York in 1983, where he served as a line prosecutor. In 1987, he was promoted to First Assistant U.S. Attorney for the District of New Jersey. In 1990, former President Bush appointed him to be the United States Attorney for the District of New Jersey.

During his time as a Federal prosecutor, Mr. Chertoff gained extensive experience in all phases of criminal investigations and prosecutions. He handled major organized crime, fraud, and corruption prosecutions. Here are a few examples:

Mr. Chertoff successfully prosecuted a RICO murder case involving the third ranking member of the Genovese La Cosa Nostra family and others. The principal defendants were convicted of conspiring to murder John Gotti and murdering a mob associate. They each received 75-to-80 year prison terms.

Mr. Chertoff successfully prosecuted the Mafia commission case, which charged the bosses of all five New York La Cosa Nostra families with operating a national commission through a pattern of racketeering acts such as extortion, loan sharking, and the murders of a mafia boss and two associates.

Mr. Chertoff successfully prosecuted the mail fraud, bank fraud, and tax evasion trial of the mayor of Jersey City, NJ. The case arose out of an investment fraud perpetrated by the mayor while he was in office. The defendant was convicted of 14 felonies, sentenced to jail, and removed from office.

Mr. Chertoff also successfully prosecuted Arthur and Irene Seale for the 1992 kidnapping and murder of Exxon executive Sidney Reso, a tragic case which garnered substantial media attention.

This record alone demonstrates that Michael Chertoff has the experience and qualifications to serve as a judge on the Third Circuit. However, his public service is not limited to holding high level government positions. For example:

Mr. Chertoff served as special counsel to the New Jersey Senate Judiciary Committee in its investigation of racial profiling. Under his counsel, the Committee held nine hearings examining racial profiling allegations, concluding that the former attorney general had misled the Committee and had attempted to cover up the extent of racial profiling in New Jersey from the U.S. Department of Justice.

After a convicted rapist was mistakenly released from prison, Mr. Chertoff again served as Special Counsel for the New Jersey Senate Judiciary Committee during its hearings into the application of Megan's Law, which requires State correction officials to notify prosecutors 90 days prior to the release of a sex offender, and the reasons why it was not being systematically employed by the State.

Mr. Chertoff also represented three indigent defendants on death row in Arkansas through a program operated by the NAACP legal defense fund. The death sentences of all three defendants were overturned on the appeal that he handled.

Mr. Chertoff has received numerous awards and honors, including an honorary law degree from Seton Hall University in 2002; the Anti-Defamation League Distinguished Public Service Award in 1992; and in 1987 the U.S. Department of Justice John Marshall Award for Outstanding Achievement in Trial.

These are but a few examples of public service that reinforce the true nature of Michael Chertoff's character. Recognizing this level of excellence, the American Bar Association has given Mr. Chertoff a unanimous well-qualified rating, the highest possible designation.

Plenty of others share the ABA's view of Mr. Chertoff. In a joint press release, New Jersey's two Democratic Senators, JON CORZINE and FRANK LAUTENBERG, expressed their strong support for Mr. Chertoff, stating, ''We are pleased that the President has selected a distinguished New Jerseyan for this important seat on the U.S. Court of Appeals for the Third Circuit. Michael Chertoff is a highly intelligent and competent lawyer with a long and impressive record of public service.''

In a March 11, 2003 editorial, the Bergen Record endorsed Mr. Chertoff's nomination, calling it ''a refreshing change.'' The newspaper continued, ''Mr. Chertoff is exactly the type of nominee the nation needs for federal judgeships,'' and concluded, ''Mr. Chertoff is the type of smart, non-ideological high achiever whom Presidents of both parties should consider for the bench.''

Mr. President, I have touched on only some of the attributes and accomplishments that demonstrate Michael Chertoff's overwhelming qualifications for the Third Circuit. He will be an outstanding Federal appellate judge, and I urge my colleagues to vote in favor of his nomination.

Mr. President, I notice the distinguished Senator from Pennsylvania is here. Both he and I are admitted to the bar of the Third Circuit Court of Appeals. I am also admitted to the bar of the Tenth Circuit Court of Appeals.

I yield the floor so the distinguished Senator from Pennsylvania can make his statement.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, it is especially appropriate for members of the Court of Appeals for the Third Circuit to have a little special understanding of the needs of that court, and the Court of Appeals for the Third Circuit is very badly overworked at the present time and very much in need of judicial replacements. The court has served under the superb leadership of Chief Justice Edward R. Becker, and I know personally from my discussions with him and the new Chief Judge, Anthony Scirica, the tremendous backlog and tremendous pressures the court of appeals has for the very busy States of Pennsylvania, New Jersey, and Delaware. I am pleased to see that Michael Chertoff is now coming up for a vote before the Senate. He has an extraordinary record—Harvard undergraduate, Bachelor's degree, magna cum laude,

1975; Harvard Law School, again magna cum laude, in 1978. He has been engaged in the private practice of law. He has served as assistant U.S. attorney for the Southern District of New York, which is one of the toughest, most complicated jurisdictions. They handle very difficult cases. Then he became an assistant U.S. attorney for the District of New Jersey, moved up the ranks to be first assistant, and then later U.S. attorney for the District of New Jersey. Again, that is a jurisdiction which has very complicated cases.

He has served as minority counsel for the Banking Committee. He has been the Assistant Attorney General in charge of the Criminal Division. He has had very wide experience in both civil and criminal law, and I think he comes to the position for the Court of Appeals for the Third Circuit with extraordinary qualifications.

It is my hope the vote which we are having today on Michael Chertoff might be an indication the so-called logjam on filibusters will be broken. The Rules Committee last week held a hearing on a variety of ways to deal with the filibuster. It had been my hope during the 107th Congress, before the filibuster was tried, that we might find a protocol, which would work regardless of who controlled the White House, and regardless of who controlled the Senate.

When President Clinton was in the White House and Republicans controlled the Senate, it was my view, stated on the floor at the time, that we should have handled President Clinton's nominations differently. We should have processed them in a more expeditious manner. Finally, we did handle quite a number of the judges who moved through after some judicial delays—Judge Berzon, and others.

When the Democrats controlled the Senate in 107th Congress and President Bush was in the White House, the situation was reversed. It was my hope at that time we might find some protocol which I had proposed, one specifically which would establish a timetable: Sixty days after the nomination was submitted to the Senate there would be a hearing by the Judiciary Committee; Sixty days later there would be action by the Judiciary Committee voting up or down; Sixty days later there would be floor action in the Senate.

Those timetables were not written in stone. They could have varied. They would be subject to a modification if cause was shown by the chairman of the committee upon notice to the ranking member or by the majority leader listing it for the full Senate action upon notice to the leader of the minority party.

It was my view at that time that we had so many votes which were party line that if it was a party-line vote the matter would then go to the full Senate for resolution. That was before advent of the filibuster. The filibuster cut new ground. It was unprecedented in the Senate for a filibuster to be lodged against a Court of Appeals judge. Once before in the history of the Senate was there a filibuster, and that was when Associate Justice Abe Fortas was considered for Chief Justice of the United States. That was a bipartisan filibuster. There were integrity issues there which were very different from the filibusters which have been mounted during the 108th Congress where, as I say, this unprecedented action has been taken. That caused a good deal of consternation on this side of the aisle, and I think a good deal of consternation in the country.

A number of options were considered where the rule might be changed. One proposal has been to have the first vote require 60 votes and on subsequent votes down to 51. My frank view is that is unlikely to be accepted because it isn't very difficult to have a series of cloture motions filed.

For those who may be wondering and for anyone watching C–SPAN II, a cloture motion is a motion filed to cut off debate. The current rule requires 60 votes to cut off debate.

When the logjam continues, there has been the suggestion of what we refer to colloquially as the ''nuclear option'' where there might be a ruling of the Chair that requires 60 votes, and that ruling could be challenged. On a 51-vote majority, that ruling could be overturned as a matter of Senate precedent. That has been done on occasion in the past. But it is an alternative which I think would be unwise and undesirable if any other alternative can be found. But if we were faced with the unprecedented cloture proceeding, the Senate may be driven to that alternative.

What is really under consideration in many minds is whether the filibuster on the two circuit nominees pending is really a preliminary for a Supreme Court nominee. I think if that were to be the case it would be really most unfortunate for the judicial selection process and very unfortunate for the Senate, which really turns on collegiality for us to do our job—traditional collegiality which has been sorely tempted in the recent several years.

If there had been an occasion for a filibuster on a Supreme Court nominee, I think that would have occurred with the nomination of Justice Clarence Thomas. And it was not attempted. I think it should not have been attempted. But that was the most hotly contested Supreme Court nomination during my tenure here, and I think perhaps the most hotly contested nomination short of the Fortas nomination in the history of the Court with the arguments which were raised during the hearings, with the arguments which were raised on the Senate floor, the delay, the second round of hearings, and the entire difficulties which surrounded that nomination. Had there been an occasion for a filibuster, I think that would have been the ultimate test. I repeat that I don't think a filibuster should have been attempted. None was. Justice Thomas was confirmed 52–48, which I think was a very firm imprimatur of regular procedure for the Senate not to filibuster but to vote on a majority vote.

It is my hope that what we are doing here with Michael Chertoff will be a bellwether of a change of landscape and a sea change in the Senate, so that this confirmation is, I think, pretty much assured. I hope it will set the stage for affirmative votes in the Senate.

I see other colleagues who have come to the floor with only 15 minutes before the scheduled vote. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I thought we were going to be discussing the candidate for office. I am sorry we kind of got off into another discussion. We are not filibustering this appointment. We are happy about this appointment. I want the chance to say that, and take what has happened as an indication of what can happen.

I rise today to support the confirmation of Michael Chertoff, whom I know well, to the Third Circuit Court of Appeals.

I am pleased that President Bush has selected this distinguished New Jerseyan for this important seat on the court of appeals. I hope that tells us where, in fact, we might be going with future appointments.

Mr. Chertoff is a highly intelligent and competent lawyer who has compiled a long and impressive record of accomplishment in both the public and private sectors.

Mr. President, I ask the Chair, if I could, to remind me if I run past, let's say, 8 minutes so that my colleague, JON CORZINE, has a chance to speak.

The PRESIDING OFFICER. The Chair will do so.

Mr. LAUTENBERG. Mr. President, Mr. Chertoff was born in Elizabeth, NJ, and distinguished himself academically as an undergraduate and law student at Harvard University. After law school, he served as a law clerk to Judge Murray Gurfein on the U.S. Court of Appeals for the Second Circuit.

After he clerked on the Second Circuit, Michael Chertoff served as a clerk to a legendary jurist from the great State of New Jersey—U.S. Supreme Court Justice William J. Brennan.

Justice Brennan was appointed to the Supreme Court in 1956 by President Dwight D. Eisenhower, and he spent 34 years on the Court. He is universally regarded as one of the most influential Justices of the second half of the 20th century.

If Mr. Chertoff follows the legacy of his mentor, the Third Circuit is going to be in great hands.

In 1990, Mr. Chertoff became the U.S. attorney for the District of New Jersey. He remained there until 1994. During his able tenure, he aggressively tackled organized crime, public corruption, health care, and bank fraud.

He also played a critical role in helping the New Jersey State Legislature

to investigate racial profiling. ''Driving while Black,'' as they say, should not be a crime in any State in the Nation, and I know Mr. Chertoff agrees. That is why I introduced the first bill in the Senate to ban racial profiling. And I am grateful to Mr. Chertoff for the interest he took in this matter at the State level.

As a result of Michael Chertoff's contribution, I am proud to report that just a couple of months ago New Jersey enacted the strongest antiracial profiling law in the Nation. The Third Circuit Court of Appeals is one of the most impressive courts in the country. Based on his past performance, I am confident Mr. Chertoff will fit right in.

As you know, I have strongly opposed some of the President's judicial nominees. I believe some of them are not appropriate for the Federal bench, not simply because they may not have compiled the kind of record that speaks to fairness and balance on the bench but because of a refusal, let's say, to even discuss the views they hold and what their background might be. I think it is inappropriate.

Again, I did not want to discuss the process. I want to discuss the individual. And that is where I think we ought to go. But in this case, we have a candidate, and I stand here as an American, as a Democrat as well, to fully support the appointment of Michael Chertoff because he has the talent and ability to render justice fairly.

I believe some of the nominees who came up were on a mission to curtail fundamental civil rights laws and protections. Others, as I said, have simply refused to answer important questions that would permit Senators to execute their constitutional duty for advice and consent.

The fact is, there are many highly qualified candidates that the President could nominate to the circuit courts, the appeals courts, who would enjoy broad support in the Senate from both Democrats and Republicans. Mr. Chertoff is one such candidate.

So I enthusiastically support his nomination to the Third Circuit. I urge my fellow Senators to support this consensus nominee who will serve the people of New Jersey and the Third Circuit ably and competently.

I thank you, Mr. President, and yield my remaining time to my colleague from New Jersey.

The PRESIDING OFFICER. The junior Senator from New Jersey.

Mr. CORZINE. Mr. President, it is my pleasure to also speak today in support of Michael Chertoff, a nominee for the U.S. Circuit Court of Appeals for the Third Circuit. The Third Circuit Court of Appeals is one that includes my home State of New Jersey. It is a very distinguished court and handles a diverse range of issues reflecting, frankly, the diversity of the people, the economy, the society of that circuit. It deserves a highly qualified candidate.

I believe the White House, in cooperation and dialog with the Senators from those areas that are attendant to the Third Circuit, has been fortunate, in working in that cooperative manner, to have a nominee as superb as Michael Chertoff.

He has ably served the citizens of New Jersey in a number of capacities, as my colleague from New Jersey, Senator LAUTENBERG, mentioned. Indeed, he has served the Nation and the Department of Justice, where he is No. 3 today in the criminal justice system. We will all be privileged to have his sound judgment and legal skills serving in this critical judicial position.

Mr. Chertoff has impeccable credentials. That is why we support him. And they are fully disclosed, fully responsive to the kinds of questions one would raise. You have heard he attended Harvard College, then Harvard Law School where he was editor of the Law Review. He then served as a Supreme Court law clerk to Justice Brennan.

He has had a remarkable private practice. In private practice and public service he has served, in every case, with excellence. He has developed a reputation of being brilliant. He has an equal reputation for being tough and fair. And he is a world class litigator and has earned the respect of his peers and adversaries in court, regardless of their political background.

While I will acknowledge that I might not always agree with Mr. Chertoff on every issue—I may have philosophical differences—I find that no excuse for a loss of support when he is prepared to speak to the issues about how he will deal with the judgments he will make and how he will go about forming those judgments in the context of legal study and the context of constitutional and legal precedent.

While there have been even serious concerns that a number of us have expressed regarding the prosecution of the war on terrorism, as at least implemented by the Justice Department—and I share some of those concerns—I do not believe that impacts a judge when they are willing to address how they will deal with constitutional precedent. And Michael Chertoff clearly has done so. I think he is truly a qualified candidate.

Once again, I mention he was a U.S. attorney, a tough one. He combated organized crime, public corruption, health care fraud, and bank fraud. Unlike many of his predecessors—and people who now fill the position of U.S. attorney—as a U.S. attorney he continued to try cases himself. He went to court; he took on the highest profile cases himself. He is actually one of those people who did the work to go into the courtroom and carry the case.

So I think we have a terrific candidate whom we all can support. I think there is a precedent here to which all of us can look. Frankly, this nomination process worked the way it is supposed to work. There was dialog and consultation with the White House. And when there were differences of view, there was discussion with those who were involved. I compliment the White House for how they have worked with the Senators involved in the process. We have gotten to a positive conclusion because there has been the kind of dialog and mutual seeking of support that we look for.

I urge my colleagues to support this nomination. I urge all of us to look for a more cooperative manner in how we approach the selection of judges, particularly in the circuit courts, as we go forward.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. How much time do I have remaining?

The PRESIDING OFFICER. Four minutes 45 seconds.

Mr. LEAHY. Mr. President, today, we vote to confirm Michael Chertoff to serve on the United States Court of Appeals for the Third Circuit. With this confirmation, the Senate will have confirmed 128 judges, including 25 circuit court judges, nominated by President Bush.

One hundred judicial nominees were confirmed when Democrats acted as the Senate majority for 17 months from the summer of 2001 to adjournment last year. After today, 28 will have been confirmed in the other 12 months in which Republicans have controlled the confirmation process under President Bush. This total of 128 judges confirmed for President Bush is more confirmations than the Republicans allowed President Clinton in all of 1995, 1996 and 1997 the first 3 full years of his last term. In those three years, the Republican leadership in the Senate allowed only 111 judicial nominees to be confirmed, which included only 18 circuit court judges. We have already exceeded that total by 15 percent and the circuit court total by almost 40 percent with 6 months remaining to us this year.

Today's confirmation makes the eighth Court of Appeals nominee confirmed by the Senate just this year. That means that in the first half of this year, we have exceeded the average for an entire year achieved by Republican leadership from 1995 through the early part of 2001. The Senate has now achieved more in fewer than 6 full months for President Bush than Republicans used to allow the Senate to achieve in a full year with President Clinton. We are moving two to three times faster for this President's nominees, despite the fact that the current appellate court nominees are more controversial, divisive and less widely-supported than President Clinton's appellate court nominees were.

If the Senate did not confirm another judicial nominee all year and simply adjourned today, we would have treated President Bush more fairly and would have acted on more of his judicial nominees than Republicans did for President Clinton in 1995–97. In addition, the vacancies on the Federal

courts around the country are significantly lower than the 80 vacancies Republicans left at the end of 1997. Indeed, we have reduced vacancies to their lowest level in the last 13 years. Of course, the Senate is not adjourning for the year and the Judiciary Committee continues to hold hearings for Bush judicial nominees at between two and four times as many as we did for President Clinton's.

I hope that the Republican leadership will see fit to schedule Richard Wesley's nomination to the Second Circuit for a vote this week. When he is confirmed, he will be the 26th circuit court nominee of this President to be confirmed by the Senate. I expect that we will also proceed this week on the nominations of J. Ronnie Greer to be a Federal trial judge in Tennessee, Mark Kravitz to be a Federal trial judge in Connecticut and John Woodcock to be a federal trial judge in Maine. When they are all confirmed, as I expect they will be, the Senate will have confirmed more than 130 judges in less than 2 years.

As a followup to what the distinguished Senators from New Jersey have said, this is a case where on paper this could be a controversial judge, surely for Democrats, as someone who was actively involved in the Clinton impeachment matters and others. But I have worked with Mr. Chertoff. I have found him to be fair. I found him to be honest with me. I also am aware of the fact that the White House took the time—something they normally don't do, or do not often do, I should say—to actually consult with the Senators from his home State. That makes a big difference because we have had problems, of course, where that hasn't been done or where there has not been consultation or where a nominee has been sent up to divide us, not unite us.

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

Mr. LEAHY. I will vote without any reservation for Mr. Chertoff.

Of course, I yield.

Mr. REID. Would the distinguished Senator from Vermont confirm that this is the 128th judge approved during this Bush administration? Is that a fair statement?

Mr. LEAHY. That is true. That includes 25 circuit judges.

Mr. REID. And the vacancy rate, as I understand it, is extremely low now on the Federal court system generally; is that a fair statement?

Mr. LEAHY. It is extremely low. Actually the vacancy rate is lower than the unemployment rate in the country. It probably wouldn't be any, had it not been for the fact that 60 of President Clinton's nominees were blocked because 1 or more Republican Senators opposed them—1 or more. So they never got a vote. And had they gotten a vote, there would be no vacancy at all.

Mr. REID. It is also true that all this furor created with changing the rules and all this involves two judges whom the Democrats have prevented from coming to a vote; namely, Miguel Estrada and Priscilla Owen. So the count is 128 to 2. Is that a fair statement?

Mr. LEAHY. That is right. We have stopped 2 so far; we have confirmed 128. I would note that friends on the other side of the aisle, when President Clinton was here, stopped 60, not by votes but by just simply having 1 or 2 Republicans object so they were never even allowed to have a vote. In fact, when the Republicans were in charge in 1995 and 1996 and 1997, when President Clinton was here, Republicans allowed 111 judicial nominees to be confirmed and only 18 circuit court judges. In 2½ years, we have done 128 judges for President Bush and 25 circuit court judges. So crocodile tears have been shed. Unfortunately, it is embarrassing when you tell the other side the numbers.

Is there any time remaining on both sides?

The PRESIDING OFFICER. The Senator from Vermont has 1 minute 15 seconds. The Senator from Utah has 30 seconds.

Mr. LEAHY. I withhold my time.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, all I will say, in yielding back the remainder of my seconds, is that I have been around here 17 years. I don't know that I have ever seen a better nominee for any circuit court in the country. This is one very great lawyer, great human being, good family man, person with a record that all of us should emulate if we could. I hope all of our colleagues will vote for Michael Chertoff. He deserves our vote.

No raw number of confirmations means anything, in and of itself, while there are not one but two filibusters of exemplary nominees going on now, potentially more to come, and emergency vacancies continue to exist. Are we supposed to be grateful that only a few of President Bush's nominees are being filibustered? Is there an acceptable filibuster percentage that the Democratic leadership has in mind? The mere fact that we have to ask these questions makes it crystal clear that we have a broken process. Even one filibuster of a judicial nominee is one too many.

As for the allegation that two nominees have been defeated, well, I for one would not be as quick as some of my Democratic colleagues to declare that the nominations of Miguel Estrada and Priscilla Owen have been defeated. We will continue to fight for the confirmation of these nominees and continue to file for cloture on their nominations. They are exemplary nominees who deserve to be confirmed.

And as for the implication that it is somehow acceptable to filibuster two judicial nominees in light of the others that have been confirmed, I must ask my Democratic colleagues who are leading these filibusters: Would you ever argue that it is permissible to break two criminal laws just as long as all the rest are being followed? Of course not. Nobody would make that argument any more than they would argue that it is permissible to disregard two of the constitutional amendments that comprise our Bill of Rights simply because there are eight others. The confirmation of other Bush judicial nominees in no way excuses or justifies the shabby treatment inflicted on Miguel Estrada and Priscilla Owen.

Mr. KENNEDY. Mr. President, I will vote for the nomination of Michael Chertoff to be a judge on the United States Court of Appeals for the Third Circuit. Mr. Chertoff has a fine reputation as a prosecutor, special counsel, and defense attorney. Fellow members of the bar in New Jersey and the district of Columbia have described him as intelligent, fair-minded, and hardworking. Furthermore, in his role as the head of the Justice Department's Criminal Division, certain aspects of his performance have impressed me. For example, his testimony before our committee in November 2001, expressing confidence in the ability of our Federal courts to deal with terrorist suspects, has been important to the debate over the need for military tribunals.

However, other policies and decisions involving criminal justice matters during Mr. Chertoff's tenure as assistant Attorney General have raised serious concerns. At his hearing, I asked Mr. Chertoff extensive questions about the Justice Department's advocacy on behalf of the Freeney amendment to the AMBER Alert bill. This Amendment has nothing to do with protecting children, and everything to do with handcuffing judges and eliminating fairness in our federal sentencing system. Its provisions effectively strip Federal judges of discretion to impose individualized sentences, and transform the longstanding sentencing guidelines system into a mandatory minimum sentencing system. As Chief Justice Rehnquist has said, they ''do serious harm to the basic structure of the sentencing guideline system and . . . seriously impair the ability of courts to impose just and responsible sentences.''

On April 4, 2003, the Justice Department sent a five-page letter to Senator HATCH expressing its ''strong support for Congressman FEENEY's amendment to the House version of S. 151.'' This letter was sent only a few days before the House-Senate conference on the bill and was influential in persuading the conferees to accept the Feeney amendment. At his hearing, Mr. Chertoff declined to say how involved he was in developing the Department's position on the Feeney amendment or whether he supported it. In his subsequent answers to my written questions, Mr. Chertoff stated that he ''personally had no part in drafting'' the Department's April 4 letter and did not ''review it before it was sent.''

While I appreciate the more forthcoming nature of Mr. Chertoff's written answers, I find it remarkable that the head of the Justice Department's Criminal Division Division did not participate in the drafting or review of the Department's letter. The Feeney amendment was very important legislation which substantially altered sentencing policy for the Federal criminal justice system. It was vigorously opposed by the Judicial Conference of the United States, the American Bar Association, the U.S. Sentencing Commission, and many prosecutors, defense attorneys, law professors, civil rights organizations, and business groups. As a Federal appellate judge, Mr. Chertoff will soon be responsible for applying its provisions. He will need to explain to his new colleagues why he did not do more at the Justice Department to stop this ill-advised legislation—or at least support Chief Justice Rehnquist's call for a ''thorough and dispassionate inquiry into the consequences'' of the Feeney amendment before its enactment.

I was similarly surprised to learn, as Mr. Chertoff acknowledged in his most recent set of written answers, that neither he nor anyone else in the criminal division was involved in the decision to deny the Federal Bureau of Investigation the authority to investigate the recent gun purchases of suspected terrorists after September 11. This decision was made in spite of the legal opinion issued by the Office of Legal Counsel on October 11, 2001, stating that there is ''nothing in the NICS regulations that prohibits the F.B.I. from deriving additional benefits from checking audit log records.'' The F.B.I. had previously conducted such investigations for years. Furthermore, the Justice Department was at the time aggressively expanding its investigative and prosecutory powers in response to the 9/11 attacks. Mr. Chertoff could have, and should have, done more to help the F.B.I. agents investigating those vicious attacks. As with the Feeney amendment, this was an example of ideology trumping smart and effective law enforcement at the Department of Justice.

Finally, I am concerned about inconsistencies in the responses Mr. Chertoff provided with respect to the debate over the legality of the interrogation of John Walker Lindh. According to reports in Newsweek and the New Yorker, John DePue, an attorney in the Terrorism and Violent Crime Section of the Criminal Division, which Mr. Chertoff heads now and headed then, called the Professional Responsibility Advisory Office in December 2001 and requested its opinion on the propriety of having the F.B.I. interview Lindh. At his hearing, Mr. Chertoff testified:

[I have to say, Senator, I think the Professional Responsibility [Advisory] Office was not asked for advice in this matter. I am familiar with the matter. I was involved in it.]

In response to my first set of written questions, Mr. Chertoff stated:

[T]hose at the Department responsible for the Lindh matter before and during the time of Lindh's interrogation did not to my knowledge seek PRAO's advice.]

Then, in response to my second set of written questions, Mr. Chertoff acknowledged that the e-mails published in Newsweek ''indicate that Mr. DePue initiated contact with PRAO about whether the FBI should question Walker Lindh and that Ms. Radack responded to that inquiry''—and that he first learned about theses e-mails in early 2002. I understand that Mr. Chertoff does not believe that Mr. DePue played a major role in the Lindh investigation and prosecution, and does not understand why DePue asked PRAO for its opinion on this matter. Nevertheless, Mr. Chertoff should have fully shared his knowledge regarding this situation from the outset, rather than deny that PRAO was asked for its opinion.

According to the New Yorker article published on March 10, 2003, 2 weeks after the Justice Department filed charges against Lindh, Ms. Radack, a highly qualified employee who received a merit bonus the previous year, received a ''blistering'' performance evaluation which severely questioned her legal judgment, and she was advised to get a new job. Mr. Chertoff has told me that has no knowledge of the facts surrounding Ms. Radack's employment, performance, or departure from the Department, and I take him at his word. Nevertheless, I remain very concerned about Ms. Radack's situation. According to press reprots—and the Department has never issued any statement disputing them—Ms. Radack was in effect fired for providing legal advice on a matter involving ethical duties and civil liberties that high-level officials at the Department disagreed with. Furthermore, after Ms. Radack notified Justice Department officials that they had failed to turn over several e-mails requested by the Federal court, Department officials notified the managing partners at Ms. Radack's new law firm that she was the target of a criminal investigation. I submitted questions to Attorney General Ashcroft regarding this matter in March, and I await his response.

Notwithstanding my concerns about Mr. Chertoff's performance as head of the criminal division—as well as initial failure, later corrected, to provide serious, consistent, and responsive answers to the questions asked by members of the Judiciary Committee—I am supporting his nomination to the Third Circuit. I am doing so based on his fine reputation as a lawyer, his achievements as a prosecutor and special counsel to the New Jersey legislature, and his assurances that as a judge he will apply the law with independence, integrity, and a commitment to due process and the core constitutional values embedded in the fabric of our democracy. My support for Mr. Chertoff's nomination today, however, should not be interpreted as an endorsement or approval for any other position.

Mr. LEAHY. Mr. President, I know Mr. Chertoff is waiting, biting his nails, wondering if he will get through this. I would mention for those of my colleagues who might actually be watching this, I will vote for him. I will support him. I urge them to do the same.

I yield back the remainder of my time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is, Will the Senate advise and consent to the nomination of Michael Chertoff, of New Jersey, to be a United States Circuit Judge for the Third Circuit? On this question, 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 Colorado (Mr. CAMPBELL), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Oregon (Mr. SMITH), the Senator from Alaska (Mr. STEVENS), and the Senator from Missouri (Mr. TALENT) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from North Carolina (Mr. EDWARDS), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KERRY), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''aye.''

The PRESIDING OFFICER (Mrs. DOLE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 88, nays 1, as follows:

[Rollcall Vote No. 211 Ex.]

YEAS—88

Akaka	Dodd	Lott
Alexander	Dole	Lugar
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Ensign	Miller
Bennett	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Fitzgerald	Nickles
Breaux	Frist	Pryor
Brownback	Graham (FL)	Reed
Bunning	Graham (SC)	Reid
Burns	Grassley	Roberts
Byrd	Gregg	Rockefeller
Cantwell	Hagel	Santorum
Carper	Harkin	Sarbanes
Chafee	Hatch	Schumer
Chambliss	Hollings	Sessions
Cochran	Hutchison	Shelby
Coleman	Inhofe	Snowe
Collins	Jeffords	Specter
Conrad	Johnson	Stabenow
Cornyn	Kennedy	Sununu
Corzine	Kohl	Thomas
Craig	Kyl	Voinovich
Crapo	Lautenberg	Warner
Daschle	Leahy	Wyden
Dayton	Levin	
DeWine	Lincoln	

NAYS—1

Clinton

NOT VOTING—11

Biden	Kerry	Smith
Campbell	Landrieu	Stevens
Edwards	Lieberman	Talent
Inouye	Murkowski	

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

Mr. MCCONNELL. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that there be a period of morning business with Senators speaking for up to 10 minutes each.

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

Mr. MCCAIN. Madam President, where is Aung San Suu Kyi? Burma's political crisis grows, and much of the world is outraged. Burma's democratically elected leader, winner of the Nobel Peace Prize and world-renowned icon of freedom, remains imprisoned. Burma's ruling generals so far have prevented both the U.N. special envoy, who has been in Rangoon for 3 days, and the International Committee for the Red Cross, to visit her. The generals seem unmoved by the world's condemnation, and their peoples' suffering. It is time for all respectable members of the international community to put weight behind their words and take active measures to secure the freedom of Aung San Suu Kyi and the Burmese people.

Most of the world sees the Burma crisis in staggeringly different terms than do its military rulers. Despite the regime's denials, the May 30 assault on Aung San Suu Kyi and her supporters was a well-organized, premeditated attack by members of the Union Solidarity Development Association, a militia of the ruling, and misnamed, State Peace and Development Council. Given Aung San Suu Kyi's stature within Burma and around the globe, we know Burma's top generals, led by General Than Shwe, would have had to personally approve a physical attack on her and her delegation. We know that Than Shwe would never let his conscience interfere with any calculation of what is in the best interests of the junta's continued ability to repress the democratic aspirations of its people.

Aung San Suu Kyi's associates, including several who witnessed the May 30 attacks, say that at least 70 and perhaps 100 members of her National for Democracy were slaughtered by the regime's militia in the most violent crackdown since the junta crushed the August 1988 popular uprising against the regime—and we know the junta's claim that only four people died on May 30 in what they call a spontaneous clash with the opposition is false. We know that Suu Kyi is not in ''protective custody,'' as the junta insists, but that she is being held because her national popularity and clear democratic mandate ultimately make rule by generals impossible to sustain. We know the generals are holding her incommunicado because, if she were free to speak, she would speak the truth about their brutality, and about the ruin they have brought to their country. What's so dangerous about these obvious sentiments is that the generals themselves know they are true, and that it is they who are to blame for this devastation, exposed as they are before their people and the world.

The irony is that by crushing the democratic opposition, the generals have once again demonstrated to their people and the world the fragility of their rule, which no amount of repression will legitimize. That one woman, unarmed and leading only an army of citizens who believe in her, can so rattle a group of uniformed officers who control every instrument of national power is testimony to what Vaclav Havel called the power of the powerlessness. As Havel and many other brave dissidents behind the Iron Curtain knew, no amount of repression can provide a regime the democratic legitimacy that is the only basis for regime survival. No leader or leaders can systematically repress their people and loot their country and get away with it forever. The Burmese military has been doing it for 40 years, and their time is running out.

Another sad truth the current crisis has exposed is how little the leaders of Burma's neighbors, including the democracies, seem to care for the most basic rights of the Burmese people. The Prime Minister of Thailand arrives in Washington today: I hope he is prepared for a barrage of questioning—and criticism—of Thailand's warm embrace of the dictatorship next door since he assumed office in 2001. Under Prime Minister Thaksin, Thailand has moved aggressively to deepen Thai business ties with Burma, provide substantial economic assistance to the junta, collaborate with the Burmese military against Burmese ethnic groups who oppose rule by the generals, arrest and repatriate exiled Burmese democrats across the Thai-Burma border, and pursue a policy of cooperation and conciliation with a regime that is opposed by the vast majority of its people and known to much of the world as an outlaw.

Bangkok's coddling of Rangoon has gone well beyond passive acceptance of the regime next door to something approaching active sponsorship of the junta. Thailand has made no effort to reach out to the Burmese opposition, which is especially unfortunate since some of its most fearless leaders reside in the Thai-Burma border region. Under Prime Minister Thaksin, Thailand has supported and sustained its historic enemy, at the very time when it could use its influence to help bring about the negotiated transition to democracy in Burma.

