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House of Representatives

The House met at 11:30 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord our God, Your reluctant profit Jonah called out to You from the depths. Hear our prayer today for the Members and the staffs who assist them here in the House of Representatives. Unlike Jonah, we will not run away from Your presence nor avoid the task You set before us.

Make us steadfast in faith that this generation may seek the wisdom which reveals the sign of Jonah. May the new life still hidden in winter's wrap come forth. May the promise of deeper relationships emerge from confessed limitations, apologies, and efforts of reconciliation. May death to selfishness give rise to the ability to love.

With Jonah we are always surprised to find You, as "a loving and merciful God, always patient, always kind, and always ready to change Your mind and not punish."

This we believe now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Minnesota (Ms. MCCOLLUM) come forward and lead the House in the Pledge of Allegiance.

Ms. MCCOLLUM led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. 2057. An act to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain ten 1-minute speeches on each side.

CALLING FOR CHANGES IN EUROPEAN UNION'S AGRICULTURAL SUBSIDY PROGRAMS

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

Mr. BEREUTER. Mr. Speaker, it is high time for the European Union to face the reality that it must eliminate its destructive agricultural export subsidies. This Member commends U.S. Trade Representative Robert Zoellick for emphasizing this message during his recent visit to Geneva. As Ambassador Zoellick correctly noted, such action is one of the keys to reaching an international ag trade agreement.

The EU's outrageous use of export subsidies hurts U.S. farmers, distorts international trade, and harms developing countries. If the EU would end its export subsidies, this Member is confident that the U.S. would be more than willing to eliminate its much smaller export subsidies. It should be noted that the American export subsidies are only used occasionally as a shot across the bow of the EU for the third country export markets.

This Member believes the American agriculture community is willing to make certain changes in the current domestic subsidy program as well, as long as it is accompanied by meaningful subsidy reforms in the EU as well as in Japan and Korea.

Mr. Speaker, real change in the European Union's agriculture export subsidy programs, and especially its elimination of their ag export subsidies, would be of great benefit to farmers and consumers around the world.

HAPPY BIRTHDAY TO ST. PAUL, MINNESOTA

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

Ms. MCCOLLUM. Mr. Speaker, today I would like to wish a very happy 150th birthday to the city I live in and represent, St. Paul, Minnesota. St. Paul is Minnesota's capital city, and it is 2 years more "mature" than Minneapolis, our twin sister city.

Originally called Pig's Eye by Mississippi River travelers who would stop for a belt of whiskey, St. Paul was incorporated on March 4, 1854. For 150 years St. Paul's special character has been shaped by the people and cultures of the world. For our first 100 years, Native Americans, Europeans, African Americans settled and built St. Paul. More recently, new immigrants from Asia, Latin America, and Africa continue to transform and strengthen St. Paul.

It is no secret to St. Paul residents. We live in a great city.

Happy birthday to St. Paul. It is 150 years old, and we are just getting started.

FIGHTING FOR AMERICA'S VETERANS: CONCURRENT RECEIPT

(Mr. MILLER of Florida asked and was given permission to address the

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H833

House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of Florida. Mr. Speaker, I rise this morning to talk about how President Bush and this Republican Congress have fought to honor America's veterans. As Florida's First Congressional District is home to more veterans than anywhere else in the Nation, keeping the promises to veterans is certainly my priority and it has been one for this Republican Congress as well.

I think it is safe to say that all of our colleagues, Republicans and Democrats, tell their constituents that they support veterans and will keep the many promises we have made to them throughout the years. The difference is that President Bush and our Republican colleagues have kept those promises. It is the Democrats who have not.

Republicans have increased to record levels spending on veterans' health care and benefit programs. We have enacted countless measures to enhance and expand compensation, retirement, health, and medical programs for America's 25 million veterans and their families since becoming the majority party in this Congress.

We have also provided more than \$22 billion to allow disabled veterans to receive both their disability compensation and retirement pay, a practice which a 100-year-old law previously prohibited. In fact, Republicans are the only ones who have provided any, any, concurrent receipt benefits for disabled military retirees. Democrats had 40 years to do so as the majority party, and they did not.

President Roosevelt said "A man good enough to shed blood for his country is good enough to be given a square deal afterwards." We should be proud of what President Bush and our Republican colleagues have done.

PEACE CORPS WEEK

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

Mr. FARR. Mr. Speaker, I rise today because March 1 through March 7 is National Peace Corps Week. One hundred and seventy thousand volunteers have served in 137 countries over the past 43 years to make an impact on this world, and I would just like to congratulate all of those who are in the field right now, who are in foreign countries all over the world, and send a special congratulations to each of them during this National Peace Corps Week for their service and contribution to the developing countries throughout the world.

And I would like to also remind them that what we heard yesterday in testimony by the leading generals in Iraq was that the military understands that until we cross the cultural divide, until the United States crosses the cultural divide, we will not have peace in this world. And the people that are being

able to cross that cultural divide and bring the best of what is in America to the best of what is outside America together is the National Peace Corps.

And I would just like to say on this week of anniversary that the Peace Corps volunteers do not give handouts. They instead share their knowledge, experiences, technical skills with locals who in turn learn valuable lessons from them, the host country nationals, as well as the host country nationals learning from us. I am especially proud to be a return Peace Corps volunteer from Colombia, where I served in the 1960s, and the friendship and understanding and compassion that developed between myself and the Colombians is forever with me and with them.

And there are other Members, the gentleman from California (Mr. HONDA), the gentleman from Wisconsin (Mr. PETRI), the gentleman from New York (Mr. WALSH), and the gentleman from Connecticut (Mr. SHAYS) who are also return Peace Corps volunteers, and I, with them, we extend congratulations to all those who are serving and to all those who applied to serve in the United States Peace Corps. I thank them very much on this week of the anniversary of the Peace Corps.

FIGHTING FOR AMERICA'S VETERANS

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I cannot agree more with the gentleman from North Florida about all of the gains that veterans have made during the Republican administration. There have been so many legislative accomplishments on behalf of veterans that have been made since 2000.

The issue of concurrent receipt stands out actually as the primary example of Republican achievement versus Democrat rhetoric. The injustice of concurrent receipt actually existed for well over 100 years. The gentleman from Florida (Mr. BILIRAKIS) introduced the bill every session of Congress, and it has been here for about 15 years.

Veterans need to know that Democrats never led on this issue because under their control it never saw the light of day. It took a Republican President and a Republican Congress to end this unfair penalty on disabled veterans. The battle over concurrent receipt is well over 100 years old. We finally began to respond to the need and address every disabled veteran so that they will now be able to receive benefits for 50 percent or greater disability, that there will no longer be that offset. Veterans deserve no less than this, and, in fact, they actually deserve more.

As history has demonstrated, America's veterans can count on the Republican majority to support them and to honor them when they return home.

THE PEOPLE'S HOUSE

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

Mr. EMANUEL. Mr. Speaker, what is known around here as business as usual would make a Chicago alderman blush. In Chicago we have a pretty high standard. If we look at today's Washington Post and New York Times editorial page, they talk about the relationship between two lobbyists and the Republican majority. Roll Call's headline: "Revolving Door Snags Hill Aide: Staffer Negotiated Lobby Contract While on House Payroll."

The pharmaceutical industry was working the halls, working on the pharmaceutical prescription drug legislation. The energy lobbyist got an energy bill.

Let me do a case in point. Four Indian tribes paid \$45 million in 3 years to buy access.

Mr. Speaker, there are good people on both sides of the House with good values. It is unfortunate the conduct of a few brings shame on this institution. The Speaker's gavel is intended to open the People's House, not to close the Auction House.

MEDICARE'S PRESCRIPTION DRUG BENEFIT

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

Mr. KINGSTON. Mr. Speaker, in 1965 if one asked a group of people how many in their family have to take five, six, seven pills a day just to survive, how many hands would be raised? Probably not many because in 1965 we did not have the miracle drugs that we have today. But today in almost any given audience if one asks that question, how many who have somebody in their family who have to take three or four or five pills a day, 80 percent of the hands go up.

□ 1145

That is why the Republican Party has added a prescription drug benefit to Medicare. It is a choice; it is an option. If you are in Medicare now and you love it as is, you do not have to do this, because this is voluntary. But if you want a 50 percent reduction in the cost of your prescription drugs, this is a plan that you should take a careful look at.

The volunteer plan starts in 2006. To bridge the gap in the meantime, all seniors this summer, if they want to, again, voluntarily, can buy a \$30 discount card that will reduce the cost of drugs about 20 to 25 percent.

This is a significant step for better health care for our seniors and a major Medicare reform.

APPLAUDING DECISION ORDERING
NEW WHOLESALE AND
UNBUNDLING RULES

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

Mr. MEEKS of New York. Mr. Speaker, I rise this morning to applaud the D.C. Circuit Court's decision on Tuesday ordering the FCC to come up with new wholesale and unbundling rules that can pass legal approval. This decision sets U.S. telecom policy on the correct path as envisioned by both Chambers of Congress when we passed the Telecom Act of 1996.

This requirement that the regulated local phone companies lease their phone lines to competitors at below-cost rates, ensuring constant financial losses, as witnessed over the past 3 years, has severely hindered investment and service quality to many communities, both large and small.

The time for the FCC to act is now, and with the same sense of urgency the agency displayed after the Super Bowl half-time show. Quick action by Chairman Powell will help spur investment and job creation at a time when our Nation and this sluggish economy certainly need a boost.

APPOINTMENT OF CONFEREES ON
H.R. 3108, PENSION FUNDING EQ-
UITY ACT OF 2003

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3108) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, and for other purposes, with House amendments to the Senate amendment thereto, insist on the House amendments to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Ohio? The Chair hears none and, without objection, appoints the following conferees: From the Committee on Education and the Workforce for consideration of the House bill and the Senate amendment and modifications committed to conference: Messrs. BOEHNER, MCKEON, JOHNSON of Texas, TIBERI, GEORGE MILLER of California and Mr. ANDREWS; from the Committee on Ways and Means for consideration of the House bill and Senate amendment and modifications committed to conference: Messrs. THOMAS, PORTMAN and RANGEL.

There was no objection.

POSITIVE IMPACT OF NO CHILD
LEFT BEHIND ON SPECIAL EDU-
CATION STUDENTS

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

Mr. BOEHNER. Mr. Speaker, yesterday in the Committee on Education and the Workforce, we were pleased to have a hearing on No Child Left Behind and its impact on special education students. For the first time in history, those students in special education will be judged based on results and the fact that we know that children with disabilities can, in fact, learn.

We had four distinguished witnesses from around the country talking about how special education is changing as a result of No Child Left Behind. School districts now must focus in on results for our special needs children. These four witnesses, a parent, a school superintendent and two education experts, talked about how special education students are in fact learning more and improving their capability.

For most children with special needs, there really is no excuse that they cannot read and write and become literate like all other children. Many children in special education can do far more than that; and by focusing in on results for children with special needs, we can in fact meet our goal with No Child Left Behind, which is just that: let us leave no child in America behind.

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3752.

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

There was no objection.

COMMERCIAL SPACE LAUNCH
AMENDMENTS ACT OF 2004

The SPEAKER pro tempore (Mr. BOEHNER). Pursuant to House Resolution 546 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3752.

□ 1155

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3752) to promote the development of the emerging commercial human space-flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, and for

other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Tennessee (Mr. GORDON) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me begin by thanking the gentleman from California (Mr. ROHRBACHER), the chairman of our Subcommittee on Space and Aeronautics, for introducing this measure, for continually pressing for its passage, and for working so cooperatively with us while crafting it. He has single-handedly made this a priority issue for the entire committee.