India's government also appears to have made a strategic decision to ''constructively engage'' Rangoon out of fear of growing Chinese influence in Burma. India has legitimate concerns about China's interest in using Burma as an outlet for Chinese commerce and military forces in the Andaman Sea. But given China's pervasive influence in Burma, India cannot hope to compete with Beijing for the junta's affection. A more effective strategy would be to support the Burmese opposition's campaign for a free Burma. I don't know what policies a Burma led by Aung San Suu Kyi would pursue towards China, but I'm quite confident she wouldn't choose to pursue a strategic partnership with an Asian dictatorship. Democratic India would be a natural ally of a free Burma, and I believe Delhi would be wise to help move Burma in that direction, rather than curry favor with the generals.

China's unreconstructed policy towards Burma following the attack of May 30 was best expressed by China's ambassador to Rangoon, who told U.N. envoy Razali Ismail that China considers the crisis to be Burma's ''internal political affair.'' Interestingly, China has been helpful in dealing with the North Korean nuclear crisis, I hope because Beijing understands the costs of tying itself too closely to a regime that is actively alienating the rest of the world. Perhaps it is wishful thinking to hope that China's rulers will reach a similar conclusion about their support for the Burmese junta: that in their increasing repression and devastation of their country, the generals are fighting a battle they can't win, and that undermines the stability and prosperity China seeks in Southeast Asia. Perhaps Beijing would take a more resolution line with the generals if Southeast Asia were united in condemnation of their assault on the Burmese people.

The Association of Southeast Asian Nations will hold its annual ministerial summit and security meetings next week in Phnom Penh. Secretary of State Powell is scheduled to attend the meetings of the ASEAN Regional Forum and the ASEAN Post-Ministerial Conferences from June 18–20. I urge Secretary Powell to reconsider his plans to travel to Southeast Asis unless the ASEAN nations, excluding Burma, agree to address the crisis in Burma as their central agenda item; agree to forcefully condemn the crackdown on democracy in Burma; agree to require the release of Burma's detained democracy leaders in order for Burma

to participate in the ASEAN ministerial meetings; and agree to issue a concrete action plan to move Burma towards a negotiated settlement with Aung San Suu Kyi that grants her a leading and irreversible political role culminating in free and fair national elections.

I understand the importance of Secretary Powell's visit to Southeast Asia. I agree that the region is too important for the United States to neglect. But as long as Burma's neighbors neglect the political crisis in their backyard, it is hard to imagine what coherent role ASEAN can play in the region and the world. All Southeast Asian leaders have a vested interest in building ASEAN into a strong regional bloc that can help expand prosperity and improve security in Southeast Asia. As long as Burma, an ASEAN member since 1997, is held captive by the generals, destabilizing the region and attracting precisely the kind of international sanction Southeast Asian leaders would like to avoid—and as long as those leaders do little or nothing about it—Southeast Asia will remain little more than the sum of its parts, and ASEAN will have little enduring relevance. Secretary Powell should condition his visit to Phnom Penh on an ASEAN agenda that addresses the rot at the heart of the organization—the decaying dictatorship in Rangoon—and that helps move ASEAN towards a more constructive role in Southeast Asia than that of ''constructively engaging'', and abetting, tyranny in Burma.

The United States has moved to restrict visas for officials of Burma's Union Solidarity Development Association and freeze Burmese leaders' assets. Tomorrow, the Senate will take up a measure banning imports from Burma. Europe is moving to tighten existing sanctions against the junta. These efforts to bring to bear pressure for democratization will have additional force if Burma's neighbors end business as usual and take concrete steps to help liberate the Burmese people.

It is hard to believe that Americans and Europeans care more about the rights of the Burmese people than do people in Bangkok, Beijing, Delhi, Manila, Jakarta, and other Asian capitals. These nations will always have Burma as a neighbor. Burma will not always be ruled by the generals. When they are gone, free Burma's leaders will speak the truth about ASEAN and its support for Asian autocrats, unless that organization and its member states make a strategic decision to stand with the Burmese people in their struggle for freedom today.

FORMER SENATOR DANIEL PATRICK MOYNIHAN

Mr. DASCHLE. Madam President, on March 31, 2003, a Mass of Christian Burial for Senator Daniel Patrick Moynihan was held at St. Patrick's Church here in Washington. At that service, a beautiful homily honoring our friend and revered former colleague Senator Moynihan was given by his pastor, Rev. Msgr. Peter Vaghi. For the benefit of all Senators and for history, I ask unanimous consent that Msgr. Vaghi's remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MASS OF CHRISTIAN BURIAL, DANIEL PATRICK MOYNIHAN, MARCH 31, 2003

My dear Liz, Maura, John, Tim and Tracey, Michael Zora, distinguished guests and friends,

We gather on this Lenten Monday in this historic church of St. Patrick in sorrow but also in confident hope. For we come to pray for the soul of Daniel Patrick Moynihan in this his parish church, a church which he loved so much with so many of us who loved him as well. We commend him this morning into the loving hands of God our Father as we celebrate this holy Mass, this perfect prayer of redeeming love, given to the church by Christ as He Himself prepared to return to His Father in heaven. In this time of war, we pray at this Mass for Pat's eternal and heavenly peace.

This parish church is a long way from Hells Kitchen in New York where he was raised, but a short walk from his apartment overlooking Pennsylvania Avenue, an avenue which was so close to his heart, an avenue he helped transform. And this short walk is one he made each Sunday for holy Mass often with Irish walking stick in hand and that unforgettable tweed hat.

In the preface for Christian Death in this morning's Mass, we hear those consoling words that for your faithful people, Lord, ''life is changed not ended.'' These are words of hope in a world desperately looking for signs of hope. They are words of our faith, a faith Pat embraced and lived. They are words of faith in Jesus Christ who ''is the way, the truth and the life.'' In that first reading from the Book of Wisdom, how can we not be consoled, referring to ''the souls of the just,'' thought '' in the view of the foolish to be dead,'' but affirmed so cogently by that revealed text to be ''at peace.''

There are many titles which describe the life and work of Pat Moynihan, words which portray the mosaic of his 76 years of long and productive, life: a senator for two and a half decades, ambassador, professor and scholar, voracious reader, an independent-minded intellectual, administration official under four successive presidents, veteran, author of 18 books, public servant, statesman, awardee of innumberable honors, friend and confidante, a father and grandfather, spouse of 48 years to his wonderful wife Liz, and I might add, a faithful parishioner at this historic church of St. Patrick, this church of his patron saint. Each part of this rich mosaic of his life touches us in different ways depending on how we knew him but assuredly the totality of the gift of his life brings comfort and consolation to each of us in these days of deep loss no matter how we knew him.

He loved this parish. He had a particular love for our choir. He would often stand in the side aisle toward the end of Mass and watch the choir looking up from that vantage point. How he enjoyed them! On occasion, he would also take up the collection. He did it ever so slowly thanking everyone individually, in his unique style, for the contribution each person made. As I would watch him with basket in hand, hoping we could continue the Mass, I always found it hard to believe that this was really the chair of the Senate Finance Committee!

Pat Moynihan was a man of quiet faith. As with every person of faith, however, he struggled to make the living Word of God shape his decisions in life. for him, this found expression in his long commitment to the body politic, the pursuit of the common good and his special care for the poor, the family structure, and the most needy in our midst. In the words of Revelation, speaking of those who have died in the Lord: ''. . . let them find rest from their labors, for their works accompany them.'' Like Pat, they and each one of us—in our turn—will meet our good and gracious God who judges us all with a loving and merciful heart.

For him, there is now no longer any human pain, anxiety, loneliness, the rush of daily life, the frailty of our human condition. No longer must the Lord, like the Hound of Heaven, pursue him—as He constantly pursues each one of us in life. He now possesses him fully—we pray—for Pat was baptized into Christ Jesus. Our faith teaches us that for those baptized into Christ Jesus, ''those who have died with Christ, we believe that [they] shall also live with him.'' Yes, ''the souls of the just are in the hand of God and no torment shall touch them.''

In this Mass of Christian Burial, we gather as a family to pray for him. We gather as well to console his wife Liz, his sons, daughter, daughter-in-law, his grandchildren and family. We gather in prayer to console each other.

And as we ponder the mystery of Pat's death—for death is a mystery—it is also an appropriate time for each of us to ponder the mystery of life, the mystery of his life, the mystery of life in general. For each one of us without exception, life has its ups and downs, its surprises, its victories and defeats, its happiness and loneliness. Life is a mystery which only death will ultimately reveal. As we contemplate Pat's rich life, we pray that now at last, in the company of a gracious God, he will have the answer to the challenge of his life.

In this morning's Gospel passage, Jesus told Martha that ''I am the resurrection and the life; whoever believes in me, even if he dies, will live, and everyone who lives and believes in me will never die.'' As Martha came to believe that Jesus is the Messiah, the Son of God, we ask the Lord Jesus this day, a day when we remember Pat Moynihan, to empower us to believe and live more deeply in Him, our Savior Jesus Christ, who is the resurrection and the life. In His own time, then, He will also raise us up as, in faith, we believe He raises up Pat ''for everyone who lives and believes in me will never die.''

We shall miss Pat Moynihan. How can we ever forget him? We all loved him in life, may we never forget him in death. As his extended family, let us pledge this day to pray for him, his wife and family.

May he rest in peace!

HONORING OUR ARMED FORCES

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to a young man from Iowa who lost his life in service to his country. On Monday, May 26, 2003, Private Kenneth Nalley was killed in a tragic accident on a road in Iraq. Kenny was only 19 years old. As the town of Hamburg, Iowa mourns the loss of one of its sons, I know I join many of my fellow Iowans in extending my prayers and sympathy to Kenny's family. Private Nalley is the third soldier from Iowa to be killed since the start of Operation Iraqi Freedom. His death reminds us that a great many American men and women are still putting

themselves in harm's way every day in answer to their country's call. Kenny joined the Army right out of high school in order to gain experience and further his prospects for a career in law enforcement. Like all who serve in our armed forces, he knew that meant he might be asked to risk his life to defend American interests. I salute Kenny Nalley's sense of public service, and I honor his sacrifice today. The announcement I received from the Army regarding his death said it best. It reads ''Pvt. Nalley 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.'' I ask that all my colleagues in the Senate remember Kenny Nalley today, and all those who have given their lives in the service of our great Nation.

A TEAM OF CHAMPIONS

Mr. DASCHLE. Madam President, in recent weeks, thousands of students have received their diplomas and commenced a new phase of life. For the Class of 2003 at my alma mater, one of the enduring memories will be the national championship won by our women's basketball team, and I would like to take this opportunity to recognize that outstanding accomplishment.

South Dakota is a sparsely populated State known for its vast open spaces and cold winter nights. Yet on most Fridays and Saturdays, thousands of people make the trip to Frost Arena—named not after the winter temperatures in Brookings, but after longtime coach and professor Reuben ''Jack'' Frost. Inside Frost Arena, they have come to expect some of the best basketball played in Division II of the National Collegiate Athletic Association.

This championship team came to South Dakota State University from communities—large and small, urban and rural—that dot the Upper Midwest. They arrived on campus, like so many of us, holding the highest aspirations for themselves.

In 2002, the SDSU Jackrabbits reached the Division II national semifinals. On March 29, 2003, Coach Aaron Johnston and his players won the Division II national championship with a 65–50 win over Northern Kentucky University, capping an incredible 32–3 season.

For years to come, SDSU players, fans, and students will recall the excitement of that night. Whether you recall the moment as a player on the court, a follower in the stands—or a fan who watched the game on ESPN2—the excitement of that night will long be remembered as a highlight in SDSU's history of athletic successes. Our memories of that night will forever remind us why we are proud to call ourselves Jackrabbits.

South Dakota State University, buoyed by its alumni's successes over its 122-year history, proudly boasts: ''You can go anywhere from here.'' On a basketball court in St. Joseph, MO, in front of a nationally televised audience, these individuals offered further proof that there are no limits and no boundaries to what a person can accomplish at South Dakota State.

Madam President, I ask my colleagues to join me in saluting these young women and their coaches on this remarkable achievement. I am proud to request that the 2002–2003 South Dakota State University women's basketball team's roster be recorded in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

10: Stacie Cizek, G/F, 5–10, Jr., Omaha, Nebraska; 12: Stephanie Bolden, G, 5–6, So., Marshall, Minnesota; 14: Brenda Davis, G/F, 5–11, Jr., Colton, South Dakota; 20: Heather Sieler, G, 5–6, Fr., Huron, South Dakota; 24: Megan Otte, G, 5–7, So., Grand Island, Nebraska; 30: Brooke Dickmeyer, G/F, 5–9, So., Sioux Falls, South Dakota.

34: Melissa Pater, F, 5–11, Sr., Holland, Minnesota; 40: Dianna Pavek, G/F, 5–8, So., Ivanhoe, Minnesota; 42: Shannon Schlagel, F/C, 6–0, So., Raymond, South Dakota; 50: Karly Hegge, C, 6–1, Sr., Baltic, South Dakota; 52: Sarita DeBoer, C, 6–2, So., Huron, South Dakota; 54: Christina Gilbert, C, 6–2, Fr., Stillwater, Minnesota.

Head Coach: Aaron Johnston, Assistant Coach: Laurie Melum, Graduate Assistant: Sheila Roux, Senior Women's Administrator: Nancy Neiber, Student Assistant: Jamie Nelson, Student Assistant: Chris Marquardt.

DR. DONALD FREDERICKSON

Mr. KENNEDY. Madam President, I welcome this opportunity to pay tribute to the memory of one of the best medical leaders and researchers of our time. One year ago, Dr. Donald Frederickson passed away at his home in Bethesda. Of his many achievements, he is best known to the Nation as Director of the National Institutes of Health but his contributions to medicine, especially in the field of cardiology, began much earlier.

Dr. Frederickson first joined the NIH in 1953, and he held several important research and administrative positions in the National Heart Institute, now known as the National Heart, Lung and Blood Institute, before becoming Director of NIH. At the National Heart Institute, he led the research team that discovered the connection between cholesterol and heart disease. He founded the National Heart Institute's Section on Molecular Disease, and discovered two new diseases. As Director, one of Dr. Frederickson's most notable achievements was in the field of DNA research. He skillfully mediated the early days of the dispute that still concerns us today—the dispute between those concerned with the social and ethical implications of DNA research and those who could see the potentially great benefits of these discoveries. As a result of mediation, NIH was able to develop guidelines for DNA research that met the needs of both groups.

After leaving the NIH in 1981, Dr. Frederickson served on numerous boards and panels, in addition to serving as President of the Institute of Medicine of the National Academy of Sciences and Scholar-in-Residence at the National Library of Medicine.

Throughout his career, Dr. Frederickson was highly respected in both medicine and government. The current NIH Director, Dr. Elias Zerhouni, called him ''a true statesman of science'' and ''a towering influence in the scientific community.''

Donald Frederickson's brilliant contributions to modern medicine will live forever. He was a giant of medical research with an extraordinary ability to see a better and brighter future, and lay the groundwork to make it happen, and we will never forget him.

IN HONOR OF DR. JUDITH A. RYAN

Mr. DASCHLE. Madam President, on July 2, 2003, after many years of service, Dr. Judith A. Ryan of Sioux Falls, SD, will retire from her position as President and Chief Executive Officer of the Evangelical Lutheran Good Samaritan Society. Today I want to congratulate Dr. Ryan on her upcoming retirement and thank her for her many years of service.

The Evangelical Lutheran Good Samaritan Society began partnering with church leaders in small, rural communities in the early 1920s, responding to the call to care for vulnerable populations—those who had no other options for care and no one to care for them. Today, the Good Samaritan Society, headquartered in Sioux Falls, owns or manages facilities in 25 States, employs 24,000 staff members, and serves more than 28,000 residents.

I thank Dr. Ryan for her sterling management of this wonderful organization. Her long career as a health executive is distinguished by her commitment to excellence and her untiring efforts on behalf of America's senior population. South Dakota has been fortunate to have such an advocate and leader.

Dr. Ryan's career is impressive. Prior to assuming her position as CEO of the Nation's largest not-for-profit long-term care and retirement system, she served as Chief Executive Officer of the American Nurses Association; Senior Vice President of Lutheran General Health System in Park Ridge, IL; Associate Director of the University of Iowa Hospitals and Clinics; and Associate Dean for the University of Iowa College of Nursing.

Recognized for her work in the field of long-term health care, Dr. Ryan earned international recognition and was invited by the Danish Nurses Association to learn about emerging models of care in rural communities. Upon her return, she shared her insights at the National Rural Health Association's Annual Conference. Her presentation at that conference was entitled, ''A Call for Renaissance: The Small Town

as Continuous Care Retirement Community.''

Dr. Ryan has served on numerous public policy and professional boards and recently participated as a member of the Health and Human Services Advisory Committee on Regulatory Reform. The committee made recommendations to the Secretary regarding potential regulatory changes that would reduce costs associated with departmental regulations and at the same time, maintain or enhance effectiveness, efficiency, impact, and accessibility.

Dr. Ryan's past achievements and continuing interests provide evidence of her commitment to excellence and her advocacy on issues facing the elderly and their caregivers. I join her many friends and professional colleagues in extending thanks for her previous work and best wishes for her next endeavor.

A FREE ZIMBABWE

Mr. FEINGOLD. Madam President, today I draw my colleagues' attention to the situation in Zimbabwe, where courageous citizens continue to protest the political repression and economic collapse that have plunged their country into crisis.

Since 2000, President Mugabe has made a series of decisions intended to tighten his grip on power regardless of the cost to the country, trampling on the independence of the judiciary, harassing the independent media, manipulating the political process, intimidating opposition supporters, destroying the economy, and exacerbating a food crisis. A very real and legitimate issue—the need for meaningful land reform—was for a time employed as a fig leaf for the regime. But it has long been clear that this government is not interested in justice, only in power.

Last week's general strike has been the latest manifestation of public dissatisfaction. Reports from the region indicate that security forces are violently suppressing efforts to demonstrate in the streets, using rubber clubs, rifle butts, water cannons, tear gas, and live ammunition to disperse crowds, according to the Associated Press. Some 300 people have been arrested, including opposition parliamentarians. At this difficult time, it is important that the people of Zimbabwe know that the world is watching, and that like the Zimbabweans demanding change, the international community has not lost hope for the country.

I was proud to work with the distinguished majority leader, Senator FRIST, on the Zimbabwe Democracy and Economic Recovery Act, a bill which was passed into law in the last Congress. This legislation makes it clear that when the rule of law is restored in Zimbabwe, and when the civil and political rights of citizens are respected, the United States will come forward to help the country recover, rebuild. We will continue to fight the AIDS pandemic that is taking such a terrible toll on Zimbabwean society. I look forward to the day when we can follow through on that commitment, Mr. President, and help Zimbabwe to realize its tremendous potential as an engine of growth and model of participatory democracy in the region. Time after time, news reports confirm that Zimbabwe is full of patriots—citizens who refuse to allow their country to be hijacked by a self-serving cabal, independent journalists who risk torture when they seek to report the truth rather than the ruling party line, parents who want their children to grow up in a Zimbabwe free from repression and corruption. These people deserve our support and our admiration.

NATIONAL SMALL CITIES DAY

Mr. DASCHLE. Madam President, the National League of Cities, led by Mayor Brenda Barger of Watertown, SD, has designated, June 20, 2003, as the third annual National Small Cities Day to call attention to the role of small cities and towns in American life.

The vast majority of cities throughout our Nation have populations of fewer than 50,000 people. These communities play an essential role in nurturing families, cultivating values, building a strong sense of commitment and connection, and ensuring safety and security.

Millions of Americans live better lives because small cities and towns provide services and programs that meet the needs of their citizens. Particularly during these difficult times in our Nation's history, these Americans have looked to the leaders of their small communities to ensure their safety and security. Partnering with other levels of government, small cities work hard to provide helpful and reliable information about national issues affecting hometown America, and to maintain confidence in our American way of life. Often, they carry out their vital responsibilities with limited staff and tight budgets but with enormous good will and close connections to the citizens they serve every day. The leaders of the Nation's small cities and towns are indeed on the front lines in addressing many of our Nation's most pressing problems.

Businesses, civic organizations, and citizens across the Nation are partners in strengthening hometown America, and must be encouraged to continue to support efforts that make these cities and towns such great places to live. The Federal Government, too, must continue to be a good partner by funding important Federal programs that support small cities and towns such as the Community Development Block Grant Program, the Community Oriented Policing Services Program, and local and regional homeland security planning and preparedness.

We must continue to work together and look for ways to further strengthen our small cities and towns through creativity, innovation, and, above all, collaboration. I join the National League of Cities and the Small Cities Council in encouraging President Bush, my congressional colleagues, State governments, community organizations, businesses, and citizens to honor the efforts of ''small town America'' and renew our commitment to work together on this day and in the future to strengthen our small cities and towns, and to recognize their essential role in our intergovernmental partnership.

CONFLICT IN THE CONGO

Mr. FEINGOLD. Madam President, I rise today to call my colleagues' attention to the situation in the Democratic Republic of the Congo's Ituri Province. Recently, international attention has been focused on the alarming ethic violence in the region, where thousands have been killed in the past year. Credible reports suggest that over 50,000 people have died in Ituri since 1999, and a half a million more have been displaced. For years, this horror was lost in the larger tragedy of Congo's conflict, in which over 4 million people are estimated to have lost their lives.

Clashes between Hema and Lendu militia forces in Ituri escalated recently as external actors fuel the fire with increasingly sophisticated arms and support, essentially waging proxy wars at the expense of Congolese civilians. The reports from the region are truly appalling, featuring horrific murders, mutilation, cannibalism, rape, and the use of child soldiers. The U.N. peacekeeping mission in Congo, which has no mandate or capacity to enforce peace, has been reduced to struggling to to protect the civilians who have fled in desperation to U.N. sites in Bunia, but their capabilities are severely limited, and most civilians frantically searching for help and security are left with no help at all.

Congo's suffering is more than a humanitarian crisis. It is a massively destabilizing force in Africa. The war has drawn in other states and provided lucrative opportunities for international criminals. We cannot forget that our security is at risk when these shadowy forces are making gains.

The pattern of massive human rights abuses and constant destabilization has to stop. I recently offered an amendment to the foreign assistance authorization bill in the Foreign Relations Committee designed to bolster U.S. support for activities in central Africa aimed at pursuing justice and accountability, deterring abuses, and holding those responsible for such abuses accountable for their actions. That is one small step toward a constructive policy in the region over the long-term. But with regard to Ituri, the U.S. must take action urgently today.

On May 30, the U.N. Security Council passed a resolution authorizing the Secretary-General to reinforce the U.N. peacekeeping mission in the northeastern town of Bunia. France has

agreed to lead the multinational force, and while our relationship with France has certainly not been an easy one lately, their leadership on this issue is admirable. The United States should provide all appropriate assistance to this mission, and I am grateful to be joined by Senator ALEXANDER, Senator BIDEN, and Senator LUGAR in making that point clear in communications to the administration.

We have spent a great deal on MONUC to date, but if we do not take action to defuse this explosive situation, if we stand by and let militia forces rip apart the province in a struggle for power and mineral wealth, then I am at a loss as to how to explain this investment. The U.S. must also work closely with other international actors to move forward on a process of disarmament and a meaningful political solution to the conflict, so that the respite that may be offered by this new force is not short-lived. Perhaps most importantly, the U.S. must take concrete steps to insist that the government in Kinshasa and the governments of Rwanda and Uganda stop use their influence with the parties to stop the violence. We cannot simply stand by, reading reports of grotesque violence and massive suffering, and claim that there is nothing we can do. There is actually a great deal of work to be done. We should start today.

ADDITIONAL STATEMENTS

TRIBUTE TO RUTH EVANS

● Mr. BUNNING. Madam President, I wish to pay tribute to Ruth Evans of Henderson, KY, for her selfless devotion to Kentucky's youth. Ruth received the Excellence in Service award from the Kentucky Cabinet for Families and Children for her relentless service as a foster parent.

Representing the Green River Region, Ruth Evans along with her late husband, George, began providing a safe home to children in need 22 years ago and have done so without any prejudice towards the foster child's background, personality or disability. To date she is credited with raising 250 foster children in addition to the eight children of her own. Her love of children and her dedication to ensuring that every child receives the best opportunity to succeed has been the backbone of her service as a foster parent.

While receiving the Excellence in Service award is a wonderful honor for Ruth, she says her greatest reward for her efforts are the occasional visits she receives from former foster children who return as adults with children of their own to share their lives with her. Some foster children come to Ruth neglected and abused but all have had the opportunity to learn and grow in a safe environment.

Ruth's faith in God has been a guiding force during her years spent as a foster parent. As the father of nine children and the grandfather of many more, including some adopted children, I am inspired by Ruth's example. Her efforts have made all the difference in the lives of so many and she has helped make Kentucky a better place to live. Parents and foster parents alike throughout Kentucky and across America should emulate her example. I thank the Senate for allowing me to recognize Ruth and voice her praises. She is Kentucky at its finest.●

CONGRATULATING FOSTERS DAILY DEMOCRAT ON 130 YEARS OF SERVICE TO NEW HAMPSHIRE'S SEACOAST

● Mr. GREGG. Madam President, I rise today to pay tribute to a proud New Hampshire institution celebrating an important milestone this year. For 130 years, Fosters Daily Democrat, a now daily newspaper serving the people of the city of Dover and New Hampshire's seacoast region, has provided exceptional coverage of local and State news. Since its founding by Joshua L. Foster, the paper has remained under the ownership and direction of the Foster family and is the only daily newspaper in our Nation displaying a family name in its banner.

In order to understand the significance of the milestone Fosters is celebrating this month, it is important to recognize just how much news the publishers, editors and reporters have witnessed and brought to the Dover area since June of 1863. The 1860 census lists a little over 8,500 Dover residents. Today the city is proud to have nearly 27,000 residents. During its first decade, Fosters witnessed a time of tremendous production and growth in the Cocheco Print Works and Pacific Mills, two the most important employers in town. The Mills, which harnessed the power of the Cocheco River, produced some of the finest cotton products in the nation and employed 1,200 workers. The Print Works was churning out in excess of 65 million yards of printed cottons a year to an increasingly global market.

In addition to reporting on the area's growth and prosperity, Fosters also brought one of the worst disasters in the history of the city to its readers—the great flood of March 1896. As any New Hampshire resident knows, tremendous amounts of rain in the early spring aided by melting snow from the previous winter, causes flooding. This was certainly true on March 1 and 2 that year when the city lost three bridges, numerous businesses, and incurred tens of thousands of dollars in economic hardship to a deluge that caused raging currents and swept large chunks of ice into the middle of town. Fosters was on hand to cover it all.

When President Theodore Roosevelt visited Dover in 1902, Fosters was there. When 545 residents of Dover served in World War I, Fosters brought their stories to New Hampshire, and again in World War II when 2230 Dover residents fought to defend our Nation. And in 1973, when Dover, the oldest continuous settlement in New Hampshire, and seventh oldest city in the United States, marked its 350th birthday, Fosters Daily Democrat marked 100 years of publishing. Since the middle of the 20th century it has followed countless Presidential candidates trudging through our State in the cold and snow. Fosters Daily Democrat has been there every step of the way to make sure its readers stay informed and in touch with issues that concern them.

In addition to its coverage of events in and around the Dover area, the paper also brings its readers coverage of national and world events, including the war on terror. In a recent editorial, March 29, Fosters cautioned its readers to be wary of folks ''who seek mightily to undermine the American way of life and their intent to perpetrate atrocities against innocent people either directly or by aiding and abetting those who would carry out such deeds.'' Today, the paper holds true to the words of its original editor, Joshua Foster, who in the first editorial published in June 1873 pledged that, ''Whatever may tend to benefit this people and enhance their prosperity, will receive our warm and enthusiastic support.''

For 130 years, five generations of the Foster family, currently led by Bob and Terri Foster, have brought news from Dover City Hall, the New Hampshire Statehouse and locations around the globe to the front porches of New Hampshire's seacoast. On this special anniversary I sincerely congratulate them on the tremendous job they continue to do, thank them for the important public service they perform, and wish them the best of luck in the future.●

LOCAL LAW ENFORCEMENT ACT OF 2003

● Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in Mesquite, TX. On October 4, 2001, Vasudev Patel, a 49-year-old Indian gas station owner, was shot to death during an armed robbery. His killer told police that he was motivated by vengeance for the terrorist attacks as he allegedly had lost a relative in the World Trade Center. A security camera recorded the armed man walking into the station, ordering the owner to give him all of the money before shooting him. Unable to open the cash register, however, the man fled without taking any of the money.

I believe that government's first duty is to defend its citizens, to defend them

against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.●

TRIBUTE TO OPERATION BLESSING

● Mr. BUNNING. Madam President, I rise today to honor and pay tribute to all involved in organizing Operation Blessing. Operation Blessing was an event hosted by seven churches for the families of the 159th Aviation Brigade at Fort Campbell, KY which took place on May 3, 2003. It was a work of charity and compassion for which all those involved are certainly deserving of thanks and respect.

David Mudd of God's Outreach, Inc. in Owensboro, KY, led the organization of the event working closely with other community and church leaders, including Mrs. Allison Bird of Fort Campbell; Pastor Troy Oakley of World Destiny Church in Hopkinsville; Pastor Roy Ellis of Christian Assembly Church in Madisonville; Pastor Cleddie Keith of Heritage Assembly of God in Florence; Pastor Louis Embry of Christ Community Church in Hopkinsville; Pastor Tim and Linda Rigdon of New Covenant Church in Providence; Pastor Garswa Matally of Wing Avenue Baptist Church in Owensboro; Pastor Sammy Wilson of Word and Spirit Church in Owensboro; Don Boyd of Bethel Church in McDaniels; Steve Kukul of the Lipton Corporation in Owensboro; and Pastor David Pry of River Outreach Ministries in Evansville, IN.

These men and women raised a lot of needed items and services for the families of the 159th Aviation Brigade, ranging from washing machines and furniture to live music and good company and fellowship. There was a raffle to distribute bicycles and helmets for children of the 159th and 17,000 pounds of food was distributed to the military families. Many of the members of the pastors' congregations came from all around the Commonwealth for fellowship with the families of deployed soldiers and to volunteer their time and services. The most important gift Operation Blessing gave was the reassurance that the sacrifices soldiers and their families make do not go unnoticed or unappreciated.

Operation Blessing was a shining example of love of country and of compassion for our fellow soldiers. These women and men demonstrated that America treats her soldiers and their families with much deserved respect and due honor. They are to be highly commended for their acts of charity and their example should be noted and followed by all.

I thank the Senate for allowing me to recognize Operation Blessing and the sacrifices of the 159th Aviation Brigade and their families. Those who made this charitable event successful and those military families who stand by and support our soldiers in harm's way fighting for our freedom are truly humble and patriotic Americans.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1215. A bill to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2596. A communication from the Assistant General Counsel, Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Tenant Participation in State-Financed, HUD-Assisted Housing Developments (RIN 2502–AH55) (FR–4611–F–02)'' received on May 20, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC–2597. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Opiod Drugs in Maintenance and Detoxification Treatment of Oxicate Addictions; Addition of Buprenoxyphine and Buprenorphine Combination to list of Approved Opioip Treatment Medications (0910–AA52)'' received on May 21, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC–2598. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans, Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' received on May 20, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC–2599. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report relative to the future supply of long-term care workers, received on May 20, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC–2600. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the report relative to constitutional concerns about the ''Museum and Library Services Act of 2003'' received on June 1, 2003; to the Committee on Health , Education, Labor, and Pensions.

EC–2601. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Fiscal Year 2003–2008 Strategic Plan of the Department of Housing and Urban Development, received on May 20, 2003; to the Committee on Health , Education, Labor, and Pensions.

EC–2602. A communication from the White House Liaison, Department of Health and Human Services, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Assistant Secretary for Budget, Technology and Finance, received on May 20, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC–2603. A communication from the Office of the White House Liaison, Department of Education transmitting, pursuant to law, the report of a Vacancy for the position Assistant Secretary for the Office of Elementary and Secondary Education, received on May 20, 2003; to the Committee on Health, Education, Labor, and Pensions.

EC–2604. A communication from the President of the United States, transmitting, pursuant to law, the report relative to the national emergency declared by Executive Order 13222 of August 17 , 2001, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, received on June 1, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–2605. A communication from the President of the United States, transmitting, pursuant to law, the report relative to terminating the national emergencies declared in Executive Order 12808 of May 30, 1992 and Executive Order 13088 of June 9, 1998, with respect to the former Socialist Federal Republic of Yugoslavia and revokes those and all related orders, received on June 1, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–2606. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to South Africa, received on May 20, 2003; to the Committee on Foreign Relations.

EC–2608. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of 50 ,000,000 or more to United Arab Emirates; to the Committee on Foreign Relations.

EC–2609. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to Japan, received on June 1, 2003; to the Committee on Foreign Relations.

EC–2610. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a

certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad to Norway, received on May 20, 2003; to the Committee on Foreign Relations.

EC–2611. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of major defense equipment and defense articles in the amount of $14,000,000 or more to the Republic of Korea, received on May 27, 2003; to the Committee on Foreign Relations.

EC–2612. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of major defense equipment and defense articles in the amount of $50,000,000 or more to Mexico, received on May 27, 2003; to the Committee on Foreign Relations.

EC–2613. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of major defense equipment and defense articles in the amount of $50,000,000 or more to United Arab Emirates and Canada, received on May 27, 2003; to the Committee on Foreign Relations.

EC–2614. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacturing of significant military equipment abroad and the export of defense articles or defense services in the amount of $100,000,000 or more to Italy, received on May 20, 2003; to the Committee on Foreign Relations.

EC–2615. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Foreign Relations Authorization Act, the report concerning efforts made by the United Nations and UN Specialized Agencies to employ an adequate number of Americans during 2002, received on May 27, 2003; to the Committee on Foreign Relations.

EC–2616. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Small Business Regulatory Enforcement Fairness ACT of 1996, the report concerning an amendment to Title 22 of the Code of Federal Regulations, received on June 1, 2003; to the Committee on Foreign Relations.