I have to admit, when the gentleman from California (Mr. ROHRBACHER) first came forward with the idea for this bill, I thought the notion was, well, a little flighty. But through our hearings and other work on this bill, I have come to see this as one of the most important measures this committee will move this year. Let me tell you why. This is about a lot more than joyrides in space, although there is nothing wrong with such an enterprise. This is about the future of the U.S. aerospace industry.

As in most areas of American enterprise, the greatest innovations in aerospace are most likely to come from small entrepreneurs. This is true whether we are talking about launching humans or cargo. The goal of this bill is to promote robust experimentation, to make sure that entrepreneurs and inventors have the incentives and the capabilities they need to pursue their ideas. That is important to our Nation's future.

Those entrepreneurs, the kinds of folks who are inventing new rockets for cargo and who are endowing and competing for the X Prize, are doing our Nation a tremendous service; and, I should add, they also seem to be enjoying themselves. That is a winning combination.

So what do these people need from us? The simplistic answer is they just need government to get out of the way. But, as usual, the truth is a little more complex. The innovators need and are seeking a government regulatory regime that will provide predictability, a regime that can offer stability and support to help them attract private capital; and the general public needs such a regime as well to ensure that the public at large faces no undo health or safety risk from any flights. In short, this industry requires government regulation, but not so much regulation as to stifle it.

This bill, which has been painstakingly negotiated with all interested parties, strikes the proper balance. It

recognizes the industry's need to experiment. Indeed, it creates a new regulatory instrument to encourage that experimentation, while recognizing the obligation to protect the crew and the general public.

I should add, since I know that the gentleman from Arizona (Mr. FLAKE) will bring this issue up a little later, that this regulation can be provided without any increase in the budget of the Federal Aviation Administration. That bears repeating: without any increase in the budget of the Federal Aviation Administration.

We will be accepting the amendment of the gentleman from Arizona (Mr. FLAKE). I would note that the Congressional Budget Office reached the same conclusion, that no additional funding is needed to carry out this bill.

I should also add that under this bill the government will go beyond creating a stable environment for these entrepreneurs. The bill extends the existing provision of law under which the government indemnifies the companies undertaking these flights for set amounts and purposes. In keeping with past congressional practice, we are extending indemnification temporarily for 3 years, in this case; and we are also asking for a study to determine how to end indemnification without harming the industry. I do not think the government should be taking on the risk of this enterprise forever.

So this is a very fair, balanced, carefully crafted bill that will help a budding industry and protect the public. The result, over time, should be the development of new ideas and ways to take humans into space on sub-orbital rockets.

□ 1200

We are still a long way off from making rockets common carriers like airplanes, but we need to promote the experimental work. I want to thank the gentleman from Alaska (Mr. YOUNG) of the Committee on Transportation and Infrastructure for working with us on the jurisdictional issues that the bill presented. I also want to thank the staff who worked on this bill, particularly one of our new staffers, Tim Hughes, who has become an expert in this area of law. I wish to thank both sides of the aisle, Democrats under the gentleman from Tennessee (Mr. GORDON), my fellow Republicans under me, for working so cooperatively for so long to bring forward a product that results in encouragement for a budding industry and gives optimism as we look to the future. I urge my colleagues to support this bill.

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

Mr. GORDON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to speak in support of H.R. 3752, the Commercial Space Launch Amendment Act of 2004. The gentleman from California (Mr. ROHRBACHER) is to be congratulated for his efforts on this bill and I am pleased to be an original cosponsor.

The main provisions of the bill have already been described so I will not take time to discuss them further at this point. Instead, I would just like to make the following observations:

First, the basic purpose of the bill is to establish a framework for regulating the commercial human space flight industry. We have ample testimony that such a framework is needed if the companies are to make their plans and attract needed capital. I believe that this bill addresses that need in a practical and balanced manner.

Second, we are talking about an emerging industry. No one has yet flown a private passenger-carrying space vehicle, and we are far from knowing how the market for such a launch service will develop. As a result, we may need to revisit some of the issues covered by this legislation after we have accumulated some actual experience with commercial operations. Yet that reality should not prevent us from taking the steps that are included in this bill to provide at least an initial regulatory framework.

Third, while I believe this is a good bill, I think there are still some areas that could be improved. The gentleman from New York (Mr. BOEHLERT) and I intend to offer a joint managers' amendment that will deal with several of them, and I hope that Members will join us in supporting that amendment.

Other issues will warrant further discussion over the coming weeks. For example, I do not believe that the testimony and studies received by the Committee on Science over the last several years agree with the bill's bias towards eliminating the existing liability indemnification regime, and I hope that we will revisit that issue when we are in conference on this legislation with the Senate.

Mr. Chairman, H.R. 3752 was reported out of the Committee on Science on a bipartisan basis. I urge my colleagues to support my bill when it comes up for a vote.

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

Mr. BOEHLERT. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. ROHRBACHER), the distinguished chairman of the Subcommittee on Space and Aeronautics, the driver behind this legislation.

Mr. ROHRBACHER. Mr. Chairman, I would like to thank the gentleman from New York (Mr. BOEHLERT) for all his help and energy and creativity and that of his staff as well. We have worked long and hard on this and I am very happy that it is coming to fruition today. I would also like to thank my colleagues on the other side of the aisle who have been working on this with us in a great spirit of bipartisanship and love of country and love of technology and innovation.

Mr. Chairman, the Commercial Space Launch Amendment Act of 2004 represents the fruit of a long and thorough analysis of the commercial human

space flight industry beginning in July with a joint House-Senate hearing on this subject, a Subcommittee on Space and Aeronautics markup, a policy roundtable with experts in the commercial space transportation industry late last year, and a full committee markup early in February. So we have been through the rings on this particular piece of legislation.

The bill before us today, H.R. 3752, creates a clear and balanced regulatory regime to govern the emerging commercial human space flight industry. It is my sincere hope that this bill will encourage individuals like Burt Rutan and others to continue leading the way in pushing the boundaries of technology and safety by building and flight testing hardware, something NASA has yet to do.

This fine piece of legislation carries forward my goal of promoting this new industry and cutting back bureaucratic red tape while protecting public health and safety.

H.R. 3752 eliminates confusion as to who regulates reusable suborbital rockets by directing a regulatory regime for licensing commercial human space flight activities to be established under the jurisdiction of the FAA's Office of Commercial Space Transportation.

The bill makes it easier for entrepreneurs to launch new types of reusable suborbital rockets by directing the Secretary of Transportation to create experimental flight permits, which are separate and distinct from existing commercial launch licenses.

H.R. 3752 also extends the existing commercial space transportation indemnification regime by 3 years, as the chairman noted, through December 31, 2007, and calls for a study in determining how best to gradually eliminate the indemnification regime for the commercial space transportation industry by 2008. Overall, the bill will help get this new industry on its way and on its feet and give the existing space launch industry more time to grow.

Let me note that in the past we have seen spin-offs from the Department of Defense helping people in the private sector and the commercial sector do their business, whether it is GPS satellites or whatever type of technology that was developed over with the DOD in order to help our national security meet those needs. We have seen those spin-offs come to the private sector and help us commercially. I think today that this piece of legislation will launch a new industry where we will see the commercial industry developing technologies that will have spin-offs for the Department of Defense. The spin-offs are going to start going in the other direction where our great space entrepreneurs like Rutan and others are going to be developing aerospace technologies that can be put to use in our national security while they are developing them originally for use in the commercial and private sector.

It is this type of cooperation that should be going on and we should be

encouraging it in both directions. That is what this bill does. I would like to thank the gentleman from New York (Mr. BOEHLERT) again and the industry, my colleagues on the other side of the aisle, the ranking member, the gentleman from Tennessee (Mr. GORDON) and the FAA for their help in developing the bill. Their tremendous efforts will ensure that the regulatory barriers do not hinder the promises and potential of commercial human space flight and all the potential it holds for our Nation.

I urge my colleagues to vote for H.R. 3752.

Mr. BOEHLERT. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma (Mr. LUCAS) for the purposes of a colloquy.

Mr. LUCAS of Oklahoma. Mr. Chairman, I appreciate the gentleman from New York (Mr. BOEHLERT) and the gentleman from Tennessee (Mr. GORDON) bringing this important bill to the floor, because the emerging commercial human space flight industry presents tremendous opportunities for my State of Oklahoma and our Nation as a whole. I am particularly appreciative of this bill's intent to ease the regulatory burdens for entrepreneurs who are developing new suborbital reusable launch vehicles.

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

Mr. LUCAS of Oklahoma. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for his kind words. He is correct in stating that this legislation seeks to put in place sufficient Federal regulation to protect the general public while also promoting this important new industry.

Mr. LUCAS of Oklahoma. As you know, Mr. Chairman, some suborbital reusable launch vehicles that will be used in commercial human space flight activities may have some attributes normally associated with airplanes as well as many attributes of rockets. My hope is that such hybrid vehicles would not have to be regulated under two separate regimes. What are the chairman's views on this matter?

Mr. BOEHLERT. I thank the gentleman for that question.

This is a very important issue on which we have worked extensively with industry and the executive branch in developing this bill. As currently drafted, H.R. 3752 incorporates definitions promulgated by the Federal Aviation Administration to distinguish between suborbital rockets, which are under the jurisdiction of FAA's Associate Administrator for Commercial Space Transport, and other aerospace vehicles which are regulated by another part of the FAA. That said, I would be happy to keep working with the gentleman from Oklahoma (Mr. LUCAS) and other interested parties as the bill moves forward to revisit the important issue of how best to regulate hybrid vehicles that are engaged in commercial human space flight.

Mr. LUCAS of Oklahoma. I thank the chairman and I look forward to continuing to work with him and our colleagues in the other body to see if we can create a single regime for hybrid commercial space flight vehicles.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the Commercial Space Launch Amendments Act. I would like to commend my colleague from California for his leadership, encouraging interest and activity in space exploration. I also commend Ranking Member BART GORDON and the new Ranking Member of the Space Subcommittee NICK LAMPSON of Houston, for helping make this important bill much better.

Commercial space flight is at a crossroads—as is our federal space exploration mission at NASA. Space tourism could revolutionize the human experience and could potentially become billion-dollar industry, creating numerous jobs in high-tech manufacturing and design. I believe that that will indeed happen someday, although I would not go out on a limb and predict whether it will be in two decades, or two centuries. But I do believe that mankind's natural curiosity and hunger for excitement will ultimately enable us to break through the gravitational bond that holds us to the surface of this planet. And I am confident that the American spirit will allow United States companies and scientists and explorers to be on the forefront of that great endeavor.

As those companies develop, they may also come to play a more integral role in complementing the NASA mission—allowing NASA to focus on cutting edge exploration, while they fulfill the more-mundane heavy lifting and transport functions. This could be extremely valuable and cost-effective.

The question before us though, is "What should be the role of the federal government in the development of commercial space flight?" I have always been a great supporter of the NASA mission, and its non-commercial manned and unmanned exploration of space. I feel the search for knowledge and understanding in this universe is noble and worthwhile. I believe that the NASA mission inspires our children to excel in the sciences and math, and thus helps stimulate the development of American leaders in technology. And NASA is a source of discovery and innovation that drives our economy and development. All of these things make NASA well worth strong federal investment.

Commercial space activity is often associated with space tourism—a potential thrill for the multi-millionaires of this world. I have no problem with that. But if that is all that industry is, an expensive amusement ride, then perhaps the federal government should limit its role to issuing safety guidelines and regulations for liability insurance requirements and waivers and then let the private sector do the rest.

But if this industry has the potential to be a huge source of jobs and revenues in the United States, or if there can be some fruitful collaboration with NASA, helping in education and science, or training of astronauts, or tech development—perhaps more federal financial investment would be appropriate.