EC–2617. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report relative to international agreements other than treaties entered into by the United States under the Case-Zablocki Act with Ethiopia, Russia and Japan, received on June 1, 2003; to the Committee on Foreign Relations.

EC–2618. A communication from the Acting Chief Counsel, Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''31 CFR Part 575—Authorization of Non-Commercial Funds Transfers and Related Transactions, Activities by the U.S. Government and its Contractors or Grantees, Privately Financed Humanitarian Transactions, and Certain Exports and Reexports to Iraq'' received on May 21, 2003; to the Committee on Foreign Relations.

EC–2619. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report entitled ''Development Assistance and Child Survival and Health Programs Fund Program Allocations—FY 2003'' received on May 20, 2003; to the Committee on Foreign Relations.

EC–2620. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the report relative to the temporary suspensions of operations of the Peace Corps in Morocco and China, received on May 27, 2003; to the Committee on Foreign Relations.

EC–2621. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of Defense articles or defense services in the amount of $100,000,000 or more to Poland, received on May 27, 2003; to the Committee on Foreign Relations.

EC–2622. A communication from the Director, National Science Foundation, transmitting, pursuant to law, the 2003 Annual Report of the National Oceanographic Partnership Program (NOPP), received on May 21, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2623. A communication from the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Metal-Cored Candlewicks Containing Lead and Candles With Such Wicks (FR Doc. 03–9255, 68 FR 19142)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2624. A communication from the General Counsel, Department of Commerce, transmitting, pursuant to law, the report of a draft bill to amend the Communications Act of 1934 to provide the Federal Communications Commission with permanents authority to auction spectrum licenses and new authority to charge fees for unauctioned spectrum licenses and construction permits, received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2625. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Notification of Arrival in U.S. Ports (USCG–2002–11865)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2626. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; (Including 3 Regulations) [CGD01–03–042] [CGD08–03–022] [CGD08–03–023] (RIN 1625–AA09) (2003–0014)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2627. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Fort Vancouver Fireworks Display; Columbia River, Vancouver, Washington (CGD13–03–001) (1625–AA00) (2003–0020)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2628. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regatta and Marine Parade Regulations; SLR; Patuxent River, Solomons, Maryland (CGD05–03–048) (1625–AA08) (2003–0004)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2629. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations: Colorado River, Between Davis Dam and Laughlin Bridge (This section of the Colorado River Divides Arizona and Nevada) [COTP San Diego 03–019]'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2630. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area: Des Plaines River, Joliet, Illinois (CGD09–03–214) (1625–AA11) (2003–0006)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2631. A communication from the Assistant Chief Counsel, Regulations, Office of the Chief Counsel, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Temporary Suspension of the September 11th Security Fee and the Aviation Security Infrastructure Fee (RIN 1652–AA29)'' received on May 27, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2632. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; 2003 Management Measures (0648–AQ17) (I.D. 042503A)'' received on June 1, 2003; to the Committee on Commerce, Science, and Transportation.

EC–2633. A communication from the President of the United States, transmitting, pursuant to law, a document relative to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Trade Act of 1974 to Vietnam, received on June 1, 2003; to the Committee on Finance.

EC–2634. A communication from the President of the United States, transmitting, pursuant to law, a document relative to the continuation of a waiver of application of subsections (a) and (b) of section 402 of the Trade Act of 1974 to Belarus, received on June 1, 2003; to the Committee on Finance.

EC–2635. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled ''Determinants of Increases in Medicare Expenditure for Physicians' Services''; to the Committee on Finance.

EC–2636. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report relative to the evaluation of the Community Nursing Organization (CNO) demonstration; to the Committee on Finance.

EC–2637. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report entitled ''Determinations of Increases in Medicare Expenditure for Physicians Services''; to the Committee on Finance.

EC–2638. A communication from the Director, Human Resources Management, Department of Energy, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary for Nuclear Security, Department of Energy; to the Committee on Armed Services.

EC–2639. A communication from the Acting Secretary of Navy, transmitting, pursuant to law, the report to notify of plans to donate the submarine ex-CAVALLA (AGSS 244) and the Destroyer escort ex-STEWART (DE 238) to the Park Board of the City of Galveston, TX, and the Cavalla Historical Foundation, received on May 27, 2003; to the Committee on Armed Services.

EC–2640. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, the report entitled ''Capabilities of the Test and Evaluation Workforce of the Department of Defense'' received on May 21, 2003; to the Committee on Armed Services.

EC–2641. A communication from the Under Secretary of Defense, Personal and Readiness, transmitting, pursuant to law, the report relative to the implementation plan for the ''National Call to Service'' program, received on May 20, 2003; to the Committee on Armed Services.

EC–2642. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, the final report on the development and implementation of regulations to improve privacy protections of medical records held by the Department of Defense; to the Committee on Armed Services.

EC–2643. A communication from the Under Secretary of Defense, Personal and Readiness, transmitting, pursuant to law, the annual report on entitlement transfers to basic educational assistance to eligible dependants under the Montgomery GI Bill (MGIB); to the Committee on Armed Services.

EC–2644. A communication from the Under Secretary of Defense, Personal and Readiness, transmitting, pursuant to law, the report of a retirement, received on May 27, 2003; to the Committee on Armed Services.

EC–2645. A communication from the Under Secretary of Defense, Personal and Readiness, transmitting, pursuant to law, the report of a retirement, received on May 27, 2003; to the Committee on Armed Services.

EC–2646. A communication from the Under Secretary of Defense, Personal and Readiness, transmitting, pursuant to law, the report of a retirement, received on May 27, 2003; to the Committee on Armed Services.

EC–2647. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of Defense (Special Operations/Low Intensity Conflict), Department of Defense, received on June 1, 2003; to the Committee on Armed Services.

EC–2648. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Secretary of the Navy, received on May 20, 2003; to the Committee on Armed Services.

EC–2649. A communication from the Secretary of Defense, transmitting, pursuant to law, the report relative to the Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States and the Government of Slovakia claimed costs, received June 1, 2003; to the Committee on Armed Services.

EC–2650. A communication from the Under Secretary of Defense, Comptroller, transmitting, pursuant to law, the quarterly report entitled ''Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account'' received on June 1, 2003; to the Committee on Armed Services.

EC–2651. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, the report entitled ''Report on Activities and Programs for Countering Proliferation and NBC Terrorism'' received on May 27, 2003; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GREGG, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 239. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes (Rept. No. 108–59).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with amendments:

S. 246. A bill to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico (Rept. No. 108–60).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 500. A bill to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era (Rept. No. 108–61).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

S. 520. A bill to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho (Rept. No. 108–62).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment:

S. 625. A bill to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, and for other purposes (Rept. No. 108–63).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 635. A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes (Rept. No. 108–64).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 519. A bill to authorize the Secretary of the Interior to conduct a study of the San Gabriel River Watershed, and for other purposes (Rept. No. 108–65).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 733. A bill to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System, and for other purposes (Rept. No. 108–66).

By Mr. DOMENICI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 788. A bill to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona (Rept. No. 108–67).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOND:

S. 1206. A bill to amend title XVIII of the Social Security Act to provide for special treatment for certain drugs and biologicals under the prospective payment system for hospital outpatient department services under the medicare program; to the Committee on Finance.

By Mr. TALENT:

S. 1207. A bill to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the ''Walt Disney Post Office Building''; to the Committee on Governmental Affairs.

By Ms. COLLINS (for herself and Mr. REED):

S. 1208. A bill to amend the Cooperative Forestry Assistance Act of 1978 to establish a program to provide assistance to States and nonprofit organizations to preserve suburban forest land and open space and contain suburban sprawl, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNETT:

S. 1209. A bill to provide for the acquisition of property in Washington County, Utah, for implementation of a desert tortoise habitat conservation plan; to the Committee on Energy and Natural Resources.

By Mr. JEFFORDS (for himself and Mr. VOINOVICH):

S. 1210. A bill to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries; to the Committee on Energy and Natural Resources.

By Mr. DOMENICI:

S. 1211. A bill to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the ''Reclamation Wastewater and Groundwater Study and Facilities Act'', by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. CLINTON (for herself, Mr. SPECTER, and Mr. JOHNSON):

S. 1212. A bill to identify certain sites as key resources for protection by the Directorate for Information Analysis and Infrastructure Protection of the Department of Homeland Security, and for other purposes; to the Select Committee on Intelligence.

By Mr. SPECTER (by request):

S. 1213. A bill to amend title 38, United States Code, to enhance the ability of the Department of Veterans Affairs to improve benefits for Filipino veterans of World War II and survivors of such veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MIKULSKI (for herself, Mrs. CLINTON, Mr. CORZINE, Mr. SARBANES, Mr. JOHNSON, Mr. LAUTENBERG, Mrs. MURRAY, Mr. KENNEDY, Ms. LANDRIEU, Mr. DAYTON, and Mr. HARKIN):

S. 1214. A bill to provide a partially refundable tax credit for caregiving related expenses; to the Committee on Finance.

By Mr. McCONNELL:

S. 1215. A bill to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes; read the first time.

By Mr. SCHUMER (for himself and Mrs. BOXER):

S. 1216. A bill to improve wireless telephone service, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ENZI (for himself and Ms. MIKULSKI):

S. 1217. A bill to direct the Secretary of Health and Human Services to expand and

intensify programs with respect to research and related activities concerning elder falls; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. CLINTON (for herself, Ms. COLLINS, Mrs. MURRAY, Mr. KENNEDY, and Ms. CANTWELL):

S. Res. 162. A resolution honoring tradeswomen; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TALENT:

S. Con. Res. 50. A concurrent resolution expressing the sense of Congress that there should be established a National Truck Safety Month to raise public awareness about the contributions, responsibilities, and needs of truck drivers to make the Nation's highways safer; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Mr. LOTT):

S. Con. Res. 51. A concurrent resolution commending Medgar Wiley Evers and his widow, Myrlie Evers-Williams for their lives and accomplishments, designating a Medgar Evers National Week of Remembrance, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 98

At the request of Mr. ALLARD, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 98, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States, to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 202

At the request of Mr. DEWINE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 202, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income that deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 253

At the request of Mr. CAMPBELL, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 253, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

S. 310

At the request of Mr. THOMAS, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 310, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the medicare program, and for other purposes.

S. 349

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 349, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 374

At the request of Mr. BAUCUS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 374, a bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer.

S. 387

At the request of Mrs. LINCOLN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 387, a bill to amend title XVIII of the Social Security Act to extend the eligibility periods for geriatric graduate medical education, to permit the expansion of medical residency training programs in geriatric medicine, to provide for reimbursement of care coordination and assessment services provided under the medicare program, and for other purposes.

S. 392

At the request of Mr. REID, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 392, a bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability.

S. 493

At the request of Mrs. LINCOLN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 493, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 504

At the request of Mr. ALEXANDER, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 504, a bill to establish academics for teachers and students of American history and civics and a national alliance of teachers of American history and civics, and for other purposes.

S. 518

At the request of Ms. COLLINS, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 518, a bill to increase the supply of pancreatic islet cells for research, to provide better coordination of Federal efforts and information on islet cell transplantation, and to collect the data necessary to move islet cell transplantation from an experimental procedure to a standard therapy.

S. 545

At the request of Ms. SNOWE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 545, a bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

S. 564

At the request of Ms. LANDRIEU, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 564, a bill to facilitate the deployment of wireless telecommunications networks in order to further the availability of the Emergency Alert System, and for other purposes.

S. 583

At the request of Mrs. HUTCHISON, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 583, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such disease.

S. 589

At the request of Mr. AKAKA, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 589, a bill to strengthen and improve the management of national security, encourage Government service in areas of critical national security, and to assist government agencies in addressing deficiencies in personnel possessing specialized skills important to national security and incorporating the goals and strategies for recruitment and retention for such skilled personnel into the strategic and performance management systems of Federal agencies.

S. 623

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 636

At the request of Ms. COLLINS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 636, a bill to amend title XVIII of the Social Security Act to provide for a permanent increase in medicare payments for home health services that are furnished in rural areas.

S. 648

At the request of Mr. REED, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 648, a bill to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy.

S. 678

At the request of Mr. AKAKA, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 678, a bill to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes.

S. 695

At the request of Ms. COLLINS, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 695, a bill to amend the Internal Revenue Code of 1986 to increase the above-the-line deduction for teacher classroom supplies and to expand such deduction to include qualified professional development expenses.

S. 729

At the request of Mr. COLEMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 729, a bill to amend the Internal Revenue Code of 1986 to establish a pilot program to encourage the use of medical savings accounts by public employees of the State of Minnesota and political jurisdictions thereof.

S. 852

At the request of Mr. LEAHY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 852, a bill to amend title 10, United States Code, to provide limited TRICARE program eligibility for members of the Ready Reserve of the Armed Forces, to provide financial support for continuation of health insurance for mobilized members of reserve components of the Armed Forces, and for other purposes.

S. 888

At the request of Mr. GREGG, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Georgia (Mr. MILLER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 888, a bill to reauthorize the Museum and Library Services Act, and for other purposes.

S. 890

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 890, a bill to amend the Individuals with Disabilities Education Act to provide grants to State educational agencies to establish high cost funds from which local educational agencies are paid a percentage of the costs of providing a free appropriate public education to high need children and other high costs associated with educating children with disabilities, and for other purposes.

S. 899

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from New Jersey (Mr. CORZINE), and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 899, a bill to amend title XVIII of the Social Security Act to restore the full market basket percentage increase applied to payments to hospitals for inpatient hospital services furnished to medicare beneficiaries, and for other purposes.

S. 915

At the request of Mr. ALEXANDER, the names of the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 915, a bill to authorize appropriations for fiscal years 2004, 2005, 2006, 2007, and 2008 for the Department of Energy Office of Science, to ensure that the United States is the world leader in key scientific fields by restoring a healthy balance of science funding, to ensure maximum use of the national user facilities, and to secure the Nation's supply of scientists for the 21st century, and for other purposes.

S. 926

At the request of Mr. VOINOVICH, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 926, a bill to amend section 5379 of title 5, United States Code, to increase the annual and aggregate limits on student loan repayments by Federal agencies.

S. 937

At the request of Mr. VOINOVICH, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 937, a bill to reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 939

At the request of Mr. HAGEL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 939, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part, to provide an exception to the local maintenance of effort requirements, and for other purposes.

S. 950

At the request of Mr. ENZI, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 950, a bill to allow travel between the United States and Cuba.

S. 971

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 971, a bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes.

S. 979

At the request of Mr. ENSIGN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 979, a bill to direct the Securities and Exchange Commission to require enhanced disclosures of employee stock options, to require a study on the economic impact of broad-based employee stock option plans, and for other purposes.

S. 982

At the request of Mr. SANTORUM, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S. 988

At the request of Mr. COLEMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 988, a bill to amend the Workforce Investment Act of 1998 to provide for a job training grant pilot program.

S. 1046

At the request of Mr. HOLLINGS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1060

At the request of Mr. MCCAIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1060, a bill to designate the visitors' center at Organ Piper Cactus National Monument, Arizona, as the ''Kris Eggle Visitors' Center.''

S. 1076

At the request of Mr. HAGEL, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1076, a bill to authorize construction of an education center at or near the Vietnam Veterans Memorial.

S. 1108

At the request of Mrs. CLINTON, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1108, a bill to establish within the National Park Service the 225th Anniversary of the American Revolution Commemorative Program, and for other purposes.

S. 1120

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1120, a bill to establish an Office of Trade Adjustment Assistance, and for other purposes.

S. 1121

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1121, a bill to extend certain trade benefits to countries of the greater Middle East.

S. 1127

At the request of Ms. STABENOW, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1127, a bill to establish administrative law judges involved in the appeals process provided for under the medicare program under title XVIII of the

Social Security Act within the Department of Health and Human Services, to ensure the independence of, and preserve the role of, such administrative law judges, and for other purposes.

S. 1182

At the request of Mr. MCCONNELL, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Maine (Ms. COLLINS), the Senator from Nebraska (Mr. HAGEL), and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1182, a bill to sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

S. 1182

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1182, supra.

S. 1182

At the request of Mrs. FEINSTEIN, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Delaware (Mr. BIDEN), and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 1182, supra.

S. 1185

At the request of Mr. THOMAS, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Idaho (Mr. CRAPO), the Senator from Vermont (Mr. JEFFORDS), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1185, a bill to amend title XVIII of the Social Security Act and the Public Health Service Act to improve outpatient health care for medicare beneficiaries who reside in rural areas, and for other purposes.

S. CON. RES. 48

At the request of Mrs. LINCOLN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution supporting the goals and ideals of ''National Epilepsy Awareness Month'' and urging funding for epilepsy research and service programs.

S. RES. 159

At the request of Mr. PRYOR, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 159, a resolution expressing the sense of the Senate that the June 2, 2003, ruling of the Federal Communications Commission weakening the Nation's media ownership rules is not in the public interest and should be rescinded.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND:

S. 1206. A bill to amend title XVIII of the Social Security Act to provide for special treatment for certain drugs and biologicals under the prospective payment system for hospital outpatient department services under the medicare program; to the Committee on Finance.

Mr. BOND. Mr. President, today I rise to introduce a bill that will ensure that cancer patients continue to have access to the treatment and care they desperately need in their communities.

In Missouri alone, the number of new cancer patients is estimated to reach almost 30,000 this year. For the Nation, we're talking well over 1.3 million. And the numbers continue to climb every year. These numbers are in addition to patients currently living with cancer. Many of them are surviving—and thriving—because of new tests, new treatments, and care they receive in community cancer centers across the country.

Many of these patients will turn to hospitals in their communities for lifesaving treatment. Hospital outpatient departments are a critical part of the cancer care delivery system that provide a significant portion of the cancer care across the country.

However, this vital care is in jeopardy because this year, the Centers for Medicare and Medicaid Services, CMS, has implemented drastic reductions in reimbursements for cancer services, including chemotherapy. These cuts are forcing cancer centers across the country to reconsider how they are providing care or accept reimbursement that fails to cover their costs.

I was recently contacted by Wes Thompson, Director of Radiology at Ray County Memorial Hospital in Richmond, MO. For those of you unfamiliar with Missouri, Richmond is a small town with a population of about 6,100 approximately 50 miles east of Kansas City. Ray County Memorial Hospital is the sole referral center for chemotherapy treatment for the rural residents outside of Kansas City.

In 1999, Wes' wife died of cancer at the age of 26. She happened to be a patient of the pharmacist, Robert Courtney, who has been convicted of diluting thousands of chemotherapy treatments for profit over the last several years. Wes will be receiving a monetary settlement from the legal proceeding involving Robert Courtney and he would like to donate it to the Ray County's oncology program in his wife's name. Unfortunately, cuts in reimbursements by Medicare for chemotherapy treatment will force Ray County Memorial Hospital to discontinue outpatient cancer treatment on January 1, 2004. And, that is devastating news to the community.

This is a department that treats over 250 patients a year across three counties. 60–70 percent of their patients are Medicare beneficiaries and about 40 percent of their patients are indigent. Many of these cancer patients would receive no care at all if Ray County Memorial closed the doors of the cancer program. And yet, that's exactly what they are considering. Their cancer program can't stay afloat when every chemotherapy treatment they give is reimbursed by Medicare at less than their costs. There are a lot of expensive drugs involved in the treatment of cancer. The heavy dependence on drugs has a lot to do with why the cuts are devastating to cancer care in particular.

At Ray County Memorial, the first round of cuts last year meant that hospital overall took a loss of over $150,000. This year's cuts will result in the loss of approximately $200,000–$300,000 for oncology services alone.

As of January 1 of next year 250 patients in rural Missouri will be forced to drive to Kansas City to receive cancer treatment. Oncologists at Ray County Memorial Hospital estimate that 40 percent of the patients they treat will be unable to make the trip to Kansan City area facilities to receive their treatment—either because they lack the transportation or the help to get there and back, or they are too sick or too weak to endure that trip. As a result of this cancer center closing, 80–100 people will die from cancer with no treatment and no hope. Of course Ray Memorial Hospital will continue to give these people loving care and try to make them as comfortable as possible, but they will be unable to treat their cancer anymore.

This is not a problem unique to Ray County Memorial Hospital. Due to cuts in Medicare reimbursement for cancer treatments hospitals across Missouri and across the county that provide outpatient cancer care—large or small, rural or urban—are struggling to continue to provide this care. These cancer centers work every day to ensure that the thousands of Americans diagnosed with cancer are receiving the best care possible.

I also have the privilege of representing Truman Medical Center, distinguished in its own way—for providing free care to so many. While Truman Medical Center sees only about 300–350 newly diagnosed cancer patients each year, about 70–75 percent of them are indigent. For these patients, they provide some 1,500–2,000 treatments of chemotherapy each year . . . and starting in January of this year, Medicare is reimbursing for many of these at levels dramatically below Truman's costs. And there are so many others.

In rural areas, where it is often hard to recruit physicians, it is the community cancer centers that provide all the chemotherapy and other services that help ensure that cancer patients don't have to travel long distances for the care they need. This is particularly important in cancer treatment, where life saving treatments often result in difficult side effects in the short term.

These cancer centers are also often the early adopters of some of the newest and most complicated drug regimens that cancer patients need today. And not only are they a ''safety net'' for rural patients, they are often the safety net for Medicaid and uninsured patients.

And yet, these are the very institutions that have been suffering under

what is essentially an experiment underway by the Centers for Medicare and Medicaid Services, CMS. I know that this isn't anyone's favorite agency, but I expect more under a Republican Administration.

For a number of years now, CMS has been trying to bring a new payment system to these hospitals. Each year this experiment brings a new set of rules and payments—for the hospitals to sort through and try to implement.

But this isn't just an administrative burden that takes our caregivers away from their payments. In the last two years, this payment system has resulted in significant payment reductions for a setting of care that can now barely meet its costs.

My own Missouri institutions tell me they're considering closing their indigent care programs or worse, closing their doors altogether.

My office is hearing stories from around the country, about hospital administration arming their doctors with lists of the most expensive drugs and what CMS is now reimbursing them. Why do this if you aren't trying to influence a doctor's decision about what to prescribe? Pharmacists are under pressure to review dosing regimens to see where they can cut corners. Some drugs are just not being given in these community centers. Others that used to be given free of charge until their Medicare codes were assigned now aren't given at all.

In some cases, hospitals are sending patients to the nearest physician's office, where inexplicably, Medicare is paying more for the same drugs. But sometimes theses offices aren't nearby. Other times, hospitals are getting patients returned to them with complications that have arisen—and now have to be admitted for overnight stays and close monitoring.

How scary for a cancer patient? Sometimes with only months to live, to be told that it could take nine months before the next breakthrough drug can be given because it's just too expensive. To be told that the hospital where you've gotten to know your doctors and nurses after weeks of chemotherapy is now closing its doors. To be told that you now have to drive miles for care, away from friends and family who have helped care for you when you return feeling nauseous and weak from treatments.

These stories are accumulating—all because of a failed CMS experiment. So should we terminate the experiment and start over with a payment system that actually reflects that cost of providing this care? Yes, of course.

But that would take time—and while the time honored tradition here in Washington of debate and compromise for long term reform is a worthy one—these community cancer centers around the country continue to rack up the stories of compromised care and reduced access for patients, and time is one luxury many cancer patients simply do not have.

And this brings me to my legislation, which is measured, timely, and focused on the most immediate of needs. And, written so as to recognize the budgetary constraints facing us.

This legislation would set a payment floor for some of the most costly drugs given in the outpatient community centers today. This bill isn't limited to cancer drugs. But cancer is one of those diseases that relies so heavily on new drugs for treatment that tend to be costly drugs, so the impact of this experiment has been felt here more. The bill provides this relief immediately—so that in January 2004, these hospitals can start receiving increased payments that at least cover more of their costs.

This payment floor, by the way, was set not on the basis of these centers' true costs. Instead, recognizing the little time they have and the immediacy of their need, they have settled for payment rates advocated by various members of Congress over the last year—as it began to be clear how devastating an impact this experiment could have.

This bill, for example, wouldn't help them cover the costs of the pharmacy services they provide, so critical to ensuring safe and effective care in the hospitals. Again, these costs are especially significant for cancer patients, where mixing highly toxic chemotherapeutic agents using special equipment and wearing protective gear, reviewing protocols and checking for patient risks and side effects are all more intensive efforts. It recognizes these services by asking for a study of these costs, so that they may be recognized in longer term solutions that we develop over the next year or so.

The legislation I introduce today will provide hospitals like Ray County Memorial Hospital and Truman Medical Center, and so many around Missouri and across the country the immediate relief they need to be able to treat their patients.

I look forward to working with my Finance Committee colleagues to ensure that the provisions of this legislation and the immediate relief that it provides are incorporated in anything we do on Medicare.

We have learned our lessons the hard way in home health. This crisis in community cancer centers promises to reach similar proportions if we don't act now.

By Mr. TALENT:

S. 1207. A bill to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, as the ''Walt Disney Post Office Building''; to the Committee on Governmental Affairs.

Mr. TALENT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1207

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

SECTION 1. WALT DISNEY POST OFFICE BUILDING.

(a) REDESIGNATION.—The facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline, Missouri, and known as the Marceline Main Office, shall be known and designated as the ''Walt Disney Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Walt Disney Post Office Building.

By Ms. COLLINS (for herself and Mr. REED):

S. 1208. A bill to amend the Cooperative Forestry Assistance Act of 1978 to establish a program to provide assistance to States and nonprofit organizations to preserve suburban forest land and open space and contain suburban sprawl, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. COLLINS. Mr. President, the people of Maine have always been faithful stewards of their forest lands because we understand and appreciate its tremendous value to our economy and to our way of life.

From the vast tracts of undeveloped land in the north, to the small woodlots in the south, forest land has helped to shape the character and the heritage of my State.

While our commitment to stewardship has preserved the forests for generations, there is a new and troubling thereat to Maine's forest lands that requires a fresh approach. This threat is suburban sprawl. It has already consumed tens of thousands of acres of forest land in the southern part of my State. Sprawl occurs because the economic value of forests or crop land cannot compete with the value of developed land.

This problem is particularly acute in southern Maine where there has been more than a 100-percent increase in urbanized sprawl over the past two decades. This has resulted in the labeling of the greater Portland area as the ''sprawl capital of the Northeast.''

I am alarmed by the amount of working forest land and open space in southern and coastal Maine that has given way to strip malls and cul-de-sacs. Our State is working to respond to this challenge because once that land is paved over, it is gone forever. Those forest lands and those small woodlots are lost forever once that land is developed.

The people of Maine in response to this concern have approved a $50 million bond issue to preserve land through the Land for Maine's Future Board. They have also worked hard supporting local efforts to preserve open space. And they have contributed their time, their energy, and their money to the work done by our State's 88 land trusts.

The people of my State are dedicated to preserving our working forests and protecting our communities from sprawl. It is now time for the Federal

Government to lend a helping hand in support of those efforts.

Today, I am introducing the Suburban Community Forestry and Open Space Act. This legislation, which was drafted with the advice of landowners, conservation groups, and the Maine State Forester, establishes a $50 million grant program within the U.S. Forest Service to support locally driven projects that will preserve our working forests. Local governments and nonprofit organizations would compete for funds to purchase land outright or to buy conservation easements to keep the forest land threatened by development in their traditional use.

Projects funded under this legislation must be targeted at lands located in parts of the country that are threatened by sprawl. The legislation requires that Federal funds be matched dollar for dollar by State, local, or private resources so that it is a true partnership to preserve this open space and working forests.

This grant program would help to promote sustainable forestry as well as public access to our forest lands. My legislation protects the rights of property owners with the inclusion of a ''willing seller'' provision, which requires the consent of a landowner if a parcel of land is eligible to participate in the program.

The grant program would also allow nonprofits and municipalities, but not the Federal Government, to hold title to the land or the easements purchased under this program. The $50 million is a modest amount but it would help to achieve a number of stewardship objectives.

First, my legislation would help prevent forest fragmentation and preserve our working forests, helping to maintain the supply of timber that fuels Maine most significant industry.

Second, the resources made available by my legislation would be a valuable tool for communities that are struggling to manage growth and prevent sprawl. Currently, if a community trying to cope with the effects of sprawl turns to the Federal Government for help, they would find that no assistance is available.

The Forest Legacy Program, which has been critical in preserving undeveloped forest land in my State and many others, is really not suitable for the kinds of projects my bill envisions. My bill would change that by making the Federal Government an active partner in preserving forest lands and managing sprawl, while leaving the decisionmaking at the State and local level where it belongs.

Last year, this legislation was included in the forestry title of the Senate-approved version of the farm bill which passed this Senate by a vote of 58–40. Unfortunately, the forestry title was stripped out of the farm bill conference report, despite bipartisan support for provisions such as my legislation.

There is a great deal that needs to be done to protect our working forests for the next generation. I believe the legislation I am reintroducing today will help advance that goal. I am grateful for the support of many of the people and organizations that are leading the effort to support this legislation. By enacting the Suburban and Community Forestry and Open Space Act, Congress can provide a real boost to local conservation initiatives, help prevent sprawl, and help sustain the vitality of natural resource-based industries.

Mr. President, I would like to submit for the Record several letters of support for my legislation. They are from the National Association of State Foresters, the New England Forestry Foundation, The Trust for Public Land, and the Pacific Forest Trust. I ask unanimous consent that those letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION
OF STATE FORESTERS,
Washington, DC, June 5, 2003.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the National Association of State Foresters, I would like to thank you for your efforts to reduce the impacts of urban and suburban sprawl on private and tribal forestlands in the U.S. Your bill to protect Suburban and Community Forestry and Open Space demonstrates your commitment to minimizing conversion of suburban forestlands to non-forest uses. Maintaining working forests in suburban environments is consistent with the goals of NASF, and we appreciate your efforts to develop a program that can be implemented by the States.

As the USDA Forest Service's Southern Forest Resource Assessment clearly demonstrates, one of the major threats to forestland is urban sprawl. The provisions in Section 1 of your bill will enable private landowners to keep their land in trees and sustain the public benefits that their forests provide. Your bill provides another tool to address this critical concern.

Thank you for your commitment to sustainable forest management and to reducing suburban sprawl. We look forward to continuing our work with you on the details of the entire bill.

Sincerely,

JAMES L. SLEDGE, Jr,
President.

NEW ENGLAND
FORESTRY FOUNDATION,
June 3, 2003.

Senator SUSAN M. COLLINS,
Russell Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: The New England Forestry Foundation applauds Senator Collins' leadership and initiative in sponsoring the Suburban and Community Forestry and Open Space Program, designed to help towns and communities across America's suburban landscape combat sprawl, and preserve open space. This legislative package is exactly what is needed to provide an incentive for local governments and land trusts across the country to unite and partner to address an issue of national importance.

Congratulations!

Sincerely,

AMOS ENO,
Executive Director.

THE TRUST FOR PUBLIC LAND,
Boston, MA, June 4, 2003.

Hon. SUSAN M. COLLINS,
U.S. Senate, Washington, DC.

DEAR SENATOR COLLINS: On behalf of the Trust for Public Land, I am pleased to express our support for the Suburban and Community Forestry and Open Space Act. This legislation will provide a much-needed focus on working forests that provide important resources in and around Maine's towns and cities that are facing significant development pressures. We applaud your foresight in addressing this issue.

As the Trust for Public Land pursues its mission of protecting land for people in Maine, we are acutely aware of the difficult choices many landowners face as land values rise and development pressures intensify. The forest lands that lie in the path of development are incredibly important to local residents for a variety of resources, including recreation, wildlife habitat, water quality and open space. The Suburban and Community Forestry and Open Space Act will allow these critical lands to remain intact as community assets by focusing federal assistance to landowners in areas affected by suburban sprawl. This is a much-needed addition to the resource conservation efforts that states, localities and non-governmental partners are already undertaking and will provide the extra funding leverage needed to successfully meet the challenges of the future.

Our work with willing sellers across the state leads us to believe that your legislation will provide new resource protection opportunities for many Maine communities that will leave them in good shape for future generations. Maine's forest resources are absolutely critical to ensuring a decent quality of life for residents and visitors alike, and proposals like yours will ensure that we address the conservation of those resources wisely.

Thank you for your leadership on this and many other issues affecting Maine. We look forward to working with you on this legislation and for the long-term protection of Maine's outstanding natural resources.

Sincerely,

WHITNEY HATCH,
Regional Director.

JUNE 3, 2003.

Hon. SUSAN COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS: The Pacific Forest Trust (PFT) strongly supports your proposed legislation, which will encourage and facilitate the preservation of our nation's privately owned forestlands. Your amendment to the Forest Legacy Program will increase the flexibility of states in the administration of the Program, which will, in turn, lead to greater preservation of private forestland.

For over ten years, PFT, a non-profit organization, has worked to preserve, restore and enhance the privately owned productive forestlands in the United States. We currently hold roughly 35,000 acres under easement and have been instrumental in ensuring the preservation of private land valued at over $115,000,000. We have provided oral and written testimony to Congress regarding proposed policies to protect and enhance our private forestlands and have written extensively on this issue.

The legislation is critical to the preservation of private forestlands throughout the

United States. Between 1982 and 1997, the United States lost over 20 million acres of private forestlands to other uses. States as diverse as California and Georgia have lost over 60,000 acres annually to development alone. Similar statistics are reflected among privately owned forestland in other areas of the United States, especially in the most productive timber areas.

The amendment to the Forest Legacy Program will provide states with the option to permit qualified non-profit organizations, such as land trusts, to hold easements that are purchased, in part or in whole, with Forest Legacy funds. Currently, land trusts may only hold easements through Forest Legacy if such easements are donated. Thus, this amendment will give states the opportunity and flexibility to expand their pool of landowners participating in the Program and as a result, protect more private forestlands.

While many landowners acknowledge the need to preserve their forestlands, they are not comfortable having a governmental agency own a partial interest in their property, which is the current requirement of the Program where the easements are purchased. This amendment enables landowners to work with a private, voluntary qualified land trust organization at the option of the state. At the same time, states retain full decision-making control over the selection of Forest Legacy projects.