These are the questions we have been grappling with in the Science Committee over the past year. Regardless of the answer, the fact is that this industry is at a crossroads, and it is time that we in Congress make it clear

what the federal role shall be, whether we will obstruct their development, help drive this industry, or simply get out of the way.

H.R. 3752 makes great progress in defining the federal role for commercial space launch, and encouraging this industry to get off the ground, if you'll pardon the expression.

This Act will establish a framework for regulating the emerging commercial human space flight industry, giving the responsibility to FAA's Office of Commercial Space Transportation, which currently licenses unmanned expendable launch vehicles that put commercial satellites into orbit. It also creates a "permit" system to facilitate experimental test flights of new vehicles, while retaining a full licensing system for operational systems. H.R. 3752 will also extend the existing liability indemnification regime for the commercial space transportation industry for another three years and require a study of how to ultimately phase out that temporary regime.

These are prudent steps, worked out in a bipartisan way in the Space Subcommittee and the whole Committee. I support this approach, and will vote for this bill.

However, space flight is intrinsically risky, and we must make safety our primary consideration. We do not want a burgeoning space industry to follow the example NASA has set of late—and make safety an afterthought. I have been calling for a change in the culture at NASA, to one of openness and commitment to the well being of our spacecraft and crews. We must ensure that such a philosophy is adhered to in the private space sector as well.

I have authored two bills that I will introduce soon, to make NASA safer. One will protect employees from retaliation by managers when they come forward and bring to light safety problems that could lead to the loss of a NASA spacecraft or the lives of crewmembers. These worker protections would also extend to contractors for NASA. I hope in the future to work with the FAA, to ensure that such protections are in place in the commercial space industry.

First, we will need to pass this bill, and start putting the regulatory structure in place. I support the bill and urge my colleagues to do the same.

Mr. GORDON. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. BOEHLERT. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 3752 is as follows:

H.R. 3752

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 "Commercial Space Launch Amendments Act of 2004".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the goal of opening space to the American people and their private commercial, scientific, and cultural enterprises should guide Federal space investments, policies, and regulations;

(2) private industry has begun to develop commercial launch vehicles capable of carrying human beings into space, and greater

private investment in these efforts will stimulate the Nation's commercial space transportation industry as a whole;

(3) space transportation is inherently risky;

(4) a critical area of responsibility for the Office of the Associate Administrator for Commercial Space Transportation is to regulate the emerging commercial human space flight industry; and

(5) the public interest is served by creating a clear legal and regulatory regime for commercial human space flight.

SEC. 3. AMENDMENTS.

(a) FINDINGS AND PURPOSES.—Section 70101 of title 49, United States Code, is amended—

(1) in subsection (a)(3), by inserting “human space flight,” after “microgravity research,”; and

(2) in subsection (a)(4)—

(A) by striking “satellite”; and

(B) by striking “services now available from” and inserting “capabilities of”.

(b) DEFINITIONS.—Section 70102 of title 49, United States Code, is amended—

(1) by redesignating paragraphs (2) through (17) as paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (12), (13), (14), (15), (16), (18), (21), and (22), respectively;

(2) by inserting after paragraph (1) the following new paragraph:

“(2) ‘crew’ means any employee of a licensee or transferee, or of a contractor or subcontractor of a licensee or transferee, who performs activities in the course of that employment directly relating to the launch, reentry, or other operation of or in a launch vehicle or reentry vehicle that carries human beings.”;

(3) in paragraph (4), as so redesignated by paragraph (1) of this subsection, by inserting “, crew, or space flight participant” after “any payload”;

(4) in paragraph (6)(A), as so redesignated by paragraph (1) of this subsection, by striking “and payload” and inserting “, payload, crew (including crew training), or space flight participant”;

(5) in paragraph (8)(A), as so redesignated by paragraph (1) of this subsection, by inserting “or human beings” after “place a payload”;

(6) by inserting after paragraph (10), as so redesignated by paragraph (1) of this subsection, the following new paragraph:

“(11) ‘permit’ means an experimental permit issued under section 70105.”.

(7) in paragraph (13), as so redesignated by paragraph (1) of this subsection, by inserting “crew, or space flight participants,” after “and its payload,”;

(8) in paragraph (14)(A), as so redesignated by paragraph (1) of this subsection, by striking “and its payload” inserting “and payload, crew (including crew training), or space flight participant”;

(9) by inserting after paragraph (16), as so redesignated by paragraph (1) of this subsection, the following new paragraph:

“(17) ‘space flight participant’ means an individual, who is not crew, carried within a launch vehicle or reentry vehicle.”;

(10) by inserting after paragraph (18), as so redesignated by paragraph (1) of this subsection, the following new paragraphs:

“(19) ‘suborbital rocket’ means a rocket-propelled vehicle intended for flight on a suborbital trajectory whose thrust is greater than its lift for the majority of the powered portion of its flight.

“(20) ‘suborbital trajectory’ means the intentional flight path of a launch vehicle, reentry vehicle, or any portion thereof, whose vacuum instantaneous impact point does not leave the surface of the Earth.”; and

(11) in paragraph (21), as so redesignated by paragraph (1) of this subsection—

(A) by striking “or” at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting “; or”; and

(C) by adding at the end the following new subparagraph:

“(E) crew or space flight participants.”.

(c) COMMERCIAL HUMAN SPACE FLIGHT.—(1) Section 70103(a) of title 49, United States Code, is amended by inserting “, through the Associate Administrator for Commercial Space Transportation,” after “Secretary of Transportation”.

(2) Section 70103(b)(1) of title 49, United States Code, is amended by inserting “, including those involving space flight participants” after “private sector”.

(3) Section 70104(a) of title 49, United States Code, is amended—

(A) by striking “LICENSE REQUIREMENT.—A license issued or transferred under this chapter” and inserting “REQUIREMENT.—A license issued or transferred under this chapter, or a permit,”; and

(B) by inserting after paragraph (4) the following:

“Notwithstanding this subsection, a permit shall not authorize a person to operate a launch site or reentry site.”.