Furthermore, this legislation will provide essential flexibility for states to work with partner organizations that can often leverage additional funding into Forest Legacy projects. It will open the door so that many more landowners can participate in the Program nationwide and therefore, will expand the opportunity to reverse the trend of forestland loss.

Thank you for your continued leadership in private forestland conservation. This is necessary and timely legislation.

Sincerely,

LAURIE A. WAYBURN,
President, The Pacific Forest Trust.

By Mr. BENNETT:

S. 1209. A bill to provide for the acquisition of property in Washington County, Utah, for implementation of a desert tortoise habitat conservation plan; to the Committee on Energy and Natural Resources.

Mr. BENNETT. Mr. President, today I am introducing a bill which will bring to a close the Federal acquisition of an important piece of privately held land, located within the federally designated desert tortoise reserve in Washington County, UT.

As some of my colleagues are aware, this is not the first time legislation has been introduced in an attempt to resolve this issue. In July of 2000, I introduced S. 2873, which was referred to and reported favorably by the Senate committee on Energy and Natural Resources. In addition, similar legislation was twice approved by the other body, both in the 106th and 107th Congresses. Nevertheless, we have been unable to bring this issue to resolution in the full Senate. For nearly a decade, the private property addressed by this bill has been under Federal control during which time the Federal Government has been enjoying the benefits of the private property without compensating the landowner. It is my hope that the time has come to finally resolve this issue.

In March of 1991, the desert tortoise was listed as an endangered species under the Endangered Species Act. Government and environmental researchers determined that the land immediately north of St. George, UT, was prime desert tortoise habitat. Consequently, in February 1996, nearly five years after the listing, the United States Fish and Wildlife Service, USFWS, issued Washington County a section 10 permit under the Endangered Species Act which paved the way for the adoption of a habitat conservation plan, HCP, and an implementation agreement. Under the plan and agreement, the Bureau of Land Management, BLM, committed to acquire all private lands in the designated habitat area for the formation of the Red Cliffs Reserve for the protection of the dessert tortoise.

One of the private land owners within the reserve is Environmental Land Technology, Limited, ELT, which had begun acquiring lands from the State of Utah in 1981 for purposes of residential and recreational development several years prior to the listing of the species. Moreover, in the years preceding the listing of the desert tortoise and the adoption of the habitat conservation plan, ELT completed appraisals, cost estimates, engineering studies, site plans, surveys, utility layouts, and right-of-way negotiations. They staked out golf courses, and obtained water rights for the development of this land. Prior to the adoption of the HCP, it was not clear which lands the Federal and local governments would set aside for the desert tortoise, although it was assumed that there were sufficient surrounding Federal lands to provide adequate habitat. However, when the HCP was adopted in 1996, the decision was made to include ELT's lands within the boundaries of the reserve primarily because of the high concentrations of tortoises. The tortoises on ELT land also appeared to be one of, if not the only population without an upper respiratory disease that afflicted all of the other populations. As a consequence of the inclusion of the ELT lands, the development efforts were halted.

With assurances from the Federal Government that the acquisition of the ELT development lands was a high priority, the owner negotiated with, and entered into, an assembled land exchange agreement with the BLM in anticipation of intrastate land exchanges. The private land owner then began a costly process of identifying comparable federal lands within the state that would be suitable for an exchange for his lands in Washington County. Over the last seven years, BLM and the private land owners, including ELT, have completed several exchanges, and the Federal Government has acquired, through those exchanges or direct purchases, nearly all of the private property located within the reserve, except for approximately 1,516 acres of the ELT development land. However, with the creation of the Grand Staircase-Escalante National Monument in September 1996, and the subsequent land exchanges between the state of Utah and the Federal Government to consolidate federal lands within that monument, there are no longer sufficient comparable federal lands within Utah to complete the originally contemplated intrastate exchanges for the remainder of the ELT land.

Faced with this problem, and in light of the high priority the Department of the Interior has placed on acquiring these lands, BLM officials recommended that the ELT lands be acquired by direct purchase: During the FY 2000 budget process, BLM proposed that $30 million be set aside to begin acquiring the remaining lands in Washington County. Unfortunately, because this project involves endangered species habitat and the USFWS is responsible for administering activities under the Endangered Species Act, the Office of Management and Budget shifted the $30 million from the BLM budget request to the USFWS's Cooperative Endangered Species Conservation Fund budget request. Ultimately, however, none of those funds were made available for BLM acquisitions within the Federal section of the reserve. Instead, the funds in that account were made available on a matching basis for the use of individual states to acquire wildlife habitat. The result of this bureaucratic fumbling has resulted in extreme financial hardship for ELT.

The lands within the Red Cliffs Reserve are ELT's main asset. The establishment of the Washington County HCP has effectively taken this property and prevented ELT from developing or otherwise disposing of the property. ELT has been brought to the brink of financial ruin as it has exhausted its resources in an effort to hold the property while awaiting the compensation to which it is entitled. ELT has had to sell its remaining assets, and the private land owner has also had to sell assets, including his home, to simply hold the property. This has become a financial crisis for the landowner. It is simply wrong for the Federal Government to expect the landowner to continue to bear the cost of the government's efforts to provide habitat for an endangered species. That is the responsibility of the Federal Government. Moreover, while the landowner is bearing these costs, he continues to pay taxes on the property. This situation is made more egregious by the failure of the Department of the Interior to request any acquisition funding for FY 2004, even though this acquisition has been designated a high priority by the agency. Over the past several years, ELT has pursued all possible avenues to complete the acquisition of these lands. The private land owner has spent millions of dollars pursuing both intrastate and interstate land exchanges and has worked cooperatively with the Department of the Interior. Unfortunately, all of these efforts have thus far been fruitless.

The bill that I am introducing today will finally bring this acquisition to a close. In my view, a legislative taking should be an action of last resort. But, if ever a case warranted legislative condemnation, this is it. This bill will transfer all right, title, and interest in the ELT development property within the Red Cliffs Reserve, including an additional 34 acres of landlocked real property owned by ELT adjacent to the land within the reserve, to the federal government. It provides an initial payment to ELT to pay off existing debts accrued in holding the property, and provides 90 days during which ELT and the Department of the Interior can attempt to reach a negotiated settlement on the remaining value of the property. I am aware that one of the difficulties in solving this issue is the high value of the lands to be acquired. Due to the absence of comparable lands within the state for exchange, the legislation also authorizes an interstate land exchange as a means of acquiring the property. In the absence of a negotiated amount, the Secretary of the Interior will be required to bring an action in the Federal District Court for the District of Utah to determine a value for the land. Payment for the land, whether negotiated or determined by the court, will be made from the permanent judgment appropriation or any other appropriate account, or, at the option of the land owner, the Secretary of the Interior will credit a surplus property account, established and maintained by the General Services Administration, which the land owner can then use to bid on surplus government property.

Unfortunately, when this bill has been introduced in the past, there has been occasional misunderstanding regarding the inclusion of the bill's reference to section 309(f) of Public Law 104–333, which requires all Federal appraisals and acquisitions of land within Washington County to be conducted ''without regard'' to the presence of an endangered species. This references does not create a new appraisal standard but rather restates the existing standard for all Federal land acquisition in Washington County, UT. Since its enactment, and without exception, the Department of the Interior has applied this standard to all its acquisitions in the county. This language was originally adopted to allay concerns that local landowners would not receive fair compensation for their property which was being acquired for government purposes. Some have supposed the inclusion of this language would constitute preferential treatment. To the contrary, the absence of this language would unfairly treat this landowner differently than every other landowner in the reserve whose land has thus far been acquired by the Federal Government. Moreover, its omission at this point would likely lead the Justice Department to argue that Congress did not intend for this statutory standard to apply.

The bill includes language to allow, as part of the legislative taking, for the landowner to recover reasonable costs, interest, and damages. It is important to understand that while Federal acquisitions should be completed on the basis of fair market value, when the Federal Government makes the commitment to acquire private land, the landowner should not have to be driven into financial ruin while waiting upon the federal government to discharge its obligation. While the Federal Government has never disputed its obligation to acquire the property, it has had the benefit of the private land for all these years without having to pay for it. The private landowner should not have to bear the costs of this Federal foot-dragging.

This legislation is consistent with the high priority the Department of the Interior has repeatedly placed on this land acquisition, and is a necessary final step towards an equitable resolution. The time for pursuing other options has long since expired and it is unfortunate that it requires legislation action. Without commenting on the Endangered Species Act itself, it would seem that if it is the government's objective to provide habitat for the benefit of an endangered species, then the government ought to bear the costs, rather than forcing them upon the landowner. It is also time to address this issue so that the Federal agencies may be single minded in their efforts to recover the desert tortoise which remains the aim of the creation of the reserve. It is time to right this wrong and get on with the efforts to recover the species and I encourage my colleagues to support the timely enactment of this important legislation.

By Mr. JEFFORDS (for himself and Mr. VOINOVICH):

S. 1210. A bill to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries; to the Committee on Energy and Natural Resources.

Mr. JEFFORDS. Madam President, I rise today to introduce the ''Marine Turtle Conservation Act of 2003''.

Marine turtles were once abundant, but now they are in serious trouble. Six of the seven recognized species are listed as threatened or endangered under the Endangered Species Act, and all seven species have been included in Appendix I of the Convention on International Trade in Endangered Species of Wild Flora and Fauna, CITES. Because marine turtles are long-lived, late-maturing, and highly migratory, they are particularly vulnerable to the impacts of human exploitation and habitat loss. In addition, for some species, illegal trade seriously threatens wild populations. Because of the immense challenges facing marine turtles, the resources available to date have not been sufficient to cope with the continued loss of nesting habitat due to human activities and the resulting diminution of marine turtle populations.

The Marine Turtle Conservation Act of 2003 is modeled after the successful Asian Elephant Conservation Act, the African Elephant Conservation Act, and the Rhinoceros and Tiger Conservation Act. These acts have established programs within the Department of the Interior to assist in the conservation and preservation of these species around the world. More than 300 projects have been funded and generated millions of dollars in private matching funds from sponsors representing a diverse group of conservation organizations. The projects range from purchasing anti-poaching equipment for wildlife rangers to implementing elephant conservation plans to aerial monitoring of the Northern white rhinoceros.

The Marine Turtle Conservation Act of 2003 will assist in the recovery and protection of marine turtles by supporting and providing financial resources for projects to conserve nesting habitats of marine turtles in foreign countries and marine turtles while they are found in such habitats, to prevent illegal trade in marine turtle parts and products, and to address other threats to the survival of marine turtles. The bill authorizes $5 million annually to implement the program.

This legislation will help to preserve this ancient and distinctive part of the world's biological diversity.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1210

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Marine Turtle Conservation Act of 2003''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) marine turtle populations have declined to the point that the long-term survival of the loggerhead, green, hawksbill, Kemp's ridley, olive ridley, and leatherback turtle in the wild is in serious jeopardy;

(2) 6 of the 7 recognized species of marine turtles are listed as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and all 7 species have been included in Appendix I of CITES;

(3) because marine turtles are long-lived, late-maturing, and highly migratory, marine turtles are particularly vulnerable to the impacts of human exploitation and habitat loss;

(4) illegal international trade seriously threatens wild populations of some marine turtle species, particularly the hawksbill turtle;

(5) the challenges facing marine turtles are immense, and the resources available have not been sufficient to cope with the continued loss of nesting habitats caused by human activities and the consequent diminution of marine turtle populations;

(6) because marine turtles are flagship species for the ecosystems in which marine turtles are found, sustaining healthy populations of marine turtles provides benefits to many other species of wildlife, including many other threatened or endangered species;

(7) marine turtles are important components of the ecosystems that they inhabit, and studies of wild populations of marine turtles have provided important biological insights;

(8) changes in marine turtle populations are most reliably indicated by changes in the numbers of nests and nesting females; and

(9) the reduction, removal, or other effective addressing of the threats to the long-term viability of populations of marine turtles will require the joint commitment and effort of—

(A) countries that have within their boundaries marine turtle nesting habitats; and

(B) persons with expertise in the conservation of marine turtles.

(b) PURPOSE.—The purpose of this Act is to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries by supporting and providing financial resources for projects to conserve the nesting habitats, conserve marine turtles in those habitats, and address other threats to the survival of marine turtles.

SEC. 3. DEFINITIONS.

In this Act:

(1) CITES.—The term ''CITES'' means the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249).

(2) CONSERVATION.—The term ''conservation'' means the use of all methods and procedures necessary to protect nesting habitats of marine turtles in foreign countries and of marine turtles in those habitats, including—

(A) protection, restoration, and management of nesting habitats;

(B) onsite research and monitoring of nesting populations, nesting habitats, annual reproduction, and species population trends;

(C) assistance in the development, implementation, and improvement of national and regional management plans for nesting habitat ranges;

(D) enforcement and implementation of CITES and laws of foreign countries to—

(i) protect and manage nesting populations and nesting habitats; and

(ii) prevent illegal trade of marine turtles;

(E) training of local law enforcement officials in the interdiction and prevention of—

(i) the illegal killing of marine turtles on nesting habitat; and

(ii) illegal trade in marine turtles;

(F) initiatives to resolve conflicts between humans and marine turtles over habitat used by marine turtles for nesting;

(G) community outreach and education; and

(H) strengthening of the ability of local communities to implement nesting population and nesting habitat conservation programs.

(3) FUND.—The term ''Fund'' means the Marine Turtle Conservation Fund established by section 5.

(4) MARINE TURTLE.—

(A) IN GENERAL.—The term ''marine turtle'' means any member of the family Cheloniidae or Dermochelyidae.

(B) INCLUSIONS.—The term ''marine turtle'' includes—

(i) any part, product, egg, or offspring of a turtle described in subparagraph (A); and

(ii) a carcass of such a turtle.

(5) MULTINATIONAL SPECIES CONSERVATION FUND.—The term ''Multinational Species Conservation Fund'' means the fund established under the heading ''MULTINATIONAL SPECIES CONSERVATION FUND'' in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 4246).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. MARINE TURTLE CONSERVATION ASSISTANCE.

(a) IN GENERAL.—Subject to the availability of funds and in consultation with other Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects for the conservation of marine turtles for which project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSALS.—

(1) ELIGIBLE APPLICANTS.—A proposal for a project for the conservation of marine turtles may be submitted to the Secretary by—

(A) any wildlife management authority of a foreign country that has within its boundaries marine turtle nesting habitat if the activities of the authority directly or indirectly affect marine turtle conservation; or

(B) any other person or group with the demonstrated expertise required for the conservation of marine turtles.

(2) REQUIRED ELEMENTS.—A project proposal shall include—

(A) a statement of the purposes of the project;

(B) the name of the individual with overall responsibility for the project;

(C) a description of the qualifications of the individuals that will conduct the project;

(D) a description of—

(i) methods for project implementation and outcome assessment;

(ii) staff and community management for the project; and

(iii) the logistics of the project;

(E) an estimate of the funds and time required to complete the project;

(F) evidence of support for the project by appropriate governmental entities of the countries in which the project will be conducted, if the Secretary determines that such support is required for the success of the project;

(G) information regarding the source and amount of matching funding available for the project; and

(H) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 30 days after receiving a project proposal, provide a copy of the proposal to other Federal officials, as appropriate; and

(B) review each project proposal in a timely manner to determine whether the proposal meets the criteria specified in subsection (d).

(2) CONSULTATION; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a project proposal, and subject to the availability of funds, the Secretary, after consulting with other Federal officials, as appropriate, shall—

(A) consult on the proposal with the government of each country in which the project is to be conducted;

(B) after taking into consideration any comments resulting from the consultation, approve or disapprove the project proposal; and

(C) provide written notification of the approval or disapproval to the person that submitted the project proposal, other Federal officials, and each country described in subparagraph (A).

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a project proposal under this section if the project will help recover and sustain viable populations of marine turtles in the wild by assisting efforts in foreign countries to implement marine turtle conservation programs.

(e) PROJECT SUSTAINABILITY.—To the maximum extent practicable, in determining whether to approve project proposals under this section, the Secretary shall give preference to conservation projects that are designed to ensure effective, long-term conservation of marine turtles and their nesting habitats.

(f) MATCHING FUNDS.—In determining whether to approve project proposals under this section, the Secretary shall give preference to projects for which matching funds are available.

(g) PROJECT REPORTING.—

(1) IN GENERAL.—Each person that receives assistance under this section for a project shall submit to the Secretary periodic reports (at such intervals as the Secretary may require) that include all information that the Secretary, after consultation with other government officials, determines is necessary to evaluate the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements.

(2) AVAILABILITY TO THE PUBLIC.—Reports under paragraph (1), and any other documents relating to projects for which financial assistance is provided under this Act, shall be made available to the public.

SEC. 5. MARINE TURTLE CONSERVATION FUND.

(a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund a separate account to be known as the ''Marine Turtle Conservation Fund'', consisting of—

(1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (e);

(2) amounts appropriated to the Fund under section 6; and

(3) any interest earned on investment of amounts in the Fund under subsection (c).

(b) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Subject to paragraph (2), on request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to carry out section 4.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts in the account available for each fiscal year, the Secretary may expend not more than 3 percent, or up to $80,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(c) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(d) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to provide assistance under section 4. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund.

SEC. 6. ADVISORY GROUP.

(a) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of marine turtles.

(b) PUBLIC PARTICIPATION.—

(1) MEETINGS.—The Advisory Group shall—

(A) ensure that each meeting of the advisory group is open to the public; and

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(2) NOTICE.—The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(3) MINUTES.—Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(c) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Fund $5,000,000 for each of fiscal years 2005 through 2009.

By Mr. DOMENICI:

S. 1211. A bill to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the ''Reclamation Wastewater and Groundwater Study and Facilities Act'', by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Madam President, in the United States, especially when you live in the eastern United States, you take water and the availability of water for granted. Probably the only thing that is ever thought about is: Do we have a big enough reservoir? Or are those aqueducts getting too old that feed New York and northeastern America?

But I am here to suggest there are parts of these great United States where there is a huge shortage of the kind of water we need day by day for our daily activities: to drink, to use for our families, and for the everyday use of our people.

First, I show you a little chart with blue and white areas on it. All of the blue areas on this chart of the United States, believe it or not, are areas in these United States where saline—that is, salty—aquifers exist; that is, salty water either in large ponds or underground in large pools.

So while we are running out of water, at the same time we have been blessed in that we have plenty of water available if we do something about it. And I propose that we do something about it. I have a bill that I hope will do something about it.

This second chart shows what would be a proposed Tularosa Basin desalination facility. I show it because this is not a new concept. As a matter of fact, this Tularosa Basin is a huge underground water basin in New Mexico. Much of it is very salty, large quantities are not so salty, and then large quantities are of minor salt content.

The legislation I am introducing is to try to make a leap of technology for it directs the Secretary of the Interior to undertake at this program, for lack of a better way to do it, what we call a demonstration program, but it would be one that would be easily adopted anywhere. We ask that it have a capability of 100,000 gallons so that the research would not be carried out at an academic level but really usable.

The Secretary is supposed to work with the greatest laboratories in the Nation that have access in this regard to develop new desalination technology and a plan. The facility should be completed within 3 years. The water from this facility will be disposed of to communities in and around this basin and in and around the county of Otero. We authorize the money necessary for it. I have a detailed statement indicating why we are doing this along with the bill and an extra bill which goes to the desk, one for reference and one for retention.

I am quite confident that a new method of desalination beyond that one that we all hear about is going to be forthcoming. I believe one of the laboratories—probably Sandia National Laboratory in Albuquerque, but not certain, but probably—will make the breakthrough so that we will not be using the old system that we might have been trying for as long now as the occupant of the chair is of age. I even remember that system being used when I first came to the Senate. We were experimenting with it in the city of Roswell under a Government program, and we stopped the program because it was too farfetched.

We have come a long way. Just as we have serious problems cleaning water of other pollutants, and we have old-fashioned ways of doing it, very modern technology is being applied. As an example, we all know there is a big problem in some parts of America where arsenic which is found in the normal topography, normal ground of the surrounding area and has been consumed by whoever lived there for years with no harm—we are going to have to remove it now to some very minuscule content per thousand gallons. In order to do that the old-fashioned way, the costs are enormous. But believe it or not, because of science, we might be able to do that job—albeit some of it should not have to be done at all—for a tenth of the cost.

We are hopeful that same new breed of technology will apply to taking salt out of inland water or ocean water.

Mr. President, as I say, I rise today to introduce a bill that has the potential to supply vast quantities of water to a thirsty New Mexico and a number of Western States. New Mexico and the West face a critical lack of water, but through the program contained in my bill, the faucets could be ready to flow.

Most Western States already have large quantities of water. However, the water contains such high levels of salt that it is simply unusable. My bill proposes to turn untapped resource into potable water that cities, towns, farmers, industry, and nature can use to meet their needs. This bill provides the opportunity for use to utilize brand new technology that may save the West.

This piece of legislation directs the Secretary of the Interior to undertake a desalination demonstration program in the Tularosa Basin located in southern New Mexico. Additionally, it requires collaboration between the Bureau of Reclamation, an established leader in desalination research and development, and the Department of Energy. Our national laboratories are at the forefront of science in many areas including water technology. The collaboration between these two departments would bring together the best minds and the most experienced technicians. This bill would further task the Bureau of Reclamation and the Department of Energy with evaluating current technology, advising on how to proceed with additional research, developing a research plan and confirming project and operation costs in a real-world application. Finally, the bill authorizes the building of a facility where advances in technology could be tested.

The bill authorizes appropriations of $1.5 million for development of a desalination technology plan which will utilize the experiences of present facilities and programs to build the facility and guide its research. It further authorizes $30 million to construct the desalination facility, $6 million for each of fiscal years 2004 through 2010 for research programs at Sandia National Lab associated with the facility, and $10 million for each of the fiscal years 2004 through 2010 for research and development of desalination technologies.

Only 3 percent of the world's water is fresh and much of that is stored in the ice that caps the Earth's poles. We must develop the technology to economically utilize the rest of that water. Today, most of the world's desalination plants are applied to sea water. As I states before, much of the west and, indeed, the Nation, sits on saline aquifers. The facility I propose will develop and test the technologies to best access and utilize this inland water.

Currently, Sandia National Lab and the Department of the Interior are looking for optimum sites to locate the facility and are developing a feasibility study for the program. The sites are all in or around the city of Alamogordo, NM. The designers envision a 13,000 square foot facility that can process up

to 100,000 gallons of water per day. It will draw researchers from around the country and play an essential role in alleviating the pressures on our water resources.

Mr. President, let me also say that I have a broader vision for what can be accomplished with desalination. This is only the first step. This is a serious issue, not only for New Mexico, but the world. More than half the world's population will face severe water shortages in the next 50 years. We must get started on this problem.

I have no doubt that this legislation will help to push forward the state of the art to ensure that we have access to the most precious of resources. Let's take the first step.

Mr. President, I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1211

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

SEC. 1. (a) TULAROSA BASIN FACILITY.—In furtherance of the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992 (106 Stat. 4600, 4663; 43 U.S.C. 390h), the Secretary of the Interior (''Secretary'') shall construct, manage, and maintain a test and evaluation facility (''facility'') at the Tularosa Basin, located in Otero County in the State of New Mexico capable of processing at least 100,000 gallons of water per day.

(b) OBJECTIVES OF FACILITY.—The facility shall be used to carry out research on, and to test, demonstrate, and evaluate new desalination technologies to produce potable water from saline or other unsuitable water, including analysis of effects on energy consumption, byproduct disposal, and operations and maintenance costs to determine the most technologically-efficient and cost-effective means to produce potable water from saline or other unsuitable water using desalination technologies.

(c) TECHNOLOGY PLAN DEVELOPMENT.—The Secretary shall contract with Sandia National Laboratory (''Sandia'') to develop a desalination technology plan (''plan'') within one year from the date when funds are made available for the purposes of this Act. The plan shall—

(1) be developed in consultation with the Secretary and the Secretary of Energy;

(2) consider the experience of similar facilities and research programs operated by the Federal government and by other research institutions; and

(3) include recommendations for the siting and configuration of the facility and the research and development program to be undertaken at the facility.

(d) REVIEW OF PLAN.—The Secretary shall review the plan and may modify or change any recommendation after consultation with the Secretary of Energy.

(e) CONSTRUCTION OF FACILITY.—Within three years from the date of completion of the plan, the Secretary shall construct the facility in accordance with the recommendations contained in the plan, including any modifications or changes. The Secretary may contract with other Federal agencies, State agencies, educational institutions, and private entities for construction of the facility.

(f) MEMORANDUM OF AGREEMENT FOR OPERATION.—The Secretary and the Secretary of Energy shall enter into a Memorandum of Agreement for the operation of the facility and the conduct of research under this Act. Research may be conducted at the facility and may also be carried out at any laboratory facility determined to be suitable by Sandia. The Secretary and the Secretary of Energy shall establish a technical advisory panel drawn from Federal or State agencies, academic institutions, and private or public entities to provide program guidance and technical assistance in the operation of the facility and conduct of research.

(g) PROVISION OF WATER.—The Secretary shall dispose of all water produced by the facility under contract with one or more communities located in Otero County, New Mexico where the water would be supplementary to water provided by public water systems or wells in the communities and only after Sandia notifies the Secretary that the water is of a consistent, reliable quality. The water shall be provided at no cost to the local community except for the costs of conveyance and delivery.

SEC. 2. RESEARCH AND DEVELOPMENT PROGRAM.—The Secretary and the Secretary of Energy may undertake research and development of desalination technologies in addition to the program carried out at the facility directly or by contract, interagency agreement, cooperative agreement, or grant. Any agreement or grant may be made only on the basis of a competitive, merit-reviewed process. The Secretary and the Secretary of Energy may carry out the program at a location outside the United States after consultation with and approval by the Secretary of State.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.—Appropriations may be made to the Secretary and to the Secretary of Energy. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed—

(1) $1,500,000 for development of the plan under section 1(c);

(2) $30,000,000 (January 2003 price levels), plus or minus such amounts, if any, as may be required by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved for the construction of the facility;

(3) $6,000,000 for each of fiscal years 2004 through 2010 for transfer to Sandia to carry out research programs associated with the facility; and

(4) $10,000,000 for each of fiscal years 2004 through 2010 for research and development activities under section 2 of which not more than $1,500,000 in any fiscal year may be for research undertaken directly by the Secretary and not more than $1,000,000 in any fiscal year may be for grants to institutions of higher education (including United States-Mexico binational research foundations and interuniversity research programs established by the 2 countries).

By Mrs. CLINTON (for herself, Mr. SPECTER, and Mr. JOHNSON):

S. 1212. A bill to identify certain sites as key resources for protection by the Directorate for Information Analysis and Infrastructure Protection of the Department of Homeland Security, and for other purposes; to the Select Committee on Intelligence.

Mrs. CLINTON. Mr. President, I also Unanimous Consent that the text of the bill, to identify certain sites as key resources for protection by the Directorate for Information Analysis and Infrastructure Protection of the Department of Homeland Security, and for other purposes, be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1212

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

SECTION 1. IDENTIFICATION OF KEY RESOURCES.

Section 201 of the Homeland Security Act of 2002 (Public Law 107–296) is amended by adding at the end the following:

''(i) DEFINITION.—In this section, the term 'key resources' includes National Park Service sites identified by the Secretary of the Interior as being so universally recognized as symbols of the United States and so heavily visited by the American and international public that such sites would likely be identified as targets of terrorist attacks, including—

''(1) the Statue of Liberty National Monument in New York Harbor;

''(2) Independence Hall and the Liberty Bell in Philadelphia, Pennsylvania;

''(3) the Gateway Arch in St. Louis, Missouri;

''(4) Mount Rushmore National Memorial in Keystone, South Dakota; and

''(5) memorials and monuments in the District of Columbia.''.

By Mr. SPECTER (by request):

S. 1213. A bill to amend title 38, United States Code, to enhance the ability of the Department of Veterans Affairs to improve benefits for Filipino veterans of World War II and survivors of such veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. SPECTER. Mr. President, as Chairman of the Committee on Veterans' Affairs, I have today introduced, at the request of the Secretary of Veterans Affairs, S. 1213, a proposed bill to improve the benefits for Filipino veterans of World War II and survivors of such veterans and for other purposes. The Secretary of Veterans Affairs has submitted this proposed legislation to the President of the Senate by letter dated May 12, 2003.

My introduction of this measure is in keeping with the policy which I have adopted of generally introducing—so that there will be specific bills to which my colleagues and others may direct their attention and comments—all Administration-proposed draft legislation referred to the Committee on Veterans' Affairs. Thus, I reserve the right to support or oppose the provisions of, as well as any amendment to, this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD, together with the transmittal letter and a section-by-section analysis which accomplished it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1213

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

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Filipino Veterans' Benefits Act of 2003''.

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal to a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

SEC. 2. ELIGIBILITY OF FILIPINO VETERANS FOR HEALTH CARE IN THE UNITED STATES.

HEALTH CARE.—Section 1734 is amended as follows:

''(a) The Secretary, within the limits of Department facilities, shall furnish hospital and nursing home care and medical services to an individual identified in subsection (b) in the same manner as provided for under section 1710 of this title.

''(b) An individual covered under subsection (a) of this section includes:

''(1) a Commonwealth Army veteran; and

''(2) a new Philippine Scout.

''who is residing in the United States and is a citizen of, or an alien lawfully admitted for permanent residence in, the United States.''

SEC. 3. RATE OF PAYMENT OF BENEFITS FOR CERTAIN FILIPINO VETERANS AND THEIR SURVIVORS RESIDING IN THE UNITED STATES.

(a) RATE OF PAYMENT.—Section 107 is amended—

(1) in the second sentence of subsection (b), by striking ''Payments'' and inserting ''Except as provided in subsection (c), payments''; and

(2) in subsection (c)—

(A) by inserting ''and subchapter II of chapter 13 (except section 1312(a)) of this title'' after chapter 11 of this title'';

(B) by striking ''in subsection (a)'' and inserting ''in subsection (a) or (b)''; and

(C) by striking ''of subsection (a)'' and inserting ''of the applicable subsection''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to benefits paid for months beginning after that date.

SEC. 4. EXTENSION OF AUTHORITY TO OPERATE REGIONAL OFFICE IN THE PHILIPPINES.

Subsection (b) of section 315 is amended by striking ''2003'' and inserting ''2008''.

SEC. 5. BURIAL BENEFITS FOR NEW PHILIPPINE SCOUTS RESIDING IN THE UNITED STATES.

(a) BENEFIT ELIGIBILITY.—Section 107 is amended—

(1) in subsection (b)(2)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting '', 23, and 24 (to the extent provided for in section 2402(8))'' after ''(except section 1312(a))'';

(2) in the second sentence of subsection (b), as amended by section 3 of this Act, by inserting ''or (d)'' after ''subsection (c)'';

(3) in subsection (d)(1), by inserting ''or (b), as otherwise applicable,'' after ''subsection (a)''; and

(4) in section (d)(2), by inserting ''or whose service is described in subsection (b) and who dies after the date of the enactment of the Filipino Veterans Benefits Act of 2003,'' after ''November 1, 2000,''.

(b) NATIONAL CEMETERY INTERMENT.—Section 2402(8) is amended by inserting ''or (b)'' after ''section 107(a)''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to deaths occurring after the date of the enactment of this Act.

THE SECRETARY OF VETERANS AFFAIRS,
Washington, DC, May 12, 2003.

Hon. RICHARD B. CHENEY,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: We are transmitting a draft bill, ''To amend title 38, United States Code, to improve benefits for Filipino veterans of World War II and survivors of such veterans, and for other purposes.'' We request that it be referred to the appropriate committee for prompt consideration and enactment.

The draft bill would extend health care benefits to certain Filipino veterans residing legally in the United States. It would also eliminate an inequity in statutory payment rates between Filipino veterans and their survivors who legally reside in the United States and other veterans and their survivors living in the United States.

More specifically, section 2 of the draft bill would amend 38 U.S.C. §1734 to require the Secretary, within the limits of Department facilities, to provide hospitals and nursing home care and medical services to Commonwealth Army veterans and to new Philippine Scouts in the same manner as provided under section 1710, if such individuals reside legally in the United States. Currently, both Commonwealth Army veterans and new Philippine Scouts are eligible for treatment of service-connected disabilities within the limit of Department facilities. However, Commonwealth Army veterans are also eligible for treatment of non service-connected disabilities in the same manner as a veteran, if they are in receipt of certain compensation and reside legally in the United States. The proposal would extend to new Philippine Scouts who reside legally in the United States the same eligibility for medical care and services of non service-connected disabilities that currently exists for Commonwealth Army veterans, while eliminating the receipt-of-compensation requirement for these veterans and scouts. It would also apply the facilities-resources limitation to all care furnished under this section. The Department estimates that costs associated with enactment of this proposal would be $16,228,000 for Fiscal Year 2004. The projected costs would be $73,678,000 over a five-year period, and $130,265,000 over a ten-year period. The Department will offset the discretionary costs of this proposal with available de-obligations of prior year Medical Care Collection Fund balances.

Section 3 of the draft bill would, in the case of compensation and dependency and indemnity compensation (''DIC'') paid by reason of service in the new Philippine Scouts, and in the case of DIC paid by reason of service in the organized military forces of the Government of the Commonwealth of the Philippines, including organized guerilla units, remove the current $0.50 on-the-dollar limitation if the individual to whom the benefits are payable resides in the United States and is either a citizens of the United States or an alien lawfully admitted for permanent residence in the United States. The amendments made by section 3 would take effect on the date of enactment of the Act and apply to benefits paid for months beginning after that date.

Section 107(a) of title 38, United States Code, generally provides that service before July 1, 1946, in the organized military forces of the Government of the Commonwealth of the Philippines, including organized guerilla units, may in some circumstances be a basis for entitlement to disability compensation, DIC, monetary burial benefits, and certain other benefits under title 38, United States Code, but that payment of such benefits will be at the rate of $0.50 for each collar authorized. Similarly, 38 U.S.C. §107(b) generally provides that service in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945, i.e., service in the new Philippine Scouts, may be a basis for entitlement to disability compensation, DIC, and certain other benefits under title 38, United States Code, but that payment of such benefits will be at the rate of $0.50 for each dollar authorized.