(4) Section 70104(b) of title 49, United States Code, is amended by inserting “or permit” after “holder of a license”.

(5) The section heading of section 70105 of title 49, United States Code, is amended by striking “LICENSE APPLICATIONS” and inserting “APPLICATIONS”, and the item relating to that section in the table of sections for chapter 701 of title 49, United States Code, is amended accordingly.

(6) Section 70105(a) of title 49, United States Code, is amended—

(A) by striking “APPLICATIONS.—” and inserting “LICENSES.—”;

(B) in paragraph (1), by striking “subsection (b)(2)(D)” both places it appears and inserting “subsection (c)(2)(D)”;

(C) in paragraph (2), by inserting “, including crews,” after “or personnel”.

(7) Section 70105 of title 49, United States Code, is amended by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and by inserting after subsection (a) the following new subsection:

“(b) EXPERIMENTAL PERMITS.—(1) A person may apply to the Secretary of Transportation for an experimental permit under this subsection in the form and manner the Secretary prescribes. Consistent with the public health and safety, safety of property, and national security and foreign policy interests of the United States, the Secretary, not later than 90 days after receiving an application pursuant to this subsection, shall issue a permit if the Secretary decides in writing that the applicant complies, and will continue to comply, with this chapter and regulations prescribed under this chapter. The Secretary shall inform the applicant of any pending issue and action required to resolve the issue if the Secretary has not made a decision not later than 60 days after receiving an application. The Secretary shall transmit to the Committee on Science of the House of Representatives and Committee on Commerce, Science, and Transportation of the Senate a written notice not later than 15 days after any occurrence when a permit is not issued within the deadline established by this subsection.

“(2) In carrying out paragraph (1), the Secretary may establish procedures for safety approvals of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel, including crews, that may be used in conducting commercial space launch or reentry activities pursuant to a permit.

“(3) In order to encourage the development of a commercial space flight industry, the

Secretary, to the greatest extent practicable, shall when issuing permits use the authority granted under subsection (c)(2)(C).

“(4) The Secretary may issue a permit only for reusable suborbital rockets that will be launched or reentered solely for—

“(A) research and development to test new design concepts, new equipment, or new operating techniques;

“(B) showing compliance with requirements as part of the process for obtaining a license under this chapter; or

“(C) crew training prior to obtaining a license for a launch or reentry using the design of the rocket for which the permit would be issued.

“(5) Permits issued under this subsection shall—

“(A) authorize an unlimited number of launches and reentries for a particular suborbital rocket design for the uses described in paragraph (4); and

“(B) specify the modifications that may be made to the suborbital rocket without changing the design to an extent that would invalidate the permit.

“(6) Permits shall not be transferable.

“(7) A permit may not be issued for, and a permit that has already been issued shall cease to be valid for, a particular design for a reusable suborbital rocket after a license has been issued for the launch or reentry of a rocket of that design.

“(8) No person may operate a reusable suborbital rocket under a permit for carrying any property or human being for compensation or hire.

“(9) For the purposes of sections 70106, 70107, 70108, 70109, 70110, 70112, 70115, 70116, 70117, and 70121 of this chapter—

“(A) a permit shall be considered a license;

“(B) the holder of a permit shall be considered a licensee;

“(C) a vehicle operating under a permit shall be considered to be licensed; and

“(D) the issuance of a permit shall be considered licensing.

This paragraph shall not be construed to allow the transfer of a permit.”.

(8) Section 70105(c)(1) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended by inserting “or permit” after “for a license”.

(9) Section 70105(c)(2)(B) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended by striking “an additional requirement” and inserting “any additional requirement”.

(10) Section 70105(c)(2)(C) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended by inserting “or permit” after “for a license”.

(11) Section 70105(c)(2)(D) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended by inserting “or permit” after “for a license”.

(12) Section 70105(c)(3) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended—

(A) by striking “, including the requirement to obtain a license,”; and

(B) by adding at the end the following: “Nothing in this paragraph shall be construed to allow the launch or reentry of a launch vehicle or a reentry vehicle without a license or permit if a human being will be on board.”.

(13) Section 70105(c) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended by adding at the end the following new paragraphs:

“(4) The holder of a license or a permit under this chapter may launch or reenter crew only if—

“(A) the crew has received training and has satisfied medical or other standards specified in the license or permit in accordance with

regulations promulgated by the Secretary; and

“(B) the holder of the license or permit and crew have complied with all requirements of the laws of the United States that apply to crew.

“(5) The holder of a license or a permit under this chapter may launch or reenter a space flight participant only if—

“(A) in accordance with regulations promulgated by the Secretary, the holder of the license or permit has informed the space flight participant in writing about the risks of the launch or reentry, including the safety record of the launch or reentry vehicle type, and the space flight participant has provided written informed consent to participation in the launch or reentry; and

“(B) the holder of the license or permit and space flight participant have complied with all requirements of the laws of the United States related to launching or reentering a space flight participant.”

(14) Section 70105(d) of title 49, United States Code, as so redesignated by paragraph (7) of this subsection, is amended by inserting “or permit” after “of a license”.

(15) Section 70106(a) of title 49, United States Code, is amended—

(A) by inserting “at a site used for crew training,” after “assemble a launch vehicle or reentry vehicle,”; and

(B) by striking “section 70104(c)” and inserting “sections 70104(c) and 70105(c)(4)”.

(16) Section 70110(a)(1) of title 49, United States Code, is amended by striking “70105(a)” and inserting “70105”.

(17) Section 70112(b)(1) of title 49, United States Code, is amended—

(A) by inserting “crew, space flight participants,” after “its contractors, subcontractors,”; and

(B) by inserting “or by space flight participants,” after “its own employees.”

(18) Section 70112(b)(2) of title 49, United States Code, is amended—

(A) by inserting “crew, space flight participants,” after “transferee, contractors, subcontractors,”; and

(B) by inserting “or by space flight participants,” after “its own employees.”