These limitations on benefit payments to certain Filipino beneficiaries were intended to reflect the differing economic conditions in the Philippines and the United States. These limitations were not made contingent, in any respect, on the place of residence of the beneficiary, although, when the limitations were established, the great majority of affected individuals resided in the Philippines. Through the years, numerous Filipino veterans and their dependents and survivors have immigrated to this country, and many have become permanent residents or citizens. It became evident that the policy considerations underlying the restrictions on payment of compensation and DIC to the affected individuals are no longer relevant in the case of those who reside in the United States. VA realized that Filipino beneficiaries residing in the United States face living expenses comparable to United States veterans and that limiting the payment of these subsistence benefits to these individuals based on policy considerations applicable to Philippine residents is not only inequitable, but may result in undue hardships to these beneficiaries.

Section 501(a) of Public Law 106–377, enacted in October 2000, added subsection (c) to section 107, providing that, in the case of disability compensation paid by reason of service in the organized military forces of the Government of the commonwealth of the Philippines, including organized guerilla forces, the $0.50 on-the-dollar limitation would not apply if the individual to whom the benefits are payable resides in the United States and is either a citizen of the United States or an alien lawfully admitted for permanent residence. However, the statute left unchanged the $0.50 on-the-dollar limitation on the payment of DIC for all Filipino veterans and compensation for new Philippine Scouts regardless of the recipient's place of residence.

In the case of those Filipino veterans and their dependents and survivors who reside in the United States and therefore face living expenses comparable to United States veterans and their dependents and survivors, limiting the payment of subsistence benefits based on policy considerations applicable to Philippine residents is inequitable and may result in undue hardships to those beneficiaries. A change in law such as that provided in Public Law 106–377 is justified in the case of compensation and DIC payable to United States residents based on service in the new Philippine Scouts and DIC payable to United States residents based on service in the Philippine Commonwealth Army, including organized guerilla units. Thus, we propose that the $0.50-on-the-dollar limitation contained in section 107 be eliminated in the case of disability compensation and DIC payments to all Filipino veterans and their survivors who legally reside in the United States.

We estimate that section 3, if enacted, would increase benefit costs by $2.9 million in the first year and $45.6 million cumulatively for ten years. VA has determined that general-operating-expense costs for this proposal would be insignificant. This provision was included in the FY 2004 Budget.

Section 4 of the draft bill would extend until December 31, 2008, the authority of the Secretary of Veterans Affairs under 38 U.S.C. §315(b) to operate a regional office in the Republic of the Philippines. Under current law, that authority will expire on December 31, 2003. Congress has periodically extended this authority, most recently in Public Law 106–117.

Were VA to close the Manila regional office, veterans' assistance activities would

still be needed in the Philippines. A Federal Benefits Unit would have to be attached to the Department of State. Under such an arrangement, VA's control of costs and quality of service would be limited. Because a Federal Benefits Unit would assume responsibility only for disseminating information and assistance, but not processing benefits, there could be no assurance that the extensive fraud-preventive activities currently performed by the Manila regional office would continue. This provision was included in the FY 2004 Budget.

Section 5 of the draft bill would extend eligibility for national cemetery burial to new Philippine Scouts who lawfully reside in the United States. This section would also extend eligibility for other in-kind burial benefits and monetary burial benefits to new Philippine Scouts lawfully residing in the United states on the same basis as such benefits are provided under current law to persons who served in the organized military forces of the Government of the Commonwealth of the Philippines, including organized guerrilla units (Commonwealth Army veterans).

Under current 38 U.S.C. §107, Commonwealth Army veterans who lawfully reside in the United States are eligible for national cemetery burial and are eligible for monetary burial benefits at the full-dollar rate if at the time of death they are receiving VA disability compensation or would have been receiving VA pension but for their lack of qualifying service. Section 5 would extend these benefits to new Philippine Scouts who live in the United States. We believe provision of these same benefits to new Philippine Scouts who reside in the United States is equitable because the service of new Philippine Scouts is also worthy of recognition and new Philippine Scouts living in the Unites States face the same cost of living as other Filipino veterans who live in the United States. Enactment of this provision is consistent with VA's goal of achieving parity in the provision of veterans' benefits among similarly situated Filipino beneficiaries.

We estimate the cost associated with national-cemetery-burial eligibility for new Philippine Scouts would be $3,600 for one year, $16,700 for five years, and $35,300 for ten years. We estimate the costs of providing full-rate monetary burial benefits to new Philippine Scouts lawfully residing in the United States on the same basis as these benefits are provided to Commonwealth Army veterans would be $4,000 for one year, $16,000 for five years, and $32,000 for ten years.

The Office of Management and Budget advises that there is no objection to the transmission of this bill and that its enactment would be in accord with the Administration's program.

Sincerely yours,

ANTHONY J. PRINCIPI,

SECTION-BY-SECTION ANALYSIS

SECTION 1

Section 1(a) of the draft bill would provide that the short title of this Act be the ''Filipino Veterans' Benefits Act of 2003''.

Section 1(b) would provide that amendments or repeals in this Act be considered references to a section or other provision of title 38, United States Code.

SECTION 2

Section 2 would amend 38 U.S.C. §1734 to require the Secretary, within the limits of Department facilities, to provide hospital and nursing home care and medical services to Commonwealth Army veterans and to new Philippine Scouts in the same manner as provided under section 1710, if such individuals reside legally in the United States. Currently, both Commonwealth Army veterans and new Philippine Scouts are eligible for treatment of service-connected disabilities within the limits of Department facilities. However, Commonwealth Army veterans are also eligible for treatment of non service-connected disabilities in the same manner as a veteran if they are in receipt of certain compensation and reside legally in the United States. The proposal would extend to new Philippine Scouts who reside legally in the United States the same eligibility for medical care and services that currently exists for Commonwealth Army veterans, while eliminating the receipt of compensation requirements for the veterans and scouts. It would also apply the facilities-resources limitation to all care furnished under this section. The Department estimates that costs associated with enactment of this proposal would be $16,228,000 for Fiscal Year 2004. The projected costs would be $73,678,000 over a five-year period, and $130,265,000 over a ten-year period.

SECTION 3

Section 3 would, in the case of compensation and dependency and indemnity compensation (''DIC'') paid by reason of service in the new Philippine Scouts, and in the case of DIC paid by reason of service in the organized military forces of the Government of the Commonwealth of the Philippines, including organized guerrilla units, remove the current $0.50 on-the-dollar limitation if the individual to whom the benefits are payable resides in the United States and is either a citizen of the United States or an alien lawfully admitted for permanent residence in the United States. These amendments would take effect on the date of enactment of the Act and apply to benefits paid for months beginning after that date. This provision was included in the FY 2004 Budget.

SECTION 4

Section 4 would extend until December 31, 2008, the authority of the Secretary of Veterans Affairs under 38 U.S.C. §315(b) to operate a regional office in the Republic of the Philippines. This provision was included in the FY 2004 Budget.

SECTION 5

Section 5(a) would amend 38 U.S.C. §107 to extend eligibility for national cemetery burial to new Philippine Scouts who lawfully reside in the United States and to extend eligibility for other in-kind burial benefits and monetary burial benefits to new Philippine Scouts who lawfully reside in the United States on the same basis as such benefits are provided under current law to Commonwealth Army veterans. Section 5(b) makes a conforming amendment to section 38 U.S.C. §2402(8), which authorizes national cemetery burial for certain Filipino veterans. Section 5(c) provides that the amendments made by this section shall apply with respect to deaths occurring after the date of the enactment of this Act.

By Ms. MIKULSKI (for herself, Mrs. CLINTON, Mr. CORZINE, Mr. SARBANES, Mr. JOHNSON, Mr. LAUTENBERG, Mrs. MURRAY, Mr. KENNEDY, Ms. LANDRIEU, Mr. DAYTON, and Mr. HARKIN):

S. 1214. A bill to provide a partially refundable tax credit for caregiving related expenses; to the Committee on Finance.

Ms. MIKULSKI. Madam President, I rise to introduce the Family Caregiver Relief Act of 2003—my legislation to help those who face the crushing consequences of caring for a chronically ill family member. While we stand up for America, we must also stand up for what America stands for. That means strengthening the safety net for those who need it most. That means standing up for American families.

Families are hurting. The economy is weak. Many are holding down two jobs to make ends meet, going into debt to put kids through college, or finding and paying for health insurance.

Some families are facing extraordinary challenges. They are caring for a loved one with special needs which could be a child with autism, or cerebral palsy, a parent with alzheimer's, or a spouse with multiple sclerosis. These families struggle every day to take care of their loved ones.

I want to give help to those who practice self-help. My bill would provide a tax credit of up to $5,000 for family caregivers. This tax credit would help people pay for prescription drugs, home health care, specialized day care, respite care, transportation to chronic care or medical facilities, specialized therapy, including occupational, physical, or rehabilitational therapy, and other specialized services for children, including day care for children with special needs.

Family caregivers face so many stresses—emotional, physical, and financial stresses of caregiving. They face long days, supporting a family—while caring for a loved one with a chronic condition. A dad might have to work two jobs to meet the costs of care which places strains on marriage and relationships with other family members.

Caregivers also face high costs for medications, home health care, adult day care, physical therapy, durable medical equipment like a wheelchair, day care for children with special needs, and medical bills from care with specialists.

People who care for chronically ill family must patch together whatever care they can afford. Too often they go into debt, use their college accounts or their retirement savings or go without the care their loved ones need.

I have heard from families from around Maryland who are facing these strains, who are trying to make ends meet, and who are caring for a loved one who is chronically ill or needs assistance with activities of daily living.

The Hart family from Baltimore has a 2 year old son named Jackson who was born with severe brain abnormalities. He has the motor skill development of a 4 month old. He has daily seizures, so he needs total, round the clock care. The emotional cost of caring for a severely disabled child are incalculable and the financial costs are crushing. For the Harts, the costs include: $650 a month for day care for medically fragile children; $1,400 for a wheel chair; and, $700 for a special shower chair—since Jackson can't sit up in the bath. My proposal would help them meet these costs by providing them with a tax credit of $2,750.

I know of a a couple in Baltimore where the wife is in the final stages of Alzheimers. She was a school teacher and once spoke 5 languages. Now, she can only say a few words. She needs 24 hour-a-day care which costs almost three thousand dollars a month. Their retirement savings are gone though this couple is only in their early sixties. My bill would only provide a tax credit of five thousand to this couple. I know that this would help this couple as they face the challenges of her final days.

My last example is a woman in Potomac, MD who is caring for her husband who has multiple sclerosis. He can no longer talk, walk, stand or feed himself. She works full time to support them and cobbles together whatever home care she can afford. She is not able to afford respite care to run errands, or take herself to the doctor. This couple made a commitment in sickness or in health.

These are just a few examples of the stresses facing thousands of American families. One in five Americans has multiple chronic conditions. About 26 million people in this country care for a family members who is chronically ill or disabled.

My legislation is supported by groups who see everyday the human cost of family caregiving, including: Autism Society of America; Cystic Fibrosis Foundation; National Organization for Rare Disorders; Easter Seals; United Cerebral Palsy Associations; Arc of the United States; National Health Council; National Council on the Aging; Paralyzed Veterans of America; Family Voices; National Respite Coalition; National Family Caregivers Association; and National Alliance for Caregiving.

One of my first milestones in the Senate was the enactment of the Spousal Anti-Impoverishment Act to change the cruel rules of Medicaid so that families would not have to go bankrupt before Medicaid would pay for nursing home care for a spouse. Under this law, the spouse living in the community could keep the family home, keep a car, and keep some income each month to live on. This law helped one million people. But this was only a down payment.

Not much has been done since then except the National Family Caregiver Support Program and long-term care insurance for federal employees. I was proud to sponsor and work on both of these bills on a bipartisan basis to get them signed into law.

Now it is time to help family caregivers. They are the backbone of the long term care system in this country. They must be a priority in the Federal law books and the tax code.

I thank Senators CLINTON, CORZINE, SARBANES, JOHNSON, LAUTENBERG, MURRAY, KENNEDY, LANDRIEU, DAYTON, and HARKIN for cosponsoring the Family Caregiver Relief Act.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1214

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Family Caregiver Relief Act of 2003''.

SEC. 2. LONG-TERM CARE TAX CREDIT.

(a) ALLOWANCE OF CREDIT.—

(1) IN GENERAL.—Paragraph (1) of section 24(a) of the Internal Revenue Code of 1986 (relating to allowance of child tax credit) is amended to read as follows:

''(1) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the sum of—

''(A) the per child amount multiplied by the number of qualifying children of the taxpayer, plus

''(B) the sum of the eligible expenses of the taxpayer, not compensated by insurance or otherwise, for each applicable individual with respect to whom the taxpayer is an eligible caregiver for the taxable year.''.

(2) LIMITATION.—Section 24(b) of such Code is amended by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively, and by inserting before paragraph (2) (as redesignated by this paragraph) the following new paragraph:

''(1) IN GENERAL.—The credit allowed under subsection (a)(1)(B) shall not exceed $5,000 for any taxable year.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 24(d)(1) of such Code is amended by striking ''subsection (b)(3)'' each place it appears and inserting ''subsection (b)(4)''.

(B) The heading for section 24 of such Code is amended to read as follows:

''SEC. 24. FAMILY CARE CREDIT.''.

(C) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 24 and inserting the following new item:

''Sec. 24. Family care credit.''.

(b) ELIGIBLE EXPENSES.—

(1) IN GENERAL.—Section 24 of the Internal Revenue Code of 1986 is amended by redesignating subsections (b) through (f) as subsections (c) through (g), respectively, and by inserting after subsection (a) the following new subsection:

''(b) ELIGIBLE EXPENSES.—For the purposes of this section—

''(1) IN GENERAL.—The term 'eligible expenses' means expenses incurred by the taxpayer for—

''(A) medical care (as defined in section 213(d)(1) without regard to subparagraph (D) thereof),

''(B) lodging away from home in accordance with section 213(d)(2),

''(C) adult day care,

''(D) custodial care,

''(E) respite care, and

''(F) other specialized services for children, including day care for children with special needs.

''(2) ADULT DAY CARE.—The term 'adult day care' means care provided for adults with functional or cognitive impairments through a structured, community-based group program which provides health, social, and other related support services on a less than 24-hour per day basis.

''(3) CUSTODIAL CARE.—The term 'custodial care' means reasonable personal care services provided to assist with daily living and which do not require the skills of qualified technical or professional personnel.

''(4) RESPITE CARE.—The term 'respite care' means planned or emergency care provided to an applicable individual in order to provide temporary relief to an eligible caregiver.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 24(e)(1) of such Code (relating to portion of credit refundable), as redesignated by paragraph (1) and as amended by subsection (a)(3)(A), is amended by striking ''subsection (b)(4)'' each place it appears and inserting ''subsection (c)(4)''.

(B) Section 501(c)(26) of such Code is amended by striking ''section 24(c)'' and inserting ''section 24(d)''.

(C) Section 6211(b)(4)(A) of such Code is amended by striking ''section 24(d)'' and inserting ''section 24(e)''.

(D) Section 6213(g)(2)(I) of such Code is amended by striking ''section 24(e)'' and inserting ''section 24(f)''.

(c) DEFINITIONS.—Subsection (d) of section 24 of the Internal Revenue Code of 1986, as redesignated by subsection (b)(1), is amended to read as follows:

''(d) DEFINITIONS.—For purposes of this section—

''(1) QUALIFYING CHILD.—

''(A) IN GENERAL.—The term 'qualifying child' means any individual if—

''(i) the taxpayer is allowed a deduction under section 151 with respect to such individual for the taxable year,

''(ii) such individual has not attained the age of 17 as of the close of the calendar year in which the taxable year of the taxpayer begins, and

''(iii) such individual bears a relationship to the taxpayer described in section 32(c)(3)(B).

''(B) EXCEPTION FOR CERTAIN NONCITIZENS.—The term 'qualifying child' shall not include any individual who would not be a dependent if the first sentence of section 152(b)(3) were applied without regard to all that follows 'resident of the United States'.

''(2) APPLICABLE INDIVIDUAL.—

''(A) IN GENERAL.—The term 'applicable individual' means, with respect to any taxable year, any individual who has been certified, before the due date for filing the return of tax for the taxable year (without extensions), by a physician (as defined in section 1861(r)(1) of the Social Security Act) as being an individual with long-term care needs described in subparagraph (B) for a period—

''(i) which is at least 180 consecutive days, and

''(ii) a portion of which occurs within the taxable year.

Such term shall not include any individual otherwise meeting the requirements of the preceding sentence unless within the 39½ month period ending on such due date (or such other period as the Secretary prescribes) a physician (as so defined) has certified that such individual meets such requirements.

''(B) INDIVIDUALS WITH LONG-TERM CARE NEEDS.—An individual is described in this subparagraph if the individual meets any of the following requirements:

''(i) The individual is at least 18 years of age and—

''(I) is unable to perform (without substantial assistance from another individual) at least 3 activities of daily living (as defined in section 7702B(c)(2)(B)) due to a loss of functional capacity, or

''(II) requires substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairment and is unable to perform at least 1 activity of daily living (as so defined) or to the extent provided in regulations prescribed by the Secretary (in consultation with the Secretary of Health and Human Services), is unable to engage in age appropriate activities.

''(ii) The individual is at least 6 but not 18 years of age and—

''(I) is unable to perform (without substantial assistance from another individual) at least 3 activities of daily living (as defined in section 7702B(c)(2)(B)) due to a loss of functional capacity,

''(II) requires substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairment and is unable to perform at least 1 activity of daily living (as so defined) or to the extent provided in regulations prescribed by the Secretary (in consultation with the Secretary of Health and Human Services), is unable to engage in age appropriate activities,

''(III) has a level of disability similar to the level of disability described in subclause (I) (as determined under regulations promulgated by the Secretary), or

''(IV) has a complex medical condition (as defined by the Secretary) that requires medical management and coordination of care.

''(iii) The individual is at least 2 but not 6 years of age and—

''(I) is unable due to a loss of functional capacity to perform (without substantial assistance from another individual) at least 2 of the following activities: eating, transferring, or mobility,

''(II) has a level of disability similar to the level of disability described in subclause (I) (as determined under regulations promulgated by the Secretary), or

''(III) has a complex medical condition (as defined by the Secretary) that requires medical management and coordination of care.

''(iv) The individual is under 2 years of age and—

''(I) requires specific durable medical equipment by reason of a severe health condition or requires a skilled practitioner trained to address the individual's condition to be available if the individual's parents or guardians are absent,

''(II) has a level of disability similar to the level of disability described in subclause (I) (as determined under regulations promulgated by the Secretary), or

''(III) has a complex medical condition (as defined by the Secretary) that requires medical management and coordination of care.

''(v) The individual has 5 or more chronic conditions (as defined in subparagraph (C)) and is unable to perform (without substantial assistance from another individual) at least 1 activity of daily living (as so defined) due to a loss of functional capacity.

''(C) CHRONIC CONDITION.—For purposes of this paragraph, the term 'chronic condition' means a condition that lasts for at least 6 consecutive months and requires ongoing medical care.

''(3) ELIGIBLE CAREGIVER.—

''(A) IN GENERAL.—A taxpayer shall be treated as an eligible caregiver for any taxable year with respect to the following individuals:

''(i) The taxpayer.

''(ii) The taxpayer's spouse.

''(iii) An individual with respect to whom the taxpayer is allowed a deduction under section 151 for the taxable year.

''(iv) An individual who would be described in clause (iii) for the taxable year if section 151(c)(1)(A) were applied by substituting for the exemption amount an amount equal to the sum of the exemption amount, the standard deduction under section 63(c)(2)(C), and any additional standard deduction under section 63(c)(3) which would be applicable to the individual if clause (iii) applied.

''(v) An individual who would be described in clause (iii) for the taxable year if—

''(I) the requirements of clause (iv) are met with respect to the individual, and

''(II) the requirements of subparagraph (B) are met with respect to the individual in lieu of the support test of section 152(a).

''(B) RESIDENCY TEST.—The requirements of this subparagraph are met if an individual has as such individual's principal place of abode the home of the taxpayer and—

''(i) in the case of an individual who is an ancestor or descendant of the taxpayer or the taxpayer's spouse, is a member of the taxpayer's household for over half the taxable year, or

''(ii) in the case of any other individual, is a member of the taxpayer's household for the entire taxable year.

''(C) SPECIAL RULES WHERE MORE THAN 1 ELIGIBLE CAREGIVER.—

''(i) IN GENERAL.—If more than 1 individual is an eligible caregiver with respect to the same applicable individual for taxable years ending with or within the same calendar year, a taxpayer shall be treated as the eligible caregiver if each such individual (other than the taxpayer) files a written declaration (in such form and manner as the Secretary may prescribe) that such individual will not claim such applicable individual for the credit under this section.

''(ii) NO AGREEMENT.—If each individual required under clause (i) to file a written declaration under clause (i) does not do so, the individual with the highest modified adjusted gross income (as defined in section 32(c)(5)) shall be treated as the eligible caregiver.

''(iii) MARRIED INDIVIDUALS FILING SEPARATELY.—In the case of married individuals filing separately, the determination under this subparagraph as to whether the husband or wife is the eligible caregiver shall be made under the rules of clause (ii) (whether or not one of them has filed a written declaration under clause (i)).''.

(d) IDENTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Section 24(f) of the Internal Revenue Code of 1986 (relating to identification requirement), as redesignated by subsection(b)(1), is amended by adding at the end the following new sentence: ''No credit shall be allowed under this section to a taxpayer with respect to any applicable individual unless the taxpayer includes the name and taxpayer identification number of such individual, and the identification number of the physician certifying such individual, on the return of tax for the taxable year.''.

(2) ASSESSMENT.—Section 6213(g)(2)(I) of such Code is amended—

(A) by inserting ''or physician identification'' after ''correct TIN'', and

(B) by striking ''child tax'' and inserting ''family care''.

(e) DENIAL OF DOUBLE BENEFIT.—

(1) IN GENERAL.—Section 213(e) of the Internal Revenue Code of 1986 (relating to exclusion of amounts allowed for care of certain dependents) is amended by inserting ''or section 24'' after ''section 21''.

(2) CONFORMING AMENDMENT.—The heading of section 213(e) of such Code is amended by inserting ''LONG-TERM CARE OR'' after ''FOR''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the later of December 31, 2003, or the date of the enactment of this Act.

By Mr. ENZI (for himself and Ms. MIKULSKI):

S. 1217. A bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls; to the Committee on Health, Education, Labor, and Pensions.

Mr. ENZI. Mr. President, walking—climbing the stairs—reaching for an object or a needed item on a shelf. They're all things we do and take for granted every day. But for many of our nation's elderly, they are a constant source of anxiety and apprehension.

Anyone who has an elderly parent, relative or friend who lives alone knows the concern that is often raised when a phone call placed to them goes unanswered. Our first and immediate reaction is often worry because we know that for many of our nation's elderly, a fall can produce a very serious injury. As the phone continues to ring we wonder if Mom is upstairs and can't hear the phone, or Dad is in his workshop, or our friend has just stepped outside to catch a breath of fresh air.

We hang up, wait a few minutes and place our call again, often with a greater sense of urgency.

This time, our concern becomes worry as we picture our loved one suffering from the effects of a fall, alone, with no one to help them.

Then, when the phone is answered, a huge rush of relief overcomes us as we realize our fears were misplaced.

Would that every story like that have such a happy ending. For too many of our Nation's elderly, however, it sometimes ends tragically as brittle bones and a reduction in our sense of balance becomes a formula for serious injury and a dramatic reduction in one's quality of life.

Although the physical healing process after a fall can be long and traumatic, it often pales in comparison to the psychological effects of a loss of confidence—and therefore activity—of an elderly individual who no longer takes for granted his or her ability to walk and safely navigate their world without assistance or support.

Fortunately, there are things that can be done to both reduce the number of these tragic falls and restore the confidence of our loved ones in their ability to once again lead a normal life.

In an effort to address this issue I am introducing legislation, together with my distinguished colleague form Maryland, Senator MIKULSKI, that would take a multi-faceted approach to solving this problem. The Elder Fall Prevention Act of 2003 will look at every aspect of this matter, from educating the elderly about how to ''fall-proof'' their home, to researching the causes of most falls and trying to find ways both to avoid them and to provide better treatment to those who are recovering from them.

In today's world, when so many of us are living longer, it is quite commonplace to hear of elderly friends and relatives who have fallen and faced the challenge of recovering from a broken bone. Almost all of us have had that experience, either with family or friends.

What is less well know is that 25 percent of the elderly who sustain a hip fracture die within one year. On an annual basis, 40,000 people over age 65

visit emergency departments with traumatic brain injuries suffered as a result of a fall; 16,000 of those people are hospitalized, and 4,000 die. By the year 2030, as the baby boomer generation is added to the ranks of the elderly, the number of people over age 65 will double, potentially doubling the current elder fall injury statistics.

There are also significant costs associated with such a large volume of fall-related injuries among our nation's senior citizens. Direct costs to the Medicaid and Medicare programs alone will exceed an estimated $32 billion in the year 2020.

The Elder Fall Prevention Act of 2003 takes a three-pronged approach to this problem. It will direct the Department of Health and Human Services to develop public education on fall prevention for the elderly, family members, caregivers, and others involved with the elderly. It further calls for an expansion of research on effective approaches to fall prevention and treatment. Finally, the Elder Fall Prevention Act requires an evaluation of the effect of falls on the costs of Medicare and Medicaid, as well as the potential for reducing those costs through education, prevention and early intervention.

A wide variety of groups support this legislation, including the National Safety Council, the Emergency Nurses Association, the Assisted Living Federation of America, the American Geriatrics Society, the Brain Injury Association, the American Health Care Association, and many more. All of these groups should and will be partners in this comprehensive effort to address one of the leading causes of death and disability in the elderly.

The largest generation in our nation's history is rapidly approaching retirement. Passing this bill into law will mean a better quality of life for them and for all our nation's elderly. It will also help us reduce the cost of the Medicaid and Medicare programs for all Americans.

I am looking forward to working on this bill in Committee and sending it on to the Senate floor for a vote. The sooner we act the sooner we can begin to work to prevent falls and help our nation's elderly live safely and in better health.

Ms. MIKULSKI. Mr. President, I am pleased to join Senator ENZI in introducing the Elder Fall Prevention Act of 2003. Falls are a serious public health problem that affect millions of seniors each year. This bill expands research and education on elder falls to help keep seniors safe and in their own homes longer.

The facts are staggering. One out of every three Americans over age 65 falls every year. In 2000, over 10,200 seniors died and approximately 1.6 million seniors visited an emergency department as a result of a fall. Falls are the leading cause of injury deaths among seniors, accounting for 64,000 traumatic brain injuries and 340,000 hip fractures each year. Falls can be financially disastrous for families, and falls place a serious financial strain on our health care system. By 2020, senior falls are estimated to cost the health care system more than $32 billion.

These facts do not begin to tell the story of what falls can mean for seniors and their loved ones. Falls don't discriminate. Kay Graham was the victim of a fall. Many of us have friends or relatives who have fallen. A fall can have a devastating impact on a person's physical, emotional, and mental health. If an older woman loses her footing on her front porch steps, falls, and suffer a hip fracture, she would likely spend about two weeks in the hospital, and there is a 50 percent chance that she would not return home or live independently as a result of her injuries.

Last year, I chaired a hearing of the Subcommittee on Aging on the problem of elder falls. The Subcommittee heard testimony from Lillie Marie Struchen, a 91-year-old woman who had recently fallen in her bathroom when she slipped on the tile. Lillie Marie could not reach the panic button in her apartment, and it took her some time before she could get to her feet and call for help. Lille Marie was lucky. She recovered from her fall and returned to her normal routines. She shared with the Subcommittee some steps that she and her family had taken to prevent future falls, knowing that she may not be so lucky next time.

These falls, like the ones that Lillie Marie and thousands of others suffer from each year, can be prevented. With some help, there are simple ways that seniors can improve the safety of their homes and make a fall far less likely. Home modifications like hand rails in the bathroom, rubber mats on slippery tile floors, and cordless telephones that seniors can keep nearby can make a big difference. Well-trained pharmacists can review medications to make sure that two drugs do not interact to cause dizziness and throw a senior off balance.

That's what this legislation is about—getting behind our Nation's seniors and giving help to those who practice self-help. This bill creates public education campaigns for seniors, their families, and health care providers about how to prevent falls. It expands research on elder falls to develop better ways to prevent falls and to improve the treatment and rehabilitation of elder falls victims. This legislation also requires an evaluation of the effect of falls on Medicare and Medicaid, to look at potentially reducing costs by expanding coverage to include fall-related services.

Reducing the number of falls will help seniors live longer, healthier, more independent lives. This bill has the strong support of the National Safety Council and has been supported in the past by over 30 national and local aging and safety organizations. I look forward to working with Senator ENZI and my colleagues on the Health, Education, Labor, and Pensions Committee to get this bill signed into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 162—HONORING TRADESWOMEN

Mrs. CLINTON (for herself, Mr. COLLINS, Mrs. MURRAY, Mr. KENNEDY, and Ms. CANTWELL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 162

Whereas women worked side by side with men for long shifts under dangerous conditions to rescue individuals, remove debris, and prepare the sites for future use at Ground Zero, the Pentagon, and in the Shanksville, Pennsylvania field after the September 11th terrorist attacks;

Whereas the number of tradeswoman has risen dramatically over the last 30 years, but remains startlingly low;

Whereas while the number of women carpenters has tripled since 1972, they still only represent 1.7 percent of workers in the occupation;

Whereas the number of electricians who are female has quadrupled over that same time period, yet women make up only 2.7 percent of electricians;

Whereas the number of women who are firefighters has increased by 6 fold, yet women account for only 3 percent of all firefighters;

Whereas the skilled trades industry is experiencing a significant labor shortage, which will be exacerbated over the next 2 decades as many skilled workers retire;

Whereas the United States Department of Labor projects job growth in the skilled trades industry at 12.3 percent through the year 2010;

Whereas the National Association of Manufacturers reports a projected need for 10,000,000 new skilled workers by 2020, and the Associated General Contractors predicts a shortage of 250,000 skilled workers per year;

Whereas the average age of a construction worker is 47;

Whereas many women are employed in jobs that pay only a minimum wage and do not provide benefits, such as health insurance;

Whereas 59 percent of women earn $8 per hour, and while women constitute 47 percent of the workforce, they make up 60 percent of the working poor;

Whereas 44 percent of women are reported to be the sole supporter of themselves or their families;

Whereas the majority of women are segregated into 20 out of 440 occupations;

Whereas women could increase their earnings significantly by obtaining skills that allow them to become tradeswomen, for example a journey level electrician will make over $1,000,000 more than a typical cashier in a 30-year career;

Whereas women make up 77 percent of all wait staff who earn $6.55 an hour, on average, and only 5 percent of truck drivers who make an average of $17.50 an hour; and

Whereas women need greater access to training and opportunities to participate in skilled trades occupations: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) there should be more attention paid to breaking down the barriers that women face in entering the skilled trades; and

(2) policymakers, labor unions, and industry leaders should look at different labor pools to address existing and future skills shortages.

SENATE CONCURRENT RESOLUTION 50—EXPRESSING THE SENSE OF CONGRESS THAT THERE SHOULD BE ESTABLISHED A NATIONAL TRUCK SAFETY MONTH TO RAISE PUBLIC AWARENESS ABOUT THE CONTRIBUTIONS, RESPONSIBILITIES, AND NEEDS OF TRUCK DRIVERS TO MAKE THE NATION'S HIGHWAYS SAFER

Mr. TALENT submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 50

Whereas over 2,000,000 long-haul trucks and 138,000,000 automobiles share the Nation's highways each day;

Whereas the loss of more than 5,000 lives each year in accidents involving large trucks raises important safety issues;

Whereas truck drivers, who experience more workplace fatalities than any other single occupation, are acutely aware of their responsibility to contribute to highway safety;

Whereas long-haul truckers serve vital business just-in-time delivery schedules at great personal sacrifice, including driving at all times of the day and under adverse weather, road, and delivery conditions;

Whereas the United States economy depends upon the Nation's long-haul truckers, who deliver 71 percent of the dollar value of freight hauled in the United States;

Whereas truck safety has become the highest priority of the Federal Motor Carrier Safety Administration, and the Federal Government invests nearly $200,000,000 in truck safety enforcement activities each year; and

Whereas truck drivers across the Nation have committed themselves to make June a model month for compliance with the truck safety rules: Now, therefore, be it

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

(1) it is the sense of Congress that there should be established a National Truck Safety Month to raise public awareness about the contributions, responsibilities, and needs of truck drivers to make the Nation's highways safer; and

(2) Congress requests that the President issue a proclamation commending all truckers for their extra efforts to comply with truck safety regulations, designating a month for highway safety, and calling on all highway users, shippers, receivers, motor carriers, and Federal and State regulatory and law enforcement officials to support the efforts of truck drivers to make the Nation's highways a safer place to travel and to work.

SENATE CONCURRENT RESOLUTION 51—COMMENDING MEDGAR WILEY EVERS AND HIS WIDOW, MYRLIE EVERS-WILLIAMS FOR THEIR LIVES AND ACCOMPLISHMENTS, DESIGNATING A MEDGAR EVERS NATIONAL WEEK OF REMEMBRANCE, AND FOR OTHER PURPOSES

Mr. COCHRAN (for himself and Mr. LOTT) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 51

Whereas a pioneer in the fight for racial justice, Medgar Wiley Evers, was born July 2, 1925, in Decatur, Mississippi, to James and Jessie Evers;

Whereas, to faithfully serve his country, Medgar Evers left high school to join the Army when World War II began and, after coming home to Mississippi, he completed high school, enrolled in Alcorn Agricultural and Mechanical College, presently known as Alcorn State University, and majored in business administration;

Whereas, as a student at Alcorn Agricultural and Mechanical College, Evers was a member of the debate team, the college choir, and the football and track teams, was the editor of the campus newspaper and the yearbook, and held several student offices, which gained him recognition in Who's Who in American Colleges;

Whereas, while a junior at Alcorn Agricultural and Mechanical College, Evers met a freshman named Myrlie Beasley, whom he married on December 24, 1951, and with whom he spent the remainder of his life;

Whereas, after Medgar Evers received a bachelor of arts degree, he moved to historic Mound Bayou, Mississippi, became employed by Magnolia Mutual Life Insurance Company, and soon began establishing local chapters of the National Association for the Advancement of Colored People (referred to in this resolution as the ''NAACP'') throughout the Delta region;

Whereas, moved by the plight of African-Americans in Mississippi and a desire to change the conditions facing them, in 1954, after the United States Supreme Court ruled school segregation unconstitutional, Medgar Evers became the first known African-American person to apply for admission to the University of Mississippi Law School, but was denied that admission;

Whereas, as a result of that denial, Medgar Evers contacted the NAACP to take legal action;

Whereas in 1954, Medgar Evers was offered a position as the Mississippi Field Secretary for the NAACP, and he accepted the position, making Myrlie Evers his secretary;

Whereas, with his wife by his side, Medgar Evers began a movement to register people to vote in Mississippi and, as a result of his activities, Medgar Evers received numerous threats;

Whereas, in spite of the threats, Medgar Evers persisted, with dedication and courage, to organize rallies, build the NAACP's membership, and travel around the country with Myrlie Evers to educate the public;

Whereas Medgar Evers' passion for quality education for all children led him to file suit against the Jackson, Mississippi public schools, which gained him national media coverage;

Whereas Medgar Evers organized students from Tougaloo and Campbell Colleges, coordinated and led protest marches, organized boycotts of Jackson businesses and sit-ins, and challenged segregated bus seating, and for these heroic efforts, he was arrested, beaten, and jailed;

Whereas the violence against Medgar Evers came to a climax on June 12, 1963, when he was shot and killed in front of his home;

Whereas, after the fingerprints of an outspoken segregationist were recovered from the scene of the shooting, and 2 juries deadlocked without a conviction in the shooting case, Myrlie Evers and her 3 children moved to Claremont, California, where she enrolled in Pomona College and earned her bachelor's degree in sociology in 1968;

Whereas, after Medgar Evers' death, Myrlie Evers began to create her own legacy and emerged as a national catalyst for justice and equality by becoming active in politics, becoming a founder of the National Women's Political Caucus, running for Congress in California's 24th congressional district, serving as Commissioner of Public Works for Los Angeles, using her writing skills to serve as a correspondent for Ladies Home Journal and to cover the Paris Peace Talks, and rising to prominence as Director of Consumer Affairs for the Atlantic Richfield Company;

Whereas Myrlie Evers became Myrlie Evers-Williams when she married Walter Williams in 1976;

Whereas, in the 1990's, Evers-Williams convinced Mississippi prosecutors to reopen Medgar Evers' murder case, and the reopening of the case led to the conviction and life imprisonment of Medgar Evers' killer;

Whereas Evers-Williams became the first female to chair the 64-member Board of Directors of the NAACP, to provide guidance to an organization that was dear to Medgar Evers' heart;

Whereas Evers-Williams has published her memoirs, entitled ''Watch Me Fly: What I Learned on the Way to Becoming the Women I Was Meant to Be'', to enlighten the world about the struggles that plagued her life as the wife of an activist and empowered her to become a community leader;

Whereas Evers-Williams is widely known as a motivational lecturer and continues to speak out against discrimination and injustice;

Whereas her latest endeavor has brought her home to Mississippi to make two remarkable contributions, through the establishment of the Evers Collection and the Medgar Evers Institute, which advance the knowledge and cause of social injustice and which encompass the many lessons in the life's work of Medgar Evers and Myrlie Evers-Williams;

Whereas Evers-Williams has presented the extraordinary papers in that Collection and Institute to the Mississippi Department of Archives and History, where the papers are being preserved and catalogued; and

Whereas it is the policy of Congress to recognize and pay tribute to the lives and accomplishments of extraordinary Mississippians such as Medgar Evers and Myrlie Evers-Williams, whose life sacrifices have contributed to the betterment of the lives of the citizens of Mississippi as well as the United States: Now, therefore, be it

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

(1) Congress commends Medgar Wiley Evers and his widow, Myrlie Evers-Williams, and expresses the greatest respect and gratitude of Congress, for their lives and accomplishments;

(2) the Senate—

(A) designates the period beginning on June 9, 2003, and ending on June 16, 2003, as the ''Medgar Evers National Week of Remembrance''; and

(B) requests that the President issue a proclamation calling on the people of the United States to observe the week with appropriate ceremonies and activities; and

(3) copies of this resolution shall be furnished to the family of Medgar Wiley Evers and Myrlie Evers-Williams and made available to representatives of the media.

AMENDMENTS SUBMITTED AND PROPOSED

SA 865. Mr. DORGAN (for himself, Ms. CANTWELL, Mr. LIEBERMAN, Mr. AKAKA, Mrs. CLINTON, Mr. KERRY, Mr. NELSON of Florida, Mr. SCHUMER, Mr. HARKIN, Mr. DODD, Mr. REID, Mr. LAUTENBERG, and Mr. KENNEDY) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes.

SA 866. Mr. LAUTENBERG (for himself, Ms. CANTWELL, Ms. MURKOWSKI, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 867. Mr. BINGAMAN proposed an amendment to the bill S. 14, supra.

SA 868. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 824, to reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 869. Ms. COLLINS (for herself, Mrs. MURRAY, Mr. JEFFORDS, Ms. CANTWELL, and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 870. Mr. MCCONNELL (for Mr. ALLEN) proposed an amendment to the resolution S. Res. 158, commending the University of Virginia Cavaliers men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse Championship.

TEXT OF AMENDMENTS

SA 865. Mr. DORGAN (for himself, Ms. CANTWELL, Mr. LIEBERMAN, Mr. AKAKA, Mrs. CLINTON, Mr. KERRY, Mr. NELSON of Florida, Mr. SCHUMER, Mr. HARKIN, Mr. DODD, Mr. REID, Mr. LAUTENBERG, and Mr. KENNEDY) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 296, line 21, before ''Not'' insert ''(a) IN GENERAL.—''.

On page 297, between lines 2 and 3, insert the following:

(b) CONTENTS.—The plan shall describe the activities of the Department of Energy, including a research, development, demonstration, and commercial application program for developing technologies, to support—

(1) the production and deployment of—

(A) 100,000 hydrogen-fueled fuel cell vehicles in the United States by 2010; and

(B) 2,500,000 hydrogen-fueled fuel cell vehicles in the United States by 2020 and annually thereafter; and

(2) the integration of hydrogen activities with associated technical targets and timetables for the development of technologies to provide for the sale of hydrogen at a sufficient number of fueling stations in the United States by 2010 and 2020.

(c) PROGRESS REVIEW.—The Secretary shall include in each annual budget submission a review of the progress toward meeting the targets under subsection (b).

SA 866. Mr. LAUTENBERG (for himself, Ms. CANTWELL, Ms. MURKOWSKI, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table as follows:

On page 150, line 24, strike ''(tidal and thermal)'' and insert ''(wave, tidal, and thermal)''.

On page 156, line 4, strike ''(tidal and thermal)'' and insert ''(wave, tidal, and thermal)''.

SA 867. Mr. BINGAMAN proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 278, after line 8, insert the following:

''(h) TRIENNIAL REPORT ON EFFECT ON NATURAL GAS DEMAND.—Not later than 3 years after the date of enactment of this Act, and every three years thereafter, the Secretary shall submit to Congress an assessment of the effect of increased use of hydrogen, as a result of the programs in subsections (a) and (b), on demand for natural gas.''.

On page 291, strike line 22 and all that follows through page 292, line 8 and insert the following:

''(b) CONTENTS.—At a minimum, each plan shall contain—

''(1) a description of programs under the agency's control in which the use of hydrogen or fuel cells could benefit the operation of the agency, assist in the implementation of the agency's regulatory functions, or enhance the agency's mission;

''(2) a description of any agency management practices, procurement policies, regulations, policies, or guidelines that may inhibit the agency's transitions to the use of fuel cells and hydrogen as an energy source; and

''(3) an assessment of the effect of increased use of hydrogen by the agency, including increased use through programs under section 303(b) of the Energy Policy Act of 1992, as amended by this Act, or section 824 of this Act, on demand for natural gas.''.

SA 868. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 824, to reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

SECT. 217. SHARE OF AIRPORT PROJECT COSTS.

(a) IN GENERAL.—Section 47109 of title 49, United States Code, is amended by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following:

''(c) GRANDFATHER RULE.—

''(1) IN GENERAL.—In the case of any project approved after September 30, 2003, at an airport that has less than .25 percent of the total number of passenger boardings at all commercial service airports, and that is located in a State containing unappropriated and unreserved public lands and nontaxable Indian lands (individual and tribal) of more than 5 percent of the total area of all lands in the State, the Government's share of allowable costs of the project shall be increased by the same ratio as the basic share of allowable costs of a project divided into the increased (Public Lands States) share of allowable costs of a project as shown on documents of the Federal Aviation Administration dated August 3, 1979, at airports for which the general share was 80 percent on August 3, 1979. provided that this subsection shall apply only if—

''(A) the State contained unappropriated and unreserved public lands and nontaxable Indian lands of more than 5 percent of the total area of all lands in the State on August 3, 1979; and

''(B) the application under subsection (b), does not increase the Government's share of allowable costs of the project

''(2) LIMITATION.—The Government's share of allowable project costs determined under this subsection shall not exceed the lesser of 93.75 percent or the highest percentage Government share applicable to any project in any State under subsection (b).''.

(b) CONFORMING AMENDMENT.—Subsection (a) of Section 47109, title 49, United States Code, is amended by striking ''Except as provided in subsection (b)'', and inserting ''Except as provided in subsection (b) or subsection (c)''.

SA 869. Ms. COLLINS (for herself, Mrs. MURRAY, Mr. JEFFORDS, Ms. CANTWELL, and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 467, after line 16, add the following:

TITLE XII—ABRUPT CLIMATE CHANGE RESEARCH

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Abrupt Climate Change Research Act of 2003''.

SEC. 1202. ABRUPT CLIMATE CHANGE RESEARCH PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Commerce shall establish within the Office of Oceanic and Atmospheric Research of the National Oceanic and Atmospheric Administration, and shall carry out, a program of scientific research on abrupt climate change.

(b) PURPOSES OF PROGRAM.—The purposes of the program are as follows:

(1) To develop a global array of terrestrial and oceanographic indicators of paleoclimate in order to sufficiently identify and describe past instances of abrupt climate change.

(2) To improve understanding of thresholds and nonlinearities in geophysical systems related to the mechanisms of abrupt climate change.

(3) To incorporate such mechanisms into advanced geophysical models of climate change.

(4) To test the output of such models against an improved global array of records of past abrupt climate changes.

(c) ABRUPT CLIMATE CHANGE DEFINED.—In this section, the term ''abrupt climate change'' means a change in the climate that occurs so rapidly or unexpectedly that human or natural systems have difficulty adapting to the climate as changed.

SEC. 1203. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Department of Commerce $60,000,000, to remain available until expended, to carry out the research program required under section 1202.

SA 870. Mr. McCONNELL (for Mr. ALLEN) proposed an amendment to the resolution S. Res. 158, commending the University of Virginia Cavaliers men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse Championship; as follows:

Strike all after the resolving clause and insert the following: ''That the Senate—

''(1) congratulates the University of Virginia men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse National Championship;

''(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol Building to be honored; and

''(3) directs the Secretary of the Senate to—

''(A) make available enrolled copies of this resolution to the University of Virginia for appropriate display; and

''(B) transmit an enrolled copy of this resolution to each coach and member of the 2003 NCAA Division I men's lacrosse national championship team.''.

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 11, 2003 at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on the Nomination of Charles W. Grim, D.D.S., to be the Director of the Indian

Health Service at the Department of Health and Human Services; to be followed immediately by another hearing on S. 1146, to implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

SUBCOMMITTEE ON PUBLIC LANDS AND FOREST

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests.

The hearing will be held on Thursday, June 19 at 2:30 p.m. in Room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to gain an understanding of the grazing programs of the Bureau of Land Management and the Forest Service. The Subcommittee will receive testimony on grazing permit renewal, BLM's potential changes to grazing regulations, range monitoring, drought and other grazing issues. This hearing will also provide the basis for other grazing hearings that we may want to undertake at the subcommittee level as the year goes on.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Meghan Beal at 202–224–7556 or Meghan_Beal@energy.senate.gov.

PRIVILEGES OF THE FLOOR

Mr. DORGAN. Madam President, I ask unanimous consent that Bodar Tareen and Joe Krueger from my staff be allowed floor privileges during the consideration of S. 14.

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

Mr. ALEXANDER. Madam President, I ask unanimous consent that Tim Valentine, a fellow in my office, enjoy floor privileges during the Senate's consideration of the Energy bill.

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

Mr. REID. Madam President, on behalf of Senator FEINSTEIN, I ask unanimous consent two fellows in her office, Craig Harper and Tom Schneider, be given floor privileges during the pendency of the Energy Bill.

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

MEASURE READ THE FIRST TIME—S. 1215

Mr. MCCONNELL. Madam President, I understand that S. 1215 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by the title.

The assistant legislative clerk read as follows:

A bill (S. 1215) to sanction the ruling of the Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

Mr. MCCONNELL. Madam President, I now ask for its second reading and object to further proceedings on the matter.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. Madam President, let me just say that I have been working to get the so-called ''Burma bill'' cleared. I am still optimistic that may happen and plan to ask unanimous consent in the morning that we go to that bill.

For the information of our colleagues, if they have had a chance to see the front page of the Washington Post this morning, the problems in Burma should be at the top of the Nation's international agenda. Aung San Suu Kyi, who won the Nobel Peace Prize in 1991, was attacked 9 days ago. We hope and believe that she is alive. But she has been injured, according to all reports.

It is time for the United States to take a leadership position, and it is time for the Senate to pass this bill, which I will ask consent to bring up and pass tomorrow. I might say that it is cosponsored by both the Democratic and Republican leaders and by both the chairman and ranking member of the Foreign Relations Committee. It remains my hope that we will be able to get that cleared and vote on it tomorrow.

NATIONAL OCEANS WEEK

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further action on S. Con. Res. 49, and that the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 49) designating the week of June 9, 2003, as ''National Oceans Week'' and urging the President to issue a proclamation calling upon the people of the United States to observe this week with appropriate recognition, programs, ceremonies, and activities to further ocean literacy, education, and exploration.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to; further, that the motion to reconsider be laid upon the table, and that any statements regarding this matter be printed in the RECORD.

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

The resolution (S. Con. Res. 49) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. CON. RES. 49

Whereas 95 percent of the deep ocean is unexplored and unknown, and the ocean is truly the last frontier on Earth for science and civilization;

Whereas the ocean comprises nearly three quarters of the Earth's surface and sustains 80 percent of all life on Earth, including a large part of the Earth's biodiversity;

Whereas the oceans play a critical role in the global water cycle, carbon cycle, carbon cycle and in regulating climate; and over 90 percent of the oxygen in the Earth's atmosphere, essential to life on Earth, comes from the world's oceans and rivers;

Whereas the oceans are an important source of food, provide a wealth of other natural products, and the oceans and sea floor contain vast energy and mineral resources that are critical to the economy of the United States and the world;

Whereas the United States has more than 95,000 miles of coastline and more than 50 percent of the population of the United States lives within 50 miles of the ocean or the Great Lakes.

Whereas coastal areas are regions of remarkably high biological productivity; are of considerable importance for a variety of recreational and commercial activities; and provide a vital means of transportation;

Whereas ocean resources are limited and suspectible to change as a direct and indirect result of human activities, and such damages can impact the ability of the ocean to provide the benefits upon which the Nation depends;

Whereas the rich biodiversity of marine organisms provide society with an essential biomedical resource, a promising source of novel compounds with therapeutic potential, and a potentially important contribution to the national economy;

Whereas there exists significant promise for the development of new ocean technologies for stewardship of ocean resources that will contribute to the economy through business and manufacturing innovations and the creation of new jobs;

Whereas the President's Panel on Ocean Exploration recommended to the White House and to the Congress in its Year 2000 final report, ''Discovering Earth's Final Frontier: A U.S. Strategy for Ocean Exploration,'' a 10-year program to launch the first national plan for ocean exploration;

Whereas the Oceans Act of 2000 passed by the United States Congress authorized the establishment of the U.S. Commission on Ocean Policy and directed it to conduct a comprehensive review of present and future ocean programs and activities and provide comprehensive ocean policy recommendations to the Congress and the President by 2003; and

Whereas our oceans are vital to our national security and our nationmal economy, and with America's greatest era of ocean exploration and discovery still ahead: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the ocean is of paramount importance to the economic future, environmental quality, and national security of the United States;

(2) the United States has a responsibility to exercise and promote comprehensive stewardship and understanding of the ocean and the living marine resouces it constains; and

(3) the week of June 9, 2003, be designated as National Oceans Week and urges the President to issue a proclamation calling upon the people of the United States to observe this week with appropriate recognition, programs, ceremonies, and activities to further ocean literacy, education, and exploration.

COMMENDING THE UNIVERSITY OF VIRGINIA, 2003 NCAA LACROSSE NATIONAL CHAMPIONS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further action on S. Res. 158, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 158) commending the University of Virginia Cavaliers men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the amendment be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to; further, that the motion to reconsider be laid upon the table and that any statements regarding this matter be printed in the RECORD.

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

The amendment (No. 870) was agreed to, as follows:

(Purpose: To amend the resolving clause to eliminate the request the President invite the University of Virginia men's lacrosse team to the White House)

Strike all after the resolving clause and insert the following: ''That the Senate—

''(1) congratulates the University of Virginia men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse National Championship;

''(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol Building to be honored; and

''(3) directs the Secretary of the Senate to—

''(A) make available enrolled copies of this resolution to the University of Virginia for appropriate display; and

''(B) transmit an enrolled copy of this resolution to each coach and member of the 2003 NCAA Division I men's lacrosse national championship team.''.

The resolution (S. Res. 158), as amended, was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 158

Whereas the students, alumni, faculty, and supporters of the University of Virginia are to be congratulated for their commitment and pride in their National Champion men's lacrosse team;

Whereas in 2003, the University of Virginia claimed its second National Championship in 5 years, with an overall season of 15 and 2;

Whereas the Cavaliers won the NCAA first round 19 to 8 against Mount St. Mary's, beat Georgetown 12 to 7 in the Quarterfinals, and Maryland 14 to 4 in the Semifinals;

Whereas the University of Virginia Cavaliers won the championship game by defeating the Johns Hopkins Blue Jays 9 to 7;

Whereas the University of Virginia team was led by A.J. Shannon with 4 goals, John Christmas with 2 goals, and received outstanding effort and support from Chris Rotelli and Billy Glading, while goalie Tillman Johnson had 13 saves and was selected Most Outstanding Player of the championship game;

Whereas every player on the Cavalier team contributed to their success in this championship season and they are Mike Abbott, Andrew Agoliati, Jimmy Barter, Ryan Binder, Ned Bowen, Doug Brody, Patrick Buchanan, David Burman, Michael Culver, Jack deVilliers, Kyle Dixon, Andrew Faraone, Jon Focht, Newton Gentry, Foster Gilbert, Brendan Gill, Charlie Glazer, Zach Heffner, Brett Hughes, Hunter Kass, Nathan Kenney, Ted Lamade, Jared Little, Kevin McGrath, J.J. Morrissey, Justin Mullen, Chris Ourisman, Matt Paquet, Matt Poskay, Derrick Preuss, Hatcher Snead, Calvin Sullivan, Ryan Thompson, Matt Ward, Trey Whitty, Joe Yevoli, trainer Katie Serenelli, the team doctor, Dan Mistry, and manager Kristin Madl;

Whereas Head Coach Dom Starsia has coached the University of Virginia men's lacrosse team for 11 years, and has led the University of Virginia men's lacrosse team to the NCAA Tournament for a university-record 11th consecutive time;

Whereas Coach Starsia has led the team to a school record 15 wins this season;

Whereas Coach Starsia is 1 of only 3 coaches in college lacrosse history to win 100 games at 2 different colleges: the University of Virginia and Brown University; and

Whereas Coach Starsia and his coaching staff, including Assistant Coaches David Curry, Marc Van Arsdale, and Hannon Wright deserve much credit for the outstanding determination and accomplishments of their young team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Virginia men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse National Championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the University of Virginia for appropriate display; and

(B) transmit an enrolled copy of this resolution to each coach and member of the 2003 NCAA Division I men's lacrosse national championship team.

ORDERS FOR TUESDAY, JUNE 10, 2003

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow, Tuesday, June 10. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S. 14, the Energy bill; provided further that there then be 30 minutes equally divided for debate in relation to the Dorgan amendment No. 865, with no amendments in order to the amendment prior to the vote; further, that following the debate time, the amendment be set aside for a vote in relation to the amendment at a time determined by the majority leader after consultation with the Democratic leader.

I further ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party lunches.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, if the Senator will yield, as I indicated to the majority leader this morning, I have spoken to Senator DASCHLE, and he has tentatively agreed that on Wednesday we would agree to having a unanimous consent agreement that there would be a finite list of amendments that would be put before the Senate at that time. The only thing we have not determined is what time we would do that.

So we will continue to work with the majority in helping to move this bill. As we have indicated to the majority leader, once we get a finite list of amendments, Senator MCCONNELL and I and the two managers of the bill can try to work through them and eliminate some, reminding all Senators that a very similar bill was brought through the Senate last year and we disposed of about 125 amendments. We had votes on about 40 amendments—45. I knew it was around 40. So we hope to do a lot better than that this time; that is, have fewer amendments than we had last time. But it is something on which we are working. And as I have indicated now for the second time tonight, we will continue to work with the majority to try to move that legislation.

The PRESIDING OFFICER. Is there objection?

Mr. REID. No objection.

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

Mr. MCCONNELL. Madam President, I say to my friend from Nevada, it remains the hope of the majority leader to finish the Energy bill this week because it remains his intention to spend the last 2 weeks before the Fourth of July break on the Medicare prescription drug issue.

PROGRAM

Mr. MCCONNELL. For the information of all Senators, tomorrow morning the Senate will resume consideration of S. 14, the Energy bill. At 9:30 tomorrow morning, the Senate will debate the Dorgan amendment related to hydrogen. That vote will occur at some point Tuesday morning prior to the policy luncheons. It has also been my hope, and the hope of many Members,

as I indicated earlier, that tomorrow morning the Senate could consider and pass a bill relating to sanctions against Burma. As I suggested earlier, I will be asking the Senate to do that in the morning, and hopefully we will have a chance to move forward on that important piece of legislation.

Tomorrow we will continue to work with our Democratic colleagues to clear the Energy bill. Additional amendments are expected throughout tomorrow's session; therefore, rollcall votes will occur during tomorrow's session. It is also the hope of the bill managers that we can lock in a final list of amendments. Senator REID referred to that earlier. We hope to be able to do that as soon as possible, and we encourage all Senators who wish to offer an amendment to contact the chairman and ranking member of the Energy Committee.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Tuesday, June 10, 2003, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 9, 2003:

THE JUDICIARY

ROBERT CLIVE JONES, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE DAVID W. HAGEN, RETIRING.

PHILLIP S. FIGA, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE RICHARD P. MATSCH, RETIRING.

DEPARTMENT OF JUSTICE

JACK LANDMAN GOLDSMITH III, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE JAY S. BYBEE, RESIGNED.

CHRISTOPHER A. WRAY, OF GEORGIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE MICHAEL CHERTOFF.

CONFIRMATION

Executive nomination confirmed by the Senate June 9, 2003:

THE JUDICIARY

MICHAEL CHERTOFF, OF NEW JERSEY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.

EXTENSIONS OF REMARKS

NATIONAL HUNGER AWARENESS DAY RESOLUTION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. WOLF. Mr. Speaker, today, Mr. MCGOVERN and I introduced a resolution to help draw attention to the 33 million hungry Americans. The resolution recognizes organizations such as America's Second Harvest that provide emergency food assistance to hungry people in the United States, and encourages all Americans to provide volunteer services and other support for local anti-hunger advocacy efforts and hunger relief charities, including food banks, food rescue organizations, food pantries, soup kitchens, and emergency shelters.

On National Hunger Awareness Day I have mixed emotions. I am proud of the armies of compassion that are represented by organizations such as America's Second Harvest. But I'm also sad because its been nearly 40 years since President Johnson declared war on poverty and hunger and yet, today, 13 million kids STILL live in households that do not have an adequate supply of food. (USDA)

In 2001, there were 33.6 million Americans—20 million adults and 13 million children—who were hungry or at risk of hunger. (USDA) In Matthew 25, Jesus talks about the obligation to feed the hungry. In a world, and especially a nation, as plentiful as ours, it is tragic that even one child is hungry.

My state of Virginia is better off than many states. We are below the national average poverty rate of 11.6 percent. We have fewer people who don't have food—7.6 percent versus the national average of 10.4 percent.

Yet, hunger is still rampant here. 294,434 children, or 43.4 percent, received free or reduced-price meals.

Substantial progress has been made to feed the hungry in the United States, yet too many Americans still go to bed hungry and feel the effects of food deprivation. Federal programs like the Food Stamp Program, child nutrition programs, and food donation programs, provide essential nutritional support to millions of low-income people, but the need remains. Thankfully, community- and faith-based institutions are providing assistance to hungry people across the country.

The armies of compassion are working hard, but we each must do our part to join in and support them. Barriers need to be eliminated to allow businesses to do the morally conscionable thing and donate their surplus food. It's outrageous that it is more ''cost effective'' for a business to throw out or destroy surplus food rather than donate it to a local soup kitchen. A White House conference on hunger, like the one my colleague Senator DOLE called for just this morning, would be an ideal venue to discuss these important issues.

I hope that in the midst of the facts and statistics, no one misses the REAL point of National Hunger Awareness Day—that in a land of plenty, 13 million children still go to bed hungry. A country which is as blessed as ours needs to do better.

RECOGNIZING DIARIO LAS AMERICAS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Ms. ROS-LEHTINEN. I wish to recognize the extraordinary achievements of a newspaper that will commemorate the 50th anniversary of its founding on July 4th, the day this Nation celebrates its independence.

Diario Las Americas is a nationally and internationally distributed newspaper that has always served its community, its Nation and the principles of freedom and democracy that we all embrace.

Dr. Horacio Aguirre, its founder and director, was born in New Orleans of Nicaraguan parents. He commenced his career in journalism early in life after having graduated from the University of Panama with a degree in Law and Political Sciences.

Since 1984, he has presided over the International Affairs Committee of the Inter-American Press Association, Sociedad Interamericana de Prensa, SIP, an organization that groups some 1,300 newspapers from this hemisphere. He is also a member of the World Association of Newspapers, WAN, whose headquarters is in Paris, and of the World Press Freedom Committee, of Washington, DC.

Dr. Aguirre has received, among many distinctions and honors, the Gran Cruz del Mérito Civil de España, bestowed in 1991 by His Majesty, King Juan Carlos I; the Orden de Caballero de San Gregorio bestowed by the Vatican in 1984; the Presidential Award of the Sociedad Interamericana de Prensa, SIP en 1999; and degrees honoris causa from Barry University, Miami-Dade Community College and Florida International University.

As the 50th anniversary of its founding approaches, I wish to acknowledge Diario Las Americas, Dr. Horacio Aguirre, his family and collaborators in their abiding stand in defense of moral and democratic values.

CONDEMNING THE CRACKDOWN OF THE OPPOSITION IN BURMA AND THE DETENTION OF DAW AUNG SAN SUU KYI

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. PAYNE. Mr. Speaker, I stand today to deplore in the strongest possible terms this past weekend's nationwide crackdown in Burma. The attack by armed goons supported by Burma's military regime on 1991 Nobel Peace Prize recipient Aung San Suu Kyi is an insult and an offense to all freedom loving peoples around the world. Even worse, it is reported that several of her supporters have been brutally killed.

When I traveled to Burma to meet with Aung San Suu Kyi, I was immediately impressed by her staunch commitment to freedom and her refusal to yield to unremitting government pressure.

I was proud to hear that Archbishop Desmond Tutu, a man I know and admire, has called for the international community to immediately impose sanctions on Burma's regime. I urge that the United States cooperate promptly in this regard; failure to act decisively would be to miss an opportunity to reaffirm our support for liberty and justice in Burma.

TRIBUTE TO KATHRYN GIOMI

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I rise today to pay tribute to the life of an outstanding young woman with a desire to serve her country. Kathryn Giomi planned to spend her life in the service of her nation, but her life was tragically taken in an auto accident before she could live her dream. As her loved ones mourn her passing, I would like to pay tribute to her memory.

Kathryn, who enjoyed cooking, listening to big band music, and dancing, was born in San Jose, California where she graduated from high school three years ago. Last year, Kathryn moved to Colorado where she worked in a restaurant and theater while she waited for her chance to serve in the United States Air Force as a military police officer. Kathryn was proficient in Spanish, spoke some Italian and Farsi, and hoped for an assignment at Aviano Air Force Base in Italy, where she could improve the Italian language skills she learned from her family. Kathryn was slated to leave for basic training at Lackland Air Force Base in San Antonio in June.

Kathryn is survived by her mother Marguerite Ellen Rose, her father Ron Giomi, her sister Heather Giomi-Beck, her brothers Ryan and Vincent Giomi, two nephews and a niece. Our thoughts and prayers are with them during this difficult time.

Mr. Speaker, it is people like Kathryn, who understand the price of freedom and have answered the call to service, who have helped to make America what it is today. Kathryn would have made a fantastic member of our armed forces, and our nation is appreciative of her willingness to serve. She will be missed by her family, friends, and her country.

SENSE OF THE HOUSE COMMENDING NATION'S BUSINESSES AND BUSINESS OWNERS FOR SUPPORT OF OUR TROOPS AND THEIR FAMILIES

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 4, 2003

Mr. HASTINGS of Florida. I rise today in support of H. Res. 201, which commends American business for its support of U.S. Reservists and National Guardsmen called to active duty.

Nationwide, Reservists are averaging far more number of days either deployed or away from home than at the height of the Gulf War in 1991. They are being called up more often, are serving for longer periods of time, and are absolutely vital to our national military strategy. The U.S. military does not undertake any sustained operations anywhere in the world without using the National Guard and Reserve.

Over 216,900 reservists have been called to active duty since 9/11, with most having to temporarily leave their civilian jobs to serve. Although their jobs are assured when they return, for their employers, war means having to continue business without key employees. Small firms in particular must make extraordinary sacrifices when they lose one of their most productive workers. Yet, despite these hardships, many companies continue to support these employees and their families while they serve their nation. H. Res. 201 expresses the sense of the House that our nation's businesses and business owners should be commended for their support of our troops and their families as they serve our country.

It is important to acknowledge the sacrifices and contributions made by American business in support of the Reservists and Guardsmen they employ. Many of these companies, without legal obligation to do so, continue to pay reservists the difference between their military pay and what they earn on their civilian jobs. Many also continue to pay health and insurance benefits for those employees and their families.

Members of the guard and reserve can't do their job without the support of their family and employers. It is fitting that we take this opportunity to acknowledge the contribution that American business, both corporate and family-owned, is making to the defense of our nation and to our national military objectives.

ALL SPOUSES OF MILITARY RETIREES DESERVE OUR HELP

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. FILNER Mr. Speaker and colleagues, I rise to call attention to my bill, H.R. 2393, ''Continued Benefits for Injured Spouses Act''.

Under current law, enacted in 1982, former spouses of military members or retirees are eligible for military medical benefits and exchange and commissary privileges if the military member had performed at least 20 years of military service, had been married for at least 20 years to one spouse, and 20 years of marriage and service were overlapping. This is known as the 20/20/20 restriction. Further legislation was enacted two years later to include additional former spouses under a 20/20/15 restriction.

While this law recognizes the contribution and sacrifice of many military spouses who later divorced, there is a group who are completely left out through no fault of their own. Spouses who must leave a marriage through divorce due to documented abuse are often left with none of these benefits. Domestic violence and physical or sexual endangerment to the spouse or the children, proven by medical or counseling records, should be taken into account. Divorced because of this situation, the injured spouse should continue to receive all benefits.

H.R. 2393 will change the law to 20/20/10—only for these special circumstances, meaning that the military member would have been married for at least 20 years to one spouse, would have performed at least 20 years of military service, with 10 years of service and marriage overlapping. This change would allow an abused spouse to escape from a potentially dangerous marriage and still keep benefits.

Teresa, a woman in my Congressional District, has found herself in these circumstances. She told me, ''I didn't begin this marriage looking for a way to divorce. I believe in commitment, and there were some good years. But had I known when I married him how he would hurt me and endanger my life, I would have backed away. I have done all I can to keep this marriage together. His response to legal separation was to come over and throw our 15 year old around until I called the police. I will never allow him to hurt our children again.''

Most of our military members are honorable and good people. But, in the few cases where spousal or child abuse is involved, we must protect the families. I invite my colleagues to join with me in supporting military spouses who have found themselves in dangerous marriages. Please co-sponsor H.R. 2393.

TRIBUTE TO HILDA VAUGHAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Hilda Vaughan, an exceptional individual who has selflessly devoted her time and energy to the betterment of this nation. I applaud her outstanding character, and her desire to support and educate her community. Hilda demonstrates impressive qualities worthy of such praise, and today we honor her retirement as a salute to a job well done.

Hilda was born in Lynchburg, Virginia, and spent her adolescent years thirsting for knowledge. After graduating from Rustburg High School in Rustburg, Virginia, she obtained a Bachelor of Arts degree from Lynchburg College, and married her beloved husband, Ted Vaughan. Hilda moved to Silt, Colorado, and served her community well, by holding a number of clerical, secretarial, and accounting positions. Additionally, Hilda achieved her EMT–B certification and assisted the Grand Valley Fire Protection District. Hilda's attention to detail, together with her unwavering determination, led her to become and perform as an outstanding substitute teacher and librarian for 23 years. As a student teacher in Lynchburg, she educated herself to become a mentor as well as a teacher. Her first substitute teaching position was in the RE–2 School District, in Rifle, Colorado. Through her experiences in different geographic areas and districts, Hilda expanded her vast knowledge and wisdom, and became an excellent asset to every school district she served. Today we admire a woman who selflessly donated her time and efforts to upholding the structure of her community.