(19) Section 70113(a) of title 49, United States Code, is amended by inserting “, but not against a space flight participant,” after “subcontractor of a customer,”.

(20) Section 70113(f) of title 49, United States Code, is amended by striking “December 31, 2004.” and inserting “December 31, 2007. This section does not apply to permits.”.

(21) Section 70115(b)(1)(D)(i) of title 49, United States Code, is amended by inserting “crew training site,” after “site of a launch vehicle or reentry vehicle.”.

(22) Section 70119 of title 49, United States Code, is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) such sums as may be necessary for fiscal year 2005;

“(2) such sums as may be necessary for fiscal year 2006; and

“(3) such sums as may be necessary for fiscal year 2007.”.

(23) Section 70120 of title 49, United States Code, is amended by adding at the end the following new subsections:

“(c) AMENDMENTS.—Not later than 12 months after the date of enactment of the Commercial Space Launch Amendments Act of 2004, the Secretary shall publish proposed regulations to carry out that Act, including regulations relating to crew, space flight participants, and permits for launch or reentry of reusable suborbital rockets. Not later than 18 months after such date of enactment, the Secretary shall issue final regulations.

“(d) EFFECTIVE DATE.—(1) Licenses for the launch or reentry of launch vehicles or re-

entry vehicles with human beings on board and permits may be issued by the Secretary prior to the issuance of the regulations described in subsection (c).

“(2) As soon as practicable after the date of enactment of the Commercial Space Launch Amendments Act of 2004, the Secretary shall issue guidelines or advisory circulars to guide the implementation of that Act until regulations are issued.

(3) Notwithstanding paragraphs (1) and (2), no licenses for the launch or reentry of launch vehicles or reentry vehicles with human beings on board or permits may be issued starting three years after the date of enactment of the Commercial Space Launch Amendments Act of 2004 unless the final regulations described in subsection (c) have been issued.”.

SEC. 4. STUDY ON THE GRADUAL ELIMINATION OF COMMERCIAL SPACE TRANSPORTATION LIABILITY RISK SHARING REGIME.

Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an appropriate arrangement with the National Academy of Public Administration to conduct a study of how best to gradually eliminate the liability risk sharing regime in the United States for commercial space transportation under section 70113 of title 49, United States Code. The study shall assess methods by which the liability risk sharing regime could be eliminated by 2008 or as soon as possible thereafter and the impact those methods would be likely to have on the commercial space transportation industry. The methods examined shall include incremental approaches.

SEC. 5. TECHNICAL AMENDMENT.

Section 102(c) of the Commercial Space Act of 1998 is repealed.

The CHAIRMAN. No amendment to the bill shall be in order except those printed in the designated place in the CONGRESSIONAL RECORD and pro forma amendments for the purpose of debate. Amendments printed in the RECORD may be offered only by the Member who caused it to be printed or his designee and shall be considered read.

Are there any amendments to the bill?

AMENDMENT NO. 1 OFFERED BY MR. BOEHLERT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BOEHLERT:

In section 3(c)(5), strike “by striking” and all that follows through “, and the item” and insert “by striking ‘License applications’ and inserting ‘Applications’, and the item”.

In section 3(c)(12), strike “is amended” and all that follows through “by adding” and insert “is amended by adding”.

In section 3(c)(17)—

(1) in subparagraph (A)—

(A) strike “crew,”; and

(B) strike “and”;

(2) in subparagraph (B), strike “employees,” and insert “employees”; and

(3) add at the end the following new subparagraph:

(C) by adding at the end the following: “The requirement for space flight participants to make a reciprocal waiver of claims with the licensee or transferee shall expire 3 years after the first licensed launch of a launch vehicle carrying a space flight participant.”.

In section 3(c)(18)(B), strike “employees,” and insert “employees”.

In section 3(c)(19)—

(1) insert “(1)” after “70113(a)”;

and

(2) strike “, but not” and insert “but not”.

Mr. BOEHLERT. Mr. Chairman, I rise to support my amendment. I am offering this amendment on behalf of myself and the gentleman from Tennessee (Mr. GORDON). This is a straightforward managers’ amendment.

The amendment makes technical changes to the bill. It also creates one inadvertent but substantive drafting error. Correcting the bill will make it clear that the Federal Aviation Administration retains its current authority to waive the requirements to obtain a license, while also making it clear that that authority does not extend to flights that carry humans.

Finally, the amendment removes the requirement that crews sign reciprocal waivers of liability. This amendment is not controversial. It is bipartisan, and I urge its adoption.

Mr. GORDON. Mr. Chairman, I rise in support of the amendment.

The gentleman from New York (Mr. BOEHLERT) has already described the amendment so I will not repeat his explanation. I will simply say that I believe our amendment makes a good bill better. It makes certain necessary technical corrections. However, more importantly, it ensures that employee rights will be protected in the case of an accident or other major incident, and it provides a sunset on the bill’s treatment of the passengers of these new commercial spacecraft looking towards the day when such flights will become relatively routine.

Mr. Chairman, I believe that our amendment is noncontroversial, and I urge my colleagues to support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BOEHLERT).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. FLAKE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. FLAKE:

In section 3(c)(22), in each of the proposed paragraphs (1), (2), and (3), strike “such sums as may be necessary” and insert “\$11,776,000”.

Mr. FLAKE. Mr. Chairman, I rise today to offer an amendment to H.R. 3752. My amendment holds current funding for commercial space activities within FAA for the next 3 years. Current language of the bill authorizes such sums as necessary for the next 3 years. My amendment specifies \$11.8 million authorization level each year for the next 3 years. This is the same level appropriated for 2004.

I believe that by holding funding at current levels Congress will be able to monitor space tourism and other commercial space activities. If demand for these activities does in fact rise over the next couple of years, Congress will be able to revisit the issue as needed.