Mr. Speaker, it is with great pride I honor such an outstanding individual before this body of Congress and this nation. Hilda contributed so much, and she was so thoughtful, words will never express our appreciation to her. Hilda, thank you for your hard work in our country, and I anticipate great achievements from you in the future.

TRIBUTE TO PATRICIA HARPER GARRETT

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MEEK of Florida. Mr. Speaker, I rise to pay tribute to Patricia Harper Garrett, of whom it can be said, ''Teaching was in her genes.'' Her grandmother was the Principal at Belle Glades Jr. High School and later Principal of Roosevelt Jenkins High School in Starke, Florida, where her parents were both students. At the end of this school year, Mrs. Garrett will be retiring from the teaching profession after 35 years.

Patricia Garrett is a graduate of George Washington Carver High School and Bethune Cookman College. She is also a member of Alpha Kappa Alpha Sorority, Inc. and an Associate Member of Jack and Jill of America.

Throughout her teaching career, her title has changed several times, including Work Experience Coordinator at Booker T. Washington and Richmond Heights Junior High Schools and Cooperative Education Coordinator/Department Chairperson at Miami Sunset Senior High School. However, her goal has always been the same: to make a positive and lasting difference in the lives of young people.

Ms. Garrett realized at an early age, from years of watching her grandmother and mother who were both teachers, that education was crucially important. After college, she came to realize that her skills could best be utilized helping to educate young people.

Ms. Garrett has received numerous honors over the years in recognition of her skill, commitment, dedication, and enthusiasm for educating young people. In 1997, she received perhaps her greatest honor: the selection of her daughter, Jessica Garrett—a fourth-generation teacher in her family as Miami-Dade Public Schools Region Beginning Teacher of the Year. The legacy of educators continues with her youngest daughter, April Garrett, who is in her first year of teaching.

Congratulations, Patricia Harper Garrett. Thank you for your service, and enjoy your retirement.

TRIBUTE TO GEORGE RYAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MCINNIS. Mr. Speaker, it is with a profound sense of pride that I stand before this Congress and this Nation to pay tribute to an outstanding educator, coach and leader from my district. George Ryan of Grand Junction, Colorado spends most of his time with the student-athletes of the area, providing them with leadership, and direction. I am honored to recognize his accomplishments here today.

George grew up interested in sports, and worked hard to receive a football scholarship to Youngstown College but enlisted in the armed forces to dutifully serve our country. One of the greatest things to happen to George was being stationed at Fort Carson in Colorado, where he met a young nursing trainee who would soon become his wife, Mary Ann. The couple soon wound up in Grand Junction, where George became a teacher and coach.

George's interest in our Nation's youth led him to serve on the District 51 school board. After some time there, he shifted his volunteer time to athletics and began to officiate at track meets. He worked as an insurance claims adjuster during the day, so he could provide some financial stability for his family. His hard work on the track garnered George quite a reputation as a track official, where he worked 15 State Track Championships. George was so good at his job that he received an invitation to the NCAA Track Championships in 1982, working the hammer throw, discus, and the javelin. He enjoys officiating track meets and working with young people so much that it has become his number one hobby.

Mr. Speaker, I am honored to stand before this Congress and this Nation to praise George Ryan. George has provided the city of Grand Junction with an exemplary model of community service. He has spent countless hours helping children engage in sports, while providing them with a role model they can look up to and admire. Thank you, George, for your years of service.

RECOGNIZING AND COMMENDING ALL WHO PARTICIPATED IN AND SUPPORTED OPERATION ENDURING FREEDOM IN AFGHANISTAN AND OPERATION IRAQI FREEDOM IN IRAQ

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 4, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in support of H. Con. Res. 177. This resolution acknowledges the accomplishments of the U.S. armed forces and expresses the deep gratitude of the nation to the 21 steadfast allies and coalition members in Afghanistan and Iraq. It also commends Defense Department civilians and contractors for their work and support.

It is a privilege to take a few minutes to pay tribute to the men and women who distinguish themselves daily in selfless service to this nation. More than 1.4 million men and women make up America's active and reserve forces, and over 300,000 of them are deployed for military action in Afghanistan and Iraq.

In addition to their duties as soldiers, members of the armed forces also serve as our nation's unofficial ambassadors.They represent the very best of what this nation stands for—honor, loyalty, and a commitment to enhancing freedom and democracy throughout the world. The men and women now serving in Iraq and Afghanistan have the unique opportunity to demonstrate to the world that the United States cannot only win wars, it can help emerging nations become self-governing as well. Maintaining the peace and nation building in these two countries promises to be a lengthy and time-consuming process. I am pleased to offer my support to this resolution and call on my colleagues on both sides of the aisle to reaffirm our commitment to our nation's goals in these two countries.

H. Con. Res. 177 also conveys the deepest sympathy and condolences to the families of service members killed or wounded during these operations, and calls on communities across the country to prepare appropriate ceremonies to commemorate with tributes and days of remembrance their service and sacrifice.

Sixty-seven United States military and civilians lost their lives in Afghanistan and 140 died in Iraq so far. By any measure, their contributions, in terms of human sacrifice, are immense. As a nation we share the sense of loss that their families are experiencing. We must never forget that the peace and prosperity that we enjoy are founded on the ultimate sacrifices made by those who have lost their lives in war throughout our nation's history.

EDUCATION, JOBS, BENEFITS, AND PRESCRIPTIONS FOR OUR NATION'S VETERANS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. FILNER. Mr. Speaker and colleagues, I rise today to urge support for four bills that I have introduced to address several needs of our veterans and to ensure their well-being.

The first bill (H.R. 1924) deals with education benefits. Last year, one very important piece of the Fiscal Year 2003 National Defense Authorization Act that Congress passed was a provision that extends the time limit for members of the Selected Reserve to use their Montgomery GI Bill (MGIB) education benefits from 10 years to 14 years. Prior to the passage of this law, these MGIB participants had only 10 years from their release from military service to use these earned education benefits.

Many times, veterans with families, work commitments, and economic difficulties are unable to fulfill all their requirements to receive a degree or certification within this 10 year period. In passing last year's Defense Authorization Act, Congress recognized this difficulty for members of the Selected Reserve. Also recognizing that 10 years may not be long enough for certain individuals, the VA Secretary has limited discretion to grant time extensions to those who are unable to use their benefits due to mental or physical handicaps.

It is clear that life in 2003 can make it difficult to finish an education in the allotted time frame. I believe it is time to extend the time period for *all* the participants of the MGIB. Therefore, I have introduced H.R. 1924, ''The Montgomery GI Bill Flexibility Act'', which will allow all participants up to 14 years to complete their education. This bill will ensure that more of our veterans are able to avail themselves of the educational opportunity that the MGIB affords them—the educational opportunity that they earned.

A second bill, H.R. 1920, ''Let U.S. Veterans Rebuild Iraq Act'', does just what the title says. It would guarantee jobs to veterans with companies that are awarded government contracts to rebuild Iraq. We have all rallied to support our troops as they waged Operation: Iraqi Freedom. But often, after the troops come home, our veterans are not treated with the respect that they deserve. It is most important to ensure that there are jobs for our nation's veterans, both new veterans and older. We are still fighting homelessness among veterans, a national disgrace. One way to better the lives of many veterans is to include them in the job of rebuilding Iraq. They fought for freedom for Iraq. Let's get them involved with helping to secure the future for Iraq.

My third bill, H.R. 1347, ''The Former Prisoners of War Equitable Dental Benefits Act'', is legislation that I introduced in the 107th Congress and that passed the House of Representatives, but not the Senate. This bill is supported by the Department of Veterans Affairs. It would eliminate the ''time of internment'' requirement for former prisoners-of-war (POWs) in order to be eligible for outpatient dental care benefits at the VA.

No one can deny that former POWs have sacrificed greatly in defense of their country. Unfortunately, their sacrifices continue. Reports have shown that POWs are at higher risk for a number of disabling conditions associated with exposure to infectious disease, inclement weather, and malnutrition.

Currently, the law states that eligibility for outpatient dental care benefits only applies to former POWs with 90 days or more of internment. As you can imagine, this time requirement has been difficult for the VA to administer and to justify to the veterans seeking dental care. Former POWs are often confused about this time requirement. Who could say that our POWs in Iraq did not suffer because they were not imprisoned for 90 days? H.R. 1347 eliminates the arbitrary distinction between former POWs who have all paid dearly for their service.

Fourthly, I have learned that VA doctors are not allowed to prescribe more than a 1 month prescription for controlled drugs, such as pain killers used for chronic conditions. But many veterans who have these prescriptions have been treated with the same medications for years and show no signs of abuse. H.R. 1921, the ''Continuity of Care for Veterans with Chronic Conditions Act'', would allow VA doctors to write a three-months prescription for these veterans who demonstrate no sign of

abuse of their medication. This bill would make it more convenient for sick veterans to get their medication and would ensure that no lag time exists when veterans are without their medication.

Education, jobs, benefits, and prescriptions for our nation's veterans. I urge your support for this legislation!

TRIBUTE TO LEE M. ANCELL SR.

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MCINNIS. Mr. Speaker, it is with profound sadness that I take this opportunity to pay tribute to the life and memory of a veteran from my state, Lee M. Ancell, Sr. Lee passed away recently at the age of 88. As his family mourns their loss, I would like to take this moment to pay tribute to his life and accomplishments here today.

Lee was a part of what many call the ''greatest generation,'' and when the United States entered World War II, he dutifully answered his nations call by enlisting in the Army Air Corp. After his discharge, Lee returned to marry Margaret Galloway. Lee and Margaret lived a long life together, as their marriage spanned 53 years. After moving to Cortez, Colorado, Lee became involved in a number of groups and organizations. He enjoyed membership in groups like the National Rifle Association, the VFW, and the National Water Well Drillers Association. He was also a respected leader of the 4–H Club. Lee spent his free time engaging in a variety of activities, including welding, hunting, fishing, and playing the guitar. A family man, Lee is survived by three children, six grandchildren, and one great grandchild.

Mr. Speaker, I am honored to stand before this Congress and this nation to pay tribute to the life and legacy of Lee Ancell, Sr. Lee was a solid contributor to his community and his nation, and I am grateful for his service. My thoughts and prayers go out to Lee's family and friends.

TRIBUTE TO JERLEAN BARRON

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MEEK of Florida. Mr. Speaker, I rise to pay tribute to Mrs. Jerlean Barron, who will be retiring from the Dade County Public Schools at the end of this school year. Mrs. Barron is the very definition of a strong person. She dedicated her life to serving her family and her community, and she did both with distinction.

Mrs. Barron was born and raised in Baxley, Georgia and is a product of the Appling County Public School System. She attended Appling Elementary and Secondary Schools.

Mrs. Barron is a role model who demonstrated daily how to overcome obstacles. After raising six of her biological children, she took on the responsibility of raising four of her grandchildren. Mrs. Barron was always there to support her grandchildren morally, emotionally, spiritually, and even financially in their pursuits.

Mrs. Barron has had to deal with hard decisions in her life. Her husband and daughter became terribly ill, and she was responsible for their care. During this difficult time, and despite the tremendous effort it took, she nonetheless continued to give great help and service to the Phyllis R. Miller Elementary School.

Mrs. Barron's dedication, loyalty, compassion, and involvement will be greatly missed. She showed students and faculty alike, by her example, how to make lemonade from the lemons life gives them, and in doing so she contributed greatly to the Miami-Dade community.

Mr. Speaker, I know that my colleagues join me in recognizing Mrs. Jerlean Barron for her work, in thanking her for her service and in wishing her much happiness in her retirement.

HONORING ROBERT KREAMELMEYER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MCINNIS. Mr. Speaker, it is with a heavy heart that I stand before this body of Congress to pay tribute to Robert Kraemelmeyer, who recently passed away after many years of public service. Robert devoted his life to serving his community and this devotion will not be forgotten

Robert began his life of public service when he left college to join the Air Force and serve in World War II, stationed with the 423rd squadron—306 Bomb Group in England. After the war, Robert returned to the United States and moved to Golden, Colorado. While in Golden, Robert began a career as plumber, and dedicated much of his time to his community. He spent a lot of time as the Scout Master of Troop 48. Robert knew that he could make a difference in the lives of America's youth, so he purchased some property in the Williams Fork area, which he turned into a summer ranch for boys. He ran the ranch until his move to Montrose, Colorado in 1972. While in Montrose, Robert got involved in politics, and continued to serve his community as a city councilman and town mayor. While serving as the Mayor of Montrose, Robert worked hard to serve his community to the best of his ability.

Mr. Speaker, I am honored to stand before this Congress and pay tribute to the life and accomplishments of Robert Kreamelmeyer. Robert was an outstanding role model. I am saddened by the loss of such a good man, but am happy knowing he had such a positive impact on so many young people in his community. My thoughts and prayers go out to Robert's family and friends.

ARMED FORCES NATURALIZATION ACT OF 2003

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 4, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in strong support of the Armed Forces Naturalization Act of 2003.

As of February 2003, there were 37,000 non-citizens serving on active duty in the U.S armed forces. Moreover, almost 12,000 foreign nationals were serving in the selected reserves, and another 8,000 were serving in the inactive National Guard and ready reserves.

Their red, white, and blue patriotism has contributed extraordinarily to national security. Every single one of these heroes, courageous defenders of lady liberty—from the Philippines, Mexico, Jamaica, Haiti, among many other source countries—deserves an expedited procedure for citizenship.

Mr. Speaker, as of February 2003, there were 1,663 non-citizen members of the U.S. military whose unit was stationed in Florida. Every single one of them has made the commitment to risk his or her life to defend the United States of America.

Volunteering to serve in the U.S. armed forces exemplifies one of the important roles of a citizen. On April 14, 2003, Captain Armando Ariel Gonzalez, a Florida non-citizen resident, was killed in a non-hostile accident when a commercial refueler collapsed at a supply area in Southern Iraq.

Once more, I wish to express my deepest condolences to the Gonzalez family, and at the same time offer all my support and prayers. This tragedy only crystallizes the great risk and danger the brave members of the all-volunteer military experience in the name of the people of the United States.

We must never forget that the peace and prosperity that we enjoy are founded on the ultimate sacrifice made by all those who have lost their lives in war throughout our nation's history.

We have witnessed the commitment of non-citizen soldiers to the United States during the war in Afghanistan and Iraq. They have earned our gratitude and admiration. We must now accord them our appreciation and respect.

I support The Armed Forces Naturalization Act of 2003 because it,

(a) Ensures the ability of lawful permanent resident spouses, unmarried children, and parents of soldiers killed as a result of service in the U.S military to apply for citizenship;

(b) Speeds up the naturalization process by allowing military members to naturalize after serving one year in the military, waive naturalization fees, and allow naturalization interviews and oath ceremonies to take place abroad, and

(c) Waives posthumous citizenship fees.

I am pleased with the bill proposed today, but urge my colleagues to further facilitate the naturalization process to these heroes and their loved ones.

RECOGNIZING THE DISTINGUISHED CAREER OF JO ANN PISEL, EXECUTIVE DIRECTOR OF CALL FOR HELP

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the distinguished career and retirement of Jo Ann Pisel, Executive Director of Call for Help Incorporated from 1976 to 2003.

Jo Ann Pisel has been with Call for Help for the past 27 years, 26 of which as the Executive Director. Call For Help is a not-for-profit multiple social service agency in St. Clair County, Illinois. Under her guidance, the organization, which started in the basements of volunteers, has grown and continued to offer critical services to the communities in Illinois that they have served for the past 33 years.

Starting with a Suicide and Crisis Hotline, the Call for Help agency includes a Victim Sexual Assault Care Unit, now with three satellite offices (Mt. Vernon, East St. Louis and Madison County). It also includes an Information and Referral Program, giving links to resources in the community and assisting with rental, utility and prescription assistance when available. Also, there is a domestic violence program that has evolved and has become an entity on its own now celebrating 25 years of service. Furthermore, Call for Help has an Adult Residential Program serving those who find themselves in a mental crisis, Crisis and MISA Counseling Services and a Transitional Living Center, housing homeless young women and their dependent children.

Serving people of all ages has been Jo Ann's stock in trade. In addition to her duties at Call for Help, Jo Ann also serves as a Home Health Social Worker for a variety of Home Health Agencies, currently BJC and Nurses and Company. From 1980–1992, Jo Ann was the Social Service and Activity consultant for Dammert Geriatrics, Parkview Manor and the St. Paul's Home for the Aged. She was a Medical Psychiatric Social Worker at St. Elizabeth's Hospital in Granite City and also served as a private consultant. She served as a caseworker for female ex-prisoners in the late 60's and was a caseworker for foster families from 1968–1969. From 1966–1969, she served as a childcare worker at Villa Maria Maternity home in St. Louis, working with single, young pregnant women. From 1959–1966, Jo Ann taught the elementary grades first through sixth.

Jo Ann was recognized in 2001 as one of the Top Ladies of Distinction and in 1997 she received the St. Louis University-School of Social Service, Alumni Distinguished Service Award. That same year she was named a Hardees Hometown Hero and in 1995, was honored as being recognized as both the State of Illinois and Metro East Social Worker of the Year.

Jo Ann has worked tirelessly all of her life in the service of people and has given much of herself to filling the needs of the community, both the young and old.

Mr. Speaker, I ask my colleagues to join me in recognizing the contributions of Jo Ann Pisel and wish her the best in the future.

PAYING TRIBUTE TO JOHN GIRON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor a lifelong educator from my district. John Giron has devoted his life to the students of Trinidad State Junior College in Trinidad, Colorado for 33 years. As he embarks on his retirement, it gives me great joy to inform this body about John's exemplary service to his community and this nation.

John's family has deep roots in Trinidad, going back four generations to his great-grandfather who homesteaded in the area. His father worked as a miner, and John attended Trinidad High School where he excelled as a runner, becoming state champion in the half mile. Following graduation in 1957, John attended the University of Colorado on an athletic scholarship, but within weeks of starting school, his nation came calling. John received a draft notice in the mail and immediately gave up his scholarship to enlist in the Navy. The Navy trained John as an electrician and stationed him on two aircraft carriers before John returned to school, this time at Trinidad State Junior College and Adams State College.

John earned a BA in education and later an MA in counseling, which led to a job as a guidance counselor and launched his career with Trinidad State Junior College. He later worked as the Director of Upward Bound, a program designed to help students successfully complete high school and college. John also served as the Director of Student Life before spending the last 15 years as the Dean of Students. John is deeply connected to the school. His entire family, including his wife, three children, and daughter-in-law, has graduated from Trinidad State Junior College.

Mr. Speaker, I am proud to stand before this body today to recognize John Giron, a man who has clearly demonstrated his commitment to our nation's youth. His counsel and leadership helped guide the academic careers of numerous young people, and I thank him for his outstanding service and wish John all the best in his retirement.

JANICE PEREZ ATOIGUE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. BORDALLO. Mr. Speaker, I rise today to commend Ms. Janice Perez Atoigue for completing her Bachelor of Arts degree with Honors in Anthropology at the University of Maryland on May 22, 2003.

Janice was always an outstanding student both in high school and at the University of Maryland. She was born on Guam and her family resided in the village of Yigo during her early years. Her family later moved to Maryland where she attended the Talented and Gifted School and Suitland High School. At Suitland she was an honors student in both the Dance and French Programs.

While attending at the University of Maryland, she concentrated her studies in Biological Anthropology and was on the Dean's List. The Anthropology Department at the University of Maryland is a respected program, and she took advantage of educational opportunities available on campus and overseas. During the summer of 2002 she studied in Belgium and Germany, where she visited many archeological sites and museums. Just before graduating she completed a senior honor thesis on prehistoric Pacific migration, which reflects her quest for knowledge about the origins of the Pacific, Guam, and her Chamorro heritage.

This degree will now open many doors of opportunity for her to continue her education and to pursue a career in the field of anthropology. She plans to do some anthropology work in the Pacific in the future and has accepted an internship at Counterpart International. We all look forward to hearing of Janice's contributions in her profession and we hope she continues to pursue her interest in the cultural roots of our people and our region.

I am proud of Janice for her dedication and hard work in completing her undergraduate degree. I also want to take the time to commend Janice's parents, Jacinta and Lawrence Atoigue, who encourage her to do her best. They have every reason to be proud of her achievement.

Today I join the Atoigue family and friends in congratulating Janice for her accomplishment and in wishing her the very best in the future.

TO HONOR THE HEROIC ACTS OF UNITED STATES ARMY PVT. JASON KLEINMAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. ACKERMAN. Mr. Speaker, I rise today to honor Private Jason Kleinman, of the United States Army, whose courage and valor in the face of tremendous danger saved the lives of three fellow United States soldiers during an enemy ambush outside of Baghdad on Memorial Day. Pvt. Kleinman, along with two fellow soldiers, ignored flames and exploding ammunition to pull three wounded comrades from a burning Humvee.

Pvt. Kleinman, a member of the Army's 3rd Infantry Division's Task Force 270, was traveling in a convoy of Humvees when an Iraqi man tossed a home-made bomb under the wheels of the vehicle in front of his. The bomb blew the Humvee back 80 feet, igniting the gas tank as well as machine gun and anti-tank rounds inside. Without hesitation, Pvt. Kleinman, along with Pvt. Dustin Meeks and Pvt. Enrique Alvarado, dragged three soldiers from the burning Humvee despite at least 50 secondary explosions as ammunition continued to discharge inside the vehicle. Though the Humvee's gunner succumbed to his injuries, the other two soldiers have Pvts. Kleinman, Meeks and Alvarado to thank for their lives.

I am proud to represent Pvt. Jason Kleinman, a nineteen year-old native of Roslyn Heights, Long Island who joined the Army last September, after graduating from Herricks High School in New Hyde Park. Jason had dreamed of joining the Army since he was a child. Now he will return home as a hero.

I commend Jason Kleinman for his tremendous display of bravery in the face of mortal peril and I ask my colleagues in the House of Representatives to please join me in praise of this young man's heroic acts.

PAYING TRIBUTE TO MIKE OVERTURF

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MCINNIS. Mr. Speaker, it is with deep admiration that I stand before this body of Congress to recognize the determination of fifteen year-old Mike Overturf of Olathe, Colorado, who is recovering from a recent stroke. The fortitude he has shown in the face of hardship, and the spirited manner with which he lives his life, are an inspiration to us all.

Although having suffered a stroke just a few short months ago, Mike has remained active. He has been riding his dirt bike, playing drums, making plans to go fishing, and even completing a major project in school in order to catch up on his studies. Mike's teachers note his remarkable performance and the extraordinary attention he has devoted to his schoolwork.

Throughout his ordeal, Mike has been a positive influence in the lives of his friends, family, and in his community. He has supported the performances of his school's band, even following them to Grand Junction for the Colorado West Band Festival. Mike plans to play with the band this spring and not only knows how to play the drums, but also the trombone, trumpet, saxophone, guitar, clarinet and flute.

Mr. Speaker, Mike Overturf is an inspiration to us all. His determination to overcome adversity and his commitment to recovery says volumes about his character and desire to succeed. Mike, I join your friends, family and all of Olathe in wishing you a speedy recovery and success in all of your future endeavors.

TRIBUTE TO CAPT. MITCHELL A. SMITH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MILLER of Florida. Mr. Speaker, I rise today to honor one of this nation's most dedicated citizens, Captain Mitchell A. Smith, of the Santa Rosa Sheriffs Office. This past Thursday, June 5, 2003, Mitch was taken from us. He tirelessly served Santa Rosa County for the past 25 years, leaving a lasting impact on the Northwest Florida Community that he came to know so well. We will forever miss Mitch, but his memory will never be forgotten.

Mitch began his adult life by dedicating himself to the United States Army. He chose to serve his country, defending the freedoms and liberties that we as Americans have come to hold so dear. It was this passion to serve and help others that would continuously be shown throughout his life.

In May of 1978, Mitch retired from the U.S. Army and came to the Santa Rosa Sheriffs Office. He began his career in law enforcement as a Deputy, but quickly showed his dedication and commitment to serving and protecting the people of Northwest Florida, resulting in his subsequent promotions to the ranks of Corporal, Sergeant, and Lieutenant. Just two weeks ago, Mitch received the honor and recognition of his final promotion to the rank of Captain.

Just two months shy of retirement, Mitch served everyday to the best of his abilities. Over the course of his career he received numerous letters of commendation for his service to the citizens of Santa Rosa County. He was an officer respected by his peers, admired by his community, and loved by his family and friends.

Mr. Speaker, I would like to offer my sincere and heartfelt condolences to the family of Capt. Mitchell A. Smith for their loss. Although his time with us was cut short, we will be forever grateful for the time that Mitch did have with us in Santa Rosa County. On this such occasion, we honor one of America's greatest citizens, Capt. Mitchell A. Smith, whose legacy will live on long beyond his passing.

PERSONAL EXPLANATION

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. LEWIS of Kentucky. Mr. Speaker, due to a death in the family, I was absent from the House on Wednesday, June 4 and Thursday, June 5. Had I been present, I would have voted the following way: rollcall vote 236—yea, rollcall vote 237—yea, rollcall vote 238—yea, rollcall vote 239—yea, rollcall vote 240—nay, rollcall vote 241—nay, rollcall vote 24—yea, rollcall vote 243, H. Res. 256—yea, rollcall vote 244—yea, rollcall vote 245—yea, rollcall vote 246—yea, rollcall vote 247—yea, rollcall vote 248—yea.

In particular, I would like to specifically express my strong support for H.R. 760, the Partial Birth Abortion Ban Act of 2003. This has been a bill that I have supported for many years and I am glad that it has again seen passage in the House. For nearly a decade Congress has attempted to see this legislation become law, and I am pleased that my colleagues have yet again affirmed the message that partial birth abortion is wrong by passing this bill.

There has been overwhelming support for a ban on partial birth abortions. The partial birth abortion ban has been passed in various forms by the House eight times, including multiple veto overrides. Having been first considered during the 104th Congress, we have seen numerous state legislatures take action and vote to end partial birth abortions in their states.

I am pleased that we have acted strongly and unmistakably by voting once again to preserve life and ban the heinous practice of partial birth abortions. The administration has stated their support of this bill and is willing to take positive action and sign this ban into law.

I understand that the issue of abortion is difficult for many. Well-intentioned people on both sides of this debate will continue to disagree. How long, though, can our society continue to justify its denial of the right to life to the defenseless unborn? The value of life has been consistently cheapened.

Partial birth abortion is a graphic example of the worst of abortion. Congress has taken a stand to uphold the value of life, especially in these instances in which life is so blatantly being destroyed. I am pleased that many have acted in support of this legislation. My colleagues have continued to support of human life and have voted in favor of a ban on partial birth abortions. Had I been present, I would have voted ''yea'' on this important bill.

PAYING TRIBUTE TO VERNA BARR

SPEECH OF

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 9, 2003

Mr. MCINNIS. Mr. Speaker, it is a great honor for me to recognize the many years of public service that Verna Barr of Austin, Colorado has given to the citizens of my state. I would like to take this time to pay tribute to Verna's selfless contributions to the well being of so many children, seniors, and others who have had the pleasure of her company and her kindness.

Verna started her life of volunteer service at the age of eight, helping to print and fold her church's bulletin. Verna's mother, Florence Petersen, instilled in Verna a philosophy of life in which helping others has central importance. Over the years, Verna has volunteered her services to a number of worthy causes and projects, including preserving the history of Surface Creek Valley and Pioneer Town through disseminating information and indexing it for future generations. Verna has also spent a great deal of time and effort assisting the American Cancer Society, as well as the Colorado Cancer Society, from whom she has twice received official recognition for her assistance with Relay for Life. Even in her professional life, Verna's work continues the spirit of service. For seventeen and a half years Verna has worked with seniors at Horizon Health Care and Retirement Community, helping to enrich the lives of many with books, plays, music, and creative activities. Throughout this time, Verna's example has inspired scores of others to volunteer as well. Colorado is truly thankful.

Mr. Speaker, it is with great admiration that I recognize Verna Barr for her innumerable contributions to the quality of life for the citizens of Colorado. I am proud to represent Verna in this body of Congress, and wish to extend my heartfelt gratitude for her life of public service. Colorado is now a more beautiful place. Good luck, Verna, and best wishes on all of your future endeavors.

TRIP REPORT ON VISIT TO IRAQ

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. WOLF. Mr. Speaker, I just returned from spending two days in southern Iraq. I was there Sunday, May 25, and Monday, May 26. I also spent a day, Tuesday, May 27, in Kuwait, where I met with Kuwaiti government officials, members of the U.S. military, State Department officials and staff from the U.S. Agency for International Development (USAID).

Today I want to share with our colleagues some details of my trip. On another day, I will

share a number of recommendations concerning the reconstruction of Iraq.

Let me begin by praising the efforts of all the soldiers, sailors, airmen, Marines and members of the Coast Guard who served—or are continuing to serve—in Operation Iraqi Freedom. They are the best of the best. I cannot emphasize enough how good a job they have done and continue to do. They and their families all have made tremendous sacrifices.

I was particularly impressed with the soldiers and Marines I talked with who are reservists called to active duty. Many left good jobs and/or school to serve. Their professionalism and attitude were exceptional.

I also want to express my heartfelt sympathy to all the families who lost loved ones during the war. We will never forget—and will always be grateful for—their service to the cause of freedom.

All the soldiers and Marines I met in Iraq are doing an incredible job under extremely difficult conditions. The heat in Iraq and Kuwait is oppressive and will only get worse as summer approaches. It was over 100 degrees both days I was in Iraq. I was told that the temperature can sometimes reach 140 degrees in July and August. The living conditions for most of the soldiers that I saw were primitive.

REASON FOR TRIP

I believed it was important to go to Iraq to get a first-hand look at the reconstruction efforts that are under way and to assess the humanitarian assistance that is being provided. I crossed over the border into Iraq from Kuwait. I visited the towns of Nasiriyah, Al Kut and Al Amarah.

I spent the night in Nasiriyah—where some of the heaviest fighting during the war took place—then traveled northeast to Al Kut on Monday morning. From there I headed south to Al Amarah then passed through the outskirts of Basra on the way back to the Iraq-Kuwait border.

During the trip I talked with a number of Iraqis, visited two hospitals, including the one from which Army Pfc. Jessica Lynch was rescued, met with military officials, and spent a considerable amount of time with representatives from several non-governmental organizations (NGOs) working in Iraq.

I saw what was left of one of Saddam Hussein's infamous torture chambers, heard ghastly stories about the brutality of Saddam's regime and was told of mass graves. I saw paintings, posters and statues of Saddam defaced or destroyed. His name was scratched off or punched out from signs on buildings bearing his name. I saw ''No to Saddam Yes for Bush'' spray painted in green letters on the side of a building just after crossing over the border from Kuwait.

I saw very sick children, many of whom are probably now dead, and was amazed by the bravery of a young boy I saw in the emergency room of a hospital. He had been brought in just minutes before I arrived. He had been playing outdoors and came in contact with either a land mine or unexploded ordnance. His face was severely burned and a piece of shrapnel was deeply embedded in his right eye. Blood was streaming down his face onto his chest. He looked to be about 10-years-old. He never cried.

I saw the results of precision-guided bombing. It is amazing. In Nasiriyah, I was taken by what was left of the former home of a Baath Party leader. The house was sandwiched between several other homes. While it was reduced to rubble, none of the surrounding houses appeared to sustain any damage.

I was told that Radio Sawa, a 24-hour, seven-days-a-week Arabic-language network whose programming originates from the United States and is broadcast in the region, is very popular. The network plays a mix of the best Western and Arabic pop music and has balanced up-to-the-minute news and analysis. It also broadcasts features on a variety of political and social issues and does in-depth reports on the development of freedom and democracy in the Middle East.

Some were skeptical of the success of the broadcasts. But I was told by locals that since Radio Sawa went on the air in spring 2002, few listen to Arabic radio stations anymore.

TOUGH CONDITIONS

Life in southern Iraq is difficult. Poverty is widespread. Buildings are dilapidated. Trash and rubble litter the streets. Many of the trees have been cut down and used for firewood because propane was so scarce under Saddam's rule. The water is putrid.

Saddam Hussein did everything in his power over the last decade to make life in towns like Nasiriyah as miserable as possible because of the uprisings following the first Gulf war. It was their punishment for opposing his iron-fisted rule. Thousands of men who defied Saddam literally disappeared and have never been heard from since; they are presumed dead.

The conditions in the two hospitals I visited—while dramatically improved over the last month—are pitiful. At what was once the Saddam General Hospital in Nasiriyah—now just called the General Hospital—there are no screens on the doors. As a consequence, any time a door is opened, bugs—particularly flies—come streaming in. Flies were swarming over two of the empty beds in the emergency room.

There is no monitoring equipment for the beds in the emergency room. In fact, I saw very little monitoring equipment anywhere in the hospital. Imagine walking into your local hospital and not seeing a machine to monitor your pulse or take your blood pressure. Medicine also is in short supply. It was depressing.

Security in Iraq remains a real concern, not only for coalition forces but for the general public. Lives continue to be lost. Whether I was talking to military officials, NGOs or Iraqis, security was the first issue they always addressed. Looting is still a problem in some parts of the country and I heard several stories about robberies and carjackings. I was told MPs in Nasiriyah successfully stopped a car jacking the Sunday night I was there.

Many Iraqis are afraid to go back to work for fear their home may be looted or that they may be robbed. Several people told me that hearing random gun fire after sundown has become commonplace.

The NGOs that I talked with said that it was not unusual for their vehicles to be pelted with rocks in some parts of the country. Civilian convoys are threatened. No one travels after sunset.

One reason for the lawlessness is that before the war started, Saddam Hussein opened all the prisons, releasing both political prisoners and hardened criminals. Murderers. Rapists. Robbers. Getting these criminals back behind bars is critical.

BLUEPRINT FOR IRAQ

In order for the United States to win the peace in Iraq it is imperative that we restore law and order. We need to redouble our efforts to ensure that Iraq is safe.

In ''Play to Win,'' the final report of the bipartisan Commission on Post-Conflict Reconstruction, security is one of the four ''pillars'' of post-conflict reconstruction. The other three are: justice and reconciliation; economic and social well being, and governance and participation.

This comprehensive report published in January 2003 by the Association of the United States Army and the Center for Strategic and International Studies should serve as the blueprint for the reconstruction efforts in Iraq. Members of the commission include retired military officers, representatives from the NGO community and international aid organizations, former high-ranking executive branch officials, and Members of Congress with expertise in foreign affairs.

Among those on the commission are: Dr. John Hamre, former deputy secretary of defense; Richard Holbrooke, former U.S. ambassador to the United Nations; Gen. Gordon Sullivan, former chief of staff of the U.S. Army; Senator PAT ROBERTS, chairman of the Senate Select Committee on Intelligence, and Rep. DOUG BEREUTER, chairman of the House Subcommittee on Intelligence Policy and National Security. (I, too, was a member of the commission, although I did not have a leading role.)

The report makes 17 recommendations ''on what the United States will have to do to enable itself to help countries successfully rebuild themselves following conflict.''

I have asked the commission to provide me with 535 copies of the report so I can share it with my colleagues. It also can be found on the Internet at http://www.pcrproject.org

Below is an excerpt from the report on the issue of security:

''Security is the sine qua non of post-conflict reconstruction. Though every case is different, there is one constant—if security needs are not met, both the peace in the given country and the intervention needed to promote it are doomed to fail. Unless comprehensive security needs are addressed up front, spoilers will find the weak areas and retain leverage to affect the political outcomes, vitiating the peace. While peace is essential, it never will be one hundred percent guaranteed and the perfect must not become the enemy of the good. In order to achieve acceptable levels of security, 'coalitions of the willing' and the UN peacekeeping operations need coherent military leadership and core troops from a lead nation that provide the backbone of the operation. The international community must also enhance its ability to deploy civilian police to address temporary needs. In addition, efforts to design and reconstruct local security institutions, including both military and police, must begin early in the process.''

I believe the Bush Administration would be well served to have several members of the commission visit Iraq to measure how the reconstruction efforts match the recommendations in the report. Dr. Hamre and Gen. Sullivan, who served as the co-chairmen of the commission, could be charged with selecting which members should go. There should be no objection to this recommendation. Each of the commission members has a distinguished

and extensive background. Their insight and observations could prove to be invaluable.

In addition to members of the Commission on Post-Conflict Reconstruction visiting Iraq, members of Congress should visit as well. In my opinion, it would make sense for the chairman and ranking member—or their designees—of the following committees to travel to Iraq:

House and Senate Armed Services committees;

House International Relations Committee;

Senate Foreign Relations Committee; and

House and Senate Appropriations committees.

Members should spend time in all parts of Iraq. Obviously safety and security are issues that must be considered, but the trips could be made in small groups without publicity. The only way to get a feel for what is happening is by visiting the towns and cities and talking to the people living there.

In addition to meeting with military commanders, these members or their designees should meet with Ambassador L. Paul Bremer III, the civilian administrator of Iraq, and other officials from the Office of Reconstruction and Humanitarian Assistance (ORHA)-now called the Coalition Provisional Authority (CPA)–USAID officials, and representatives from the NGO community and other international aid organizations. Meetings with Iraqi citizens also should be set up.

Congress needs to be involved in-and kept up-to-date on-the reconstruction of Iraq. Clearly, there is a great deal at stake for the United States in Iraq. The reconstruction effort is going to be long and arduous. No one is naive enough to believe it is going to happen overnight. Nor is anyone naive enough to think that it is not going to come without problems and challenges.

Yet, if Congress is not involved, the Bush Administration is going to be left without a partner in rebuilding Iraq. The Congress is the Bush Administration's greatest ally. There should be nothing to hide. And after my trip, I believe there is great deal to tell-much of it positive.

We must, however, be realistic. We have a long, long way to go in the reconstruction of Iraq. We have won the war, and we must be careful not to lose the peace. Failure cannot be an option. A well developed plan for reconstruction is imperative and congressional involvement will help the Bush Administration from steering off course as it works to rebuild Iraq.

ON THE INTRODUCTION OF THE TAXPAYER ABUSE PREVENTION RESOLUTION OF 2003

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. VAN HOLLEN. Mr. Speaker today I am introducing the Taxpayer Abuse Prevention Resolution of 2003, a resolution expressing the sense of Congress that private sector debt collection agencies should not be paid on a commission basis or as a percent of the amount of federal taxes they collect.

The Internal Revenue Service has proposed paying private debt collectors a 25 percent commission to collect unpaid tax debt. That proposal will jeopardize the rights and privacy of American taxpayers. The following organizations oppose the IRS proposal and have expressed their strong support for this important consumer protection legislation I am introducing today: Citizens for Tax Justice, Consumer Federation of America, Consumers Union, National Consumer Law Center, National Consumers League.

Two pilot projects were authorized by Congress to test private collection of tax debt for 1996 and 1997. The 1996 pilot was such a failure that the 1997 project was cancelled. Contractors violated the Fair Debt Collection Practices Act (FDCPA) and did not protect the security of personal taxpayer information. An IRS Internal Audit Report found that contractors made hundreds of calls to taxpayers during times prohibited by the FDCPA, and that calls were even placed as early as 4:19 a.m.

The Administration's proposal to privatize tax collection services flies in the face of Section 1204 of the IRS Reform and Restructuring Act of 1998, which specifically prevents IRS employees from being evaluated on the basis of the amount of taxes they collect in order to eliminate incentives to use overly aggressive tax collection techniques. Despite concerns about aggressive collection techniques, the Administration now wants to pay private debt collectors $3.25 billion in commissions to collect taxes that IRS employees could collect for roughly one-tenth of that amount.

Paying private debt collectors on a commission basis will be costly and will threaten the rights and privacy of the American taxpayers. We must ensure, as this resolution seeks to do, that federal tax collection functions will not be handed over to private sector bounty hunters. Our constituents deserve that assurance.

Mr. Speaker, American taxpayers need to know that their government works for them, not against them. I urge this Congress to pass the Taxpayer Abuse Prevention Resolution of 2003.

HONORING PAUL LINN, SR., EARL CANTOR, SARAH CRISPIN, DON CANTOR, ANNA MAE PORTER, AND JAMES DAUGHERTY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. McINNIS. Mr. Speaker, it is always a pleasure to have the chance to come before this body with a story of great hope and inspiration. I am proud to stand before this body today to update you on the remarkable story of a family that I first brought to your attention back in October. Paul Linn Sr., Earl Cantor, Sarah Crispin, Don Cantor, Anna Mae Porter, and James Daugherty have traveled great distances and overcome many obstacles to reunite for the first time in 67 years. On Saturday, these fine individuals will meet face-to-face, reuniting as a family. Though they were separated from a young age, the dedication and love that they have shown in searching each other out is truly inspirational. I pay tribute to them again today for the dedication and resilience that has brought them together for this weekend of celebration.

Eight months ago, I relayed to you the remarkable story of this family. It is a story of a family whose beginning was filled with pain, loss, and confusion. A story about a family suffering the ills of abandonment and tragedy. However, today I share with you a new story of a family reunited through the strength and persistence of the bonds of blood. What began as a random search for a replacement birth certificate ended in the reunification of brothers, sisters, aunts, uncles, grandmothers, grandfathers and countless grandchildren.

Mr. Speaker, I am delighted to once again recognize Paul, Earl, Sarah, Don, Anna, and James as they celebrate family and enjoy the rewards of faith and persistence. As I said eight months ago before this body, their story is one of great satisfaction and inspiration. I wish them all the best as an old family is reunited in Colorado.

PERSONAL EXPLANATION

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. RYAN of Wisconsin. Mr. Speaker, I was absent for legislative business last week from June 2, 2003 through June 5, 2003 due to the birth of my son, Charles Wilson Ryan on Friday, May 30, 2003, As a result, I missed rollcall votes 227 through 248.

Had I been present, I would have voted ''yea'' on the following rollcall votes:

227, H. Res. 159, Expressing the Profound Sorrow on the Occasion of the Death of Irma Rangel;

228, H. Res. 195, Congratulating Sammy Sosa of the Chicago Cubs for hitting 500 Major League Home Runs;

229, H.R. 1465, Designating the facility of the United State Postal Service in Iron Station, North Carolina as the ''General Charles Gabriel Post Office'';

230, S. 222, the Zuni Indian Tribe Water Rights Settlement Act;

231, S. 273, the Grand Teton National Park Land Exchange Act;

234, H.J. Res. 4, Proposing an Amendment to the Constitution of the United States Authorizing the Congress to Prohibit the Physical Desecration of the Flag of the United States;

235, H. Res. 231, Supporting the Goals of Peace Officers Memorial Day;

236. H. Res. 257, Providing for Consideration of H.R. 760, The Partial-Birth Abortion Ban Act;

237, H. Con. Res. 177, Recognizing and commending the members of the U.S. Armed Forces, and the allies of the United States and their armed forces, who participate in Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom in Iraq and the dedication of military families and countless others for their support;

238, H. Res. 201, expressing the sense of the House of Representatives that our Nation's businesses and business owners should be commended for their support of our troops and their families as they serve our country in many ways, especially in these days of increased engagement of our military around the world;

239, H.R. 1954, Armed Forces Naturalization Act;

242, H.R. 760, The Partial-Birth Abortion Ban Act;

243, H. Res. 256, Providing for the consideration of H.R. 1474, Check Clearing for the 21st Century Act;

244, H. Res. 258, On Ordering the Previous Question for the consideration of S. 222, Zuni Indian Tribe Water Rights and Settlement Act and S. 273, Grand Teton National Park Land Exchange Act;

245, H. Res. 258, On Agreeing to the Resolution for the consideration of S. 222, Zuni Indian Tribe Water Rights Settlement Act and S. 273, Grand Teton National Park Land Exchange Act;

246, H.R. 1474, Check Clearing for the 21st Century Act;

247, S. 222, Zuni Indian Tribe Water Rights Settlement Act;

248, S. 273, Grand Teton National Park Land Exchange Act.

Had I been present, I would have voted ''nay'' on the following rollcall votes:

232, S. 763, Birch Bayh Federal Building and United States Courthouse Designation Act;

233, Substitute Amendment offered by Mr. WATT to H.J. Res. 4, Proposing an Amendment to the Constitution of the United States Authorizing the Congress to Prohibit the Physical Desecration of the Flag of the United States;

240, Substitute Amendment offered by Mr. GREENWOOD to H.R. 760, Partial Birth Abortion Ban Act;

241, Motion to Recommit with Instructions to H.R. 760, Partial Birth Abortion Ban Act.

ZUNI INDIAN TRIBE WATER RIGHTS SETTLEMENT ACT OF 2003

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MCCOLLUM. Mr. Speaker, I support S. 222, the Zuni Indian Tribe Water Rights Settlement Act of 2003, and S. 273, the Grand Teton National Park Land Exchange Act. Unfortunately, House Republican leaders continue to refuse to schedule debate on legislation that would include all low-income Americans in last month's tax bill. The only way to get their attention is to vote against these measures. Although I don't want to oppose these bills today, it is the only way to show House leaders that we must extend child tax credits to all families now.

It is an outrage that the House would consider legislation under suspension of the rules while millions of families continue to be left out of the $350 billion tax cut. The tax bill that passed last month failed to extend child tax relief to all low-income children and families. Fixing this omission must be our first priority.

This House lacks the leadership to ensure that the working parents of 19 million children receive the increased child tax credit they were denied. This House lacks the right priorities. I will continue to use my vote to speak out until we finally include all Americans, not just the well off, in the tax bill.

PAYING TRIBUTE TO THE HOTEL COLORADO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. MCINNIS. Mr. Speaker, I am proud to rise before this body of Congress today to honor a historic landmark in my district. The incomparable Hotel Colorado celebrates its 110th birthday this weekend, and I am honored to inform my colleagues here today of some of the history behind this amazing facility.

The Hotel Colorado was completed in 1893 at a cost of $850,000, an enormous sum of money in those days. It was one of the first hotels in the country to be completely outfitted with, what was at the time, an amazing new technology—electricity. The hotel included a great courtyard fountain modeled after the one at the 1889 World's Fair, shooting water 185 feet in the air, along with a grand staircase.

Many famous figures stayed at the Hotel Colorado, including Teddy Roosevelt, Herbert Hoover, and William Howard Taft. A few infamous characters such as Al Capone, Diamond Jack Alterie, and Doc Holliday overnighted there too, as did singer Dinah Shore and legendary Titanic survivor Molly Brown.

On a couple of occasions the revered hotel didn't function as a hotel at all. During World War II, the U.S. Navy used the hotel as a convalescent hospital. In 1961, when a local school was condemned, the school district converted the hotel into a junior high school.

Mr. Speaker, the Hotel Colorado has a spot in both the national Register of Historic Places and the hearts of thousands of people worldwide who experienced its beauty and splendor. The hotel has a special place in my heart since I have an office located there. I am truly honored to recognize the Hotel Colorado and to offer my congratulations on 110 years of outstanding service.

INTRODUCTION OF THE KOREAN WAR COMMEMORATION RESOLUTION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 9, 2003

Mr. SAM JOHNSON of Texas. Mr. Speaker, on June 9, 2003, I, along with Mr. RANGEL and cosponsors Messrs. COBLE and CONYERS, all Korean War veterans, submitted a resolution recognizing and supporting the goals and ideals of the Year of the Korean War Veteran. I am pleased today to introduce this bill and honor those who fought courageously and fearlessly for our country and our cause.

This year marks the final year of the United States' 50th Anniversary of the Korean War Commemoration and the 50th year of the Armistice. The commemoration period began on June 25, 2000, marking the 50th anniversary of the invasion of South Korea, and will continue through Veteran's Day 2003. Efforts are currently under way to designate 2003 as the Year of the Korean War Veteran.

Just a few years after the war to end all wars, Korea was, in many ways, the first reminder that America must remain the world's leading force for peace, prosperity and freedom.

Called to defend freedom and fight back forces of communism, 1,800,000 Americans gallantly participated in the Korean War. The United States suffered 36,577 dead and 103,284 wounded in some of the most horrific conditions in the history of warfare. The service and sacrifices of our Korean War veterans 50 years ago saved a nation from communist enslavement and gave South Korea the opportunity to develop and flourish under freedom and democracy.

This resolution: declares to the Nation and the world that the American people will never forget our veterans or those who served our Nation on the home front during the Korean War; recognizes and supports the goals and ideals of 2003 as the Year of the Korean War Veteran; requests the President to issue a proclamation calling on the people of the United States to observe the Year of the Korean War Veteran with appropriate ceremonies and activities to thank, honor, remember and welcome home our Korean War veterans; and urges the chief executive officers of the States, and the chief executive officers of the political subdivisions of the States, to each issue a proclamation calling upon their citizens to ''Pause to Remember'' our Korean War veterans, their families and next of kin with appropriate activities.

Sadly, the Korean War is sometimes referred to as the ''Forgotten War.'' May this resolution, along with the Korean War commemoration activities taking place this year, send a clear message to the world that the United States will never forget. Freedom is not free . . . should this great country wish to preserve its freedom, we must remember those who have paid the ultimate price.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 10, 2003 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 11

9 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings to examine patient safety, focusing on instilling hospitals with a culture of continuous improvement.
SD–342

9:30 a.m.
Judiciary
To hold hearings to examine the nominations of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit, and Diane M. Stuart, of Utah, to be Director of the Violence Against Women Office, Department of Justice.
SD–266

Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings to examine health care access and affordability, focusing on cost containment strategies.
SD–124

Joint Economic Committee
To hold joint hearings to examine issues relating to Iraq's economy.
SD–628

10 a.m.
Appropriations
District of Columbia Subcommittee
To hold hearings to examine the District of Columbia's local budget request.
SD–192

Health, Education, Labor, and Pensions
Business meeting to consider S. 648, to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy, proposed legislation entitled ''Greater Access to Affordable Pharmaceuticals Act'', and pending nominations.
SD–430

Indian Affairs
To hold hearings to examine the nomination of Charles W. Grim, of Oklahoma, to be Director of the Indian Health Service, Department of Health and Human Services, to be followed by hearings on S. 1146, to implement the recommendations of the Garrison Unit Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.
SR–485

2:30 p.m.
Commerce, Science, and Transportation
Competition, Foreign Commerce, and Infrastructure Subcommittee
To hold hearings to examine reauthorization of the Federal Trade Commission.
SR–253

JUNE 12

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine global overfishing.
SR–253

Foreign Relations
To hold hearings to examine repercussions of Iraq stabilization and reconstruction policies.
SD–419

Judiciary
Business meeting to consider pending calendar business, to be immediately followed by a Subcommittee on Constitution, Civil Rights and Property Rights business meeting to consider S.J. Res. 1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims.
SD–226

10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the Department of Agriculture's implementation of the Agricultural Risk Protection Act of 2000 and related crop insurance issues.
SR–328A

Banking, Housing, and Urban Affairs
To hold hearings to examine expanding homeownership opportunities.
SD–538

2 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine certain issues relative to TWA/American Airline workforce integration.
SD–430

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 434, to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes, S. 435, to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, S. 490, to direct the Secretary of Agriculture to convey certain land in the Lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California, H.R. 762, to amend the Federal Land Policy and Management Act of 1976 and the Mineral Leasing Act to clarify the method by which the Secretary of the Interior and the Secretary of Agriculture determine the fair market value of certain rights-of-way granted, issued, or renewed under these Acts, S. 1111, to provide suitable grazing arrangements on National Forest System land to persons that hold a grazing permit adversely affected by the standards and guidelines contained in the RECORD of Decision of the Sierra Nevada Forest Plan Amendment and pertaining to the Willow Flycatcher and the Yosemite Toad, and H.R. 622, to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona.
SD–366

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine issues relating to cloning.
SR–253

JUNE 13

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the nominations of Nicholas Gregory Mankiw, of Massachusetts, to be a Member of the Council of Economic Advisers, Steven B. Nesmith, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development, Jose Teran, of Florida, Lane Carson, of Louisiana, and Paul Pate, of Iowa, each to be a Member of the Board of Directors of the National Institute of Building Sciences.
SD–538

JUNE 17

9:30 a.m.
Rules and Administration
To hold hearings to examine Senate Resolution 151, requiring public disclosure of notices of objections (holds) to proceedings to motions or measures in the Senate.
SR–301

10 a.m.
Governmental Affairs
Business meeting to consider pending calendar items.
SD–342

JUNE 18

9:30 a.m.
Governmental Affairs
To hold hearings to examine the nominations of Fern Flanagan Saddler, Judith Nan Macaluso, Joseph Michael Francis Ryan III, and Jerry Stewart Byrd, all of the District of Columbia, each to be an Associate Judge of the Superior Court of the District of Columbia.
SD–342

10 a.m.
Indian Affairs
To hold oversight hearings to examine Native American sacred places.
SR–485

JUNE 19

10 a.m.
Governmental Affairs
To hold hearings to conduct an initial review of the ULLICO matter, focusing on self-dealing and breach of duty.
SD–342

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold oversight hearings to examine grazing programs of the Bureau of Land Management and the Forest Service, focusing on grazing permit renewal, BLM's potential changes to grazing regulations, range monitoring, drought, and other grazing issues.
SD–366

JUNE 21

10 a.m.
Banking, Housing, and Urban Affairs
To hold oversight hearings to examine a national export strategy.
SD–538

JUNE 24

10 a.m.

Governmental Affairs

To hold hearings to examine controlling the cost of Federal Health Programs by curing diabetes, focusing on a case study.

SH–216

JUNE 25

10 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD–366

JUNE 26

9:30 a.m.

Governmental Affairs

To hold hearings to examine the need for Federal real property reform, focusing on deteriorating buildings and wasted opportunities.

SD–342

2 p.m.

Foreign Relations

To hold hearings to examine the Department of State's Office of Children's Issues, focusing on responding to international parental abduction.

SD–419

POSTPONEMENTS

JUNE 11

2 p.m.

Judiciary

To hold hearings to examine P2P file-sharing networks, focusing on personal and national security risks.

SD–226

JUNE 12

10 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine private sector lessons for Medicare.

SD–430

JUNE 24

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine bus rapid transit and other bus service innovations.

SD–538

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7511–S7560

Measures Introduced: Twelve bills and three resolutions were introduced, as follows: S. 1206–1217, S. Res. 162, and S. Con. Res. 50–51. **Pages S7540–41**

Measures Reported:

S. 239, to amend the Public Health Service Act to add requirements regarding trauma care. (S. Rept. No. 108–59) **Page S7540**

S. 246, to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico, with amendments. (S. Rept. No. 108–60) **Page S7540**

S. 500, to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era, with an amendment in the nature of a substitute. (S. Rept. No. 108–61) **Page S7540**

S. 520, to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho. (S. Rept. No. 108–62) **Page S7540**

S. 625, to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, with an amendment. (S. Rept. No. 108–63) **Page S7540**

S. 635, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, with an amendment in the nature of a substitute. (S. Rept. No. 108–64) **Page S7540**

H.R. 519, to authorize the Secretary of the Interior to conduct a study of the San Gabriel River Watershed. (S. Rept. No. 108–65) **Page S7540**

H.R. 733, to authorize the Secretary of the Interior to acquire the McLoughlin House National Historic Site in Oregon City, Oregon, and to administer the site as a unit of the National Park System, with an amendment in the nature of a substitute. (S. Rept. No. 108–66) **Page S7540**

H.R. 788, to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona. (S. Rept. No. 108–67) **Page S7540**

Measures Passed:

National Oceans Week: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 49, designating the week of June 9, 2003, as National Oceans Week and urging the President to issue a proclamation calling upon the people of the United States to observe this week with appropriate recognition, programs, ceremonies, and activities to further ocean literacy, education, and exploration, and the resolution was then agreed to. **Pages S7558–59**

Commending University of Virginia Men's Lacrosse Team: Committee on the Judiciary was discharged from further consideration of S. Res. 158, commending the University of Virginia Cavaliers men's lacrosse team for winning the 2003 NCAA Division I Men's Lacrosse Championship, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S7559**

McConnell (for Allen) Amendment No. 870, in the nature of the substitute. **Page S7559**

Energy Policy Act: Senate resumed consideration of S. 14, to enhance the energy security of the United States, taking action on the following amendments proposed thereto: **Pages S7515–27**

Adopted:

Bingaman Amendment No. 867, to ensure continued availability of natural gas. **Pages S7526–27**

Pending:

Campbell/Domenici Amendment No. 864, to replace ''tribal consortia'' with ''tribal energy resource development organizations''. **Pages S7515–16**

Dorgan Amendment No. 865, to require that the hydrogen commercialization plan of the Department of Energy include a description of activities to support certain hydrogen technology deployment goals. **Pages S7516–26**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Tuesday, June 10, 2003, with 30 minutes of debate on Dorgan Amendment No. 865 (listed above), with a vote to occur on or in relation to the amendment. **Page S7559**

Nominations Confirmed: Senate confirmed the following nomination:

By 88 yeas 1 nay (Vote No. Ex. 211), Michael Chertoff, of New Jersey, to be United States Circuit Judge for the Third Circuit. **Pages S7528–33, S7560**

Nominations Received: Senate received the following nominations:

Robert Clive Jones, of Nevada, to be United States District Judge for the District of Nevada.

Phillip S. Figa, of Colorado, to be United States District Judge for the District of Colorado.

Jack Landman Goldsmith III, of Virginia, to be an Assistant Attorney General.

Christopher A. Wray, of Georgia, to be an Assistant Attorney General. **Page S7560**

Measures Read First Time: **Page S7538**

Executive Communications: **Pages S7538–40**

Additional Cosponsors: **Page S7541**

Statements on Introduced Bills/Resolutions: **Pages S7543–56**

Additional Statements: **Pages S7537–38**

Amendments Submitted: **Pages S7556–57**

Notices of Hearings/Meetings: **Pages S7557–58**

Privilege of the Floor: **Page S7558**

Record Votes: One record vote was taken today. (Total—211) **Pages S7532–33**

Adjournment: Senate met at 12 noon, and adjourned at 6:49 p.m., until 9:30 a.m., on Tuesday, June 10, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7560.)

Committee Meetings

(Committees not listed did not meet)

IRAQ SURVEY GROUP

Committee on Armed Services: on Friday, June 6, 2003, Committee concluded closed hearings to examine the mission of the 75th Exploitation Task Force and the mission performed by the Iraq survey group related to Iraqi weapons of mass destruction, after receiving testimony from Stephen A. Cambone, Under Secretary of Defense for Intelligence; Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency; and Robert Grenier and Ben Bonk, both of the Central Intelligence Agency.

MEDICARE IMPROVEMENTS

Committee on Finance: on Friday, June 6, 2003, Committee concluded hearings to examine issues related to strengthening and improving Medicare, after receiving testimony from Thomas Scully, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Walt Francis, Marilyn Moon, Urban Institute, Washington, D.C.; and Walt Francis, Fairfax, Virginia.

NOMINATION

Committee on the Judiciary: on Friday, June 6, 2003, Committee concluded hearings to examine the nomination of Eduardo Aguirre, Jr., of Texas, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security, after the nominee, who was introduced by Senator Cornyn and Representative Jackson-Lee, testified and answered questions in his own behalf.

SENATE RULE XXII

Committee on Rules and Administration: on Thursday, June 5, 2003, Committee concluded hearings to examine Senate Rule XXII, relating to the consideration of nominations requiring the advice and consent of the Senate, and proposals to amend the Rule, including S. Res. 138, after receiving testimony from Senators Frist, Kennedy, Miller, and Cornyn; John C. Eastman, Chapman University School of Law, Orange, California, on behalf of Claremont Institute Center for Constitutional Jurisprudence; Michael J. Gerhardt, William and Mary School of Law, Williamsburg, Virginia; and Douglas W. Kmiec, Catholic University of America School of Law, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 2391–2396; 3 resolutions, H. Con. Res. 212–213, and H. Res. 262 were introduced. **Page H5088**

Additional Cosponsors: **Page H5089**

Reports Filed: Reports were filed today as follows:

Filed on June 5, H.R. 1460, to amend title 38, United States Code, to permit the use of education benefits under such title for certain entrepreneurship

courses, to permit veterans enrolled in a vocational rehabilitation program under chapter 31 of such title to have self-employment as a vocational goal, amended (H. Rept. 108–142 Pt. 1);

Filed on June 6, H.R. 2115, to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, amended (H. Rept. 108–143).

H.R. 1115, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, to outlaw certain practices that provide inadequate settlements for class members, to assure that attorneys do not receive a disproportionate amount of settlements at the expense of class members, to provide for clearer and simpler information in class action settlement notices, to assure prompt consideration of interstate class actions, to amend title 28, United States Code, to allow the application of the principles of Federal diversity jurisdiction to interstate class actions, amended (H. Rept. 108–144); and

H. Res. 263, providing for consideration of H.R. 2143, to prevent the use of certain bank instruments for unlawful Internet gambling (H. Rept. 108–145).

Page H5088

Speaker pro Tempore: Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker Pro Tempore for today. **Page H5047**

Recess: The House recessed at 12:44 and reconvened at 2 p.m and the House recessed at 2:31 p.m. and reconvened at 6:30 p.m. **Pages H5048, H5053–54**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Walt Disney Post Office Building, Marcelling, Missouri: H.R. 1610, to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marcelling, Missouri, as the "Walt Disney Post Office Building" (agreed to by yea-and-nay vote of 384 yeas with none voting "nay," Roll No. 249); **Pages H5049–50, H5054**

Honoring Dayton, Ohio and the Centennial of Wilbur and Orville Wright's First Flight: H. Con. Res. 162, honoring the city of Dayton, Ohio, and its many partners, for hosting "Inventing Flight: The Centennial Celebration", a celebration of the centennial of Wilbur and Orville Wright's first flight (agreed to by yea-and-nay vote of 378 yeas to 3 nays, Roll No. 250); and **Pages H5050–52, H5054–55**

Birch Bayh Federal Building and United States Courthouse, Indianapolis, Indiana: S. 763, to designate the Federal building and United States courthouse located at 46 East Ohio Street in Indianapolis, Indiana, as the "Birch Bayh Federal Building and United States Courthouse" (agreed to by yea-and-nay vote of 383 yeas with none voting "nay", Roll No. 251)—clearing the measure for the President.

Pages H5052–53, H5055–56

Senate Message: Message received from the Senate today appear on page H5047.

Quorum Calls—Votes: Three yea-and-nay votes and recorded vote developed during the proceedings of the House today and appear on pages H5054, H5054–55, and H5055–56. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11.59 p.m.

Committee Meetings

EPA—DEPARTMENT LEVEL STATUS

Committee on Government Reform: On June 6, the Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing on "Elevation of the Environmental Protection Agency to Department Level Status: H.R. 37, and H.R. 2138 (Department of Environmental Protection Act)." Testimony was heard from public witnesses.

BIOSHIELD—EFFORTS TO DEVELOP BIO-WARFARE COUNTERMEASURES

Select Committee on Homeland Security: On June 6, the Committee held a hearing entitled "Bioshield: Lessons from Current Efforts to Develop Bio-Warfare Countermeasures." Testimony was heard from the following officials of the Department of Health and Human Services: John Ring La Montagne, M.D., Deputy Director, National Institute of Allergy and Infectious Diseases, NIH; and Ali Khan, M.D., Chief Science Officer, Parasitic Diseases, National Center for Infectious Diseases, Centers for Disease Control and Prevention.

UNLAWFUL INTERNET GAMBLING FUNDING PROHIBITION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 2143, Unlawful Internet Gambling Funding Prohibition Act. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the

amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Kelly, Sensenbrenner and Pombo.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 10, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold closed hearings to examine certain intelligence programs, 9:30 a.m., S–407, Capitol.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Administration's proposal for reauthorization of the Federal Public Transportation Program, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine reauthorization of the Federal Motor Carrier Safety Administration, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 499, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, S. 546, to provide for the protection of paleontological resources on Federal lands, S. 643, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, S. 677, to revise the boundary of the Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area in the State of Colorado, S. 1060 and H.R. 1577, bills to designate the visitor center in Organ Pipe National Monument in Arizona as the "Kris Eggle Visitor Center", H.R. 255, to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska, and H.R. 1012, to establish the Carter G. Woodson Home National Historic Site in the District of Columbia, 2:30 p.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water, to hold hearings to examine the current regulatory and legal status of federal jurisdiction of navigable waters under the Clean Water Act, focusing on issues raised by the Supreme Court in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers No. 99–1178, 10 a.m., SD–406.

House

Committee on Education and Labor, to mark up the following bills: H.R. 438, Teacher Recruitment and Retention Act of 2003; and H.R. 2211, Ready to Teach Act, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, hearing entitled "Natural Gas Supply and Demand Issues," 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing on Financing Employee Ownership Programs: An Overview, 2 p.m., 2128 Rayburn.

Subcommittee on Housing and Community Opportunity, to continue hearings on "The Section 8 Housing Assistance Program: Promoting Decent Affordable Housing for Families and Individuals Who Rent," 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Government Efficiency and Financial Management, oversight hearing on "Fixing the Financials-Featuring USDA and Education," 2 p.m., 2154 Rayburn.

Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, oversight hearing entitled "Geospatial Information: A Progress Report on Improving Our Nation's Man-Related Data Infrastructure," 10 a.m., 2154 Rayburn.

Committee on International Relations, hearing on Renewing OPIC and Reviewing Its Role in Support of Key U.S. Foreign Policy Priorities, 10:30 a.m., 2172 Rayburn.

Subcommittee on East Asia and the Pacific, hearing on Recent Developments in Southeast Asia; followed by markup of the following measures: H.R. 2330, Burmese Freedom and Democracy Act of 2003; and H. Res. 199, calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, the Internet and Intellectual Property, hearing on H.R. 2391, Cooperative Research and Technology Enhancement (CREATE) Act of 2003, 10 a.m., 2141 Rayburn.

Committee on Rules, to consider H.R. 2115, Flight 100—Century of Aviation Reauthorization Act, 5 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Energy, hearing on The Future of University Nuclear Science and Engineering Programs, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, oversight hearing on New Technologies in Railroad Safety, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, to continue hearings on past and present efforts to identify and eliminate fraud, waste, abuse and mismanagement in programs administered by the Department of Veterans Affairs, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, hearing on Implementation of the U.S. Bilateral Free Trade Agreements with Chile and Singapore, 1 p.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine internally displaced persons in the Caucasus Region and Southeastern Anatolia, 2 p.m., 334 Cannon Building.

Next Meeting of the SENATE
9:30 a.m., Tuesday, June 10

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 14, Energy Policy Act, with 30 minutes of debate on Dorgan Amendment No. 865, with a vote to occur on or in relation to the amendment.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
10:30 a.m., Tuesday, June 10

House Chamber

Program for Tuesday: Consideration of suspensions:

(1) S.J. Res. 8, Expressing the sense of Congress with respect to the prevention of sexual assault in the United States and supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month;

(2) H.R. 1529, Involuntary Bankruptcy Improvement Act;

(3) H.R. 1086, Standards Development Organization Advancement Act;

(4) H. Res. 252, Expressing the sense of the House of Representatives supporting the United States in its efforts within the WTO to end the European Union's protectionist and discriminatory trade practices regarding agriculture biotechnology;

(5) H. Con. Res. 110, Recognizing the sequencing of the human genome as one of the most significant scientific accomplishments of the past one hundred years;

(6) H.R. 2030, Patsy Takemoto Mink Post Office Building Designation Act; and

(7) H.R. 925, Cesar Chavez Post Office Redesignation Act; and

Consideration of H.R. 2143, Unlawful Internet Gambling Funding Prohibition Act (structured rule, one hour of debate).

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