In a time of large deficits this amendment will show that Congress is getting serious about holding the line on nondefense, nonhomeland security spending.

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

Mr. FLAKE. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, I am pleased to accept the amendment. We accept the rationale and the intent and we are pleased to accept this amendment.

Mr. FLAKE. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

The CHAIRMAN. There being no further amendments in order, under the rule, the Committee rises.

□ 1215

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATHAM) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3752) to promote the development of the emerging commercial human spaceflight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, and for other purposes, pursuant to House Resolution 546, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

This will be a 15-minute vote followed by two 5-minute votes on motions to suspend the rules.

The vote was taken by electronic device, and there were—yeas 402, nays 1, not voting 30, as follows:

[Roll No. 39]

YEAS—402

Abercrombie	Diaz-Balart, L.	Kennedy (MN)
Ackerman	Diaz-Balart, M.	Kildee
Akin	Dicks	Kilpatrick
Alexander	Dingell	Kind
Allen	Doolittle	King (IA)
Andrews	Doyle	Kingston
Baca	Dreier	Kirk
Bachus	Duncan	Kline
Baird	Dunn	Knollenberg
Baker	Edwards	LaHood
Baldwin	Ehlers	Lampson
Ballance	Emanuel	Langevin
Ballenger	Emerson	Larsen (WA)
Barrett (SC)	English	Larson (CT)
Bartlett (MD)	Eshoo	Latham
Barton (TX)	Etheridge	LaTourette
Bass	Evans	Leach
Beauprez	Everett	Lee
Becerra	Farr	Levin
Bereuter	Fattah	Lewis (CA)
Berkley	Feeney	Lewis (GA)
Berman	Ferguson	Lewis (KY)
Biggert	Filner	Linder
Bilirakis	Flake	Lipinski
Bishop (GA)	Foley	LoBiondo
Bishop (NY)	Forbes	Lofgren
Bishop (UT)	Ford	Lowey
Blackburn	Fossella	Lucas (KY)
Blumenauer	Frank (MA)	Lucas (OK)
Boehkert	Franks (AZ)	Lynch
Boehner	Frelinghuysen	Majette
Bonilla	Frost	Maloney
Bonner	Galleghy	Manzullo
Bono	Garrett (NJ)	Markey
Boozman	Gephardt	Marshall
Boswell	Gibbons	Matheson
Boucher	Gilchrest	Matsui
Boyd	Gillmor	McCarthy (MO)
Bradley (NH)	Gingrey	McCarthy (NY)
Brady (PA)	Gonzalez	McCollum
Brady (TX)	Goode	McCotter
Brown (OH)	Goodlatte	McCrery
Brown (SC)	Gordon	McDermott
Brown, Corrine	Goss	McGovern
Brown-Waite,	Granger	McHugh
Ginny	Graves	McInnis
Burgess	Green (TX)	McIntyre
Burns	Green (WI)	McKeon
Burr	Greenwood	McNulty
Burton (IN)	Grijalva	Meehan
Buyer	Gutierrez	Meek (FL)
Camp	Gutknecht	Meeks (NY)
Cannon	Hall	Menendez
Cantor	Harman	Mica
Capito	Harris	Michaud
Capps	Hart	Millender-
Capuano	Hastings (FL)	McDonald
Cardin	Hastings (WA)	Miller (FL)
Cardoza	Hayes	Miller (MI)
Carson (IN)	Hayworth	Miller (NC)
Carson (OK)	Hefley	Miller, Gary
Carter	Hensarling	Miller, George
Case	Herger	Mollohan
Castle	Hill	Moore
Chabot	Hinchev	Moran (KS)
Chandler	Hobson	Moran (VA)
Chocola	Hoeffel	Murphy
Clay	Hoekstra	Murtha
Clyburn	Holden	Musgrave
Coble	Holt	Myrick
Cole	Honda	Nadler
Collins	Hostettler	Napolitano
Conyers	Hoyer	Neal (MA)
Cooper	Hulshof	Nethercutt
Costello	Hunter	Neugebauer
Cox	Hyde	Ney
Cramer	Inslee	Northup
Crane	Israel	Norwood
Crenshaw	Issa	Nunes
Crowley	Istook	Nussle
Cubin	Jackson (IL)	Oberstar
Cunningham	Jackson-Lee	Obey
Davis (AL)	(TX)	Olver
Davis (CA)	Jefferson	Ortiz
Davis (FL)	Jenkins	Osborne
Davis (TN)	John	Ose
Davis, Jo Ann	Johnson (CT)	Otter
Davis, Tom	Johnson (IL)	Owens
Deal (GA)	Johnson, E. B.	Oxley
DeFazio	Johnson, Sam	Pallone
DeGette	Jones (NC)	Pascrell
DeLahunt	Jones (OH)	Pastor
DeLauro	Kanjorski	Payne
DeLay	Kaptur	Pearce
DeMint	Keller	Pelosi
Deutsch	Kelly	Peterson (MN)

Peterson (PA)	Sandlin	Taylor (NC)
Petri	Saxton	Terry
Pickering	Schakowsky	Thomas
Pitts	Schiff	Thompson (CA)
Platts	Schrock	Thompson (MS)
Pombo	Scott (GA)	Thornberry
Pomeroy	Scott (VA)	Tiahrt
Porter	Sensenbrenner	Tiberi
Portman	Serrano	Tierney
Price (NC)	Shadegg	Towns
Pryce (OH)	Shaw	Turner (OH)
Putnam	Shays	Turner (TX)
Quinn	Sherman	Turner (CO)
Radanovich	Sherwood	Udall (CO)
Rahall	Shimkus	Udall (NM)
Ramstad	Shuster	Upton
Rangel	Simmons	Van Hollen
Regula	Simpson	Velázquez
Rehberg	Skelton	Vislosky
Renzi	Slaughter	Vitter
Reyes	Smith (MI)	Walden (OR)
Reynolds	Smith (NJ)	Walsh
Rogers (AL)	Smith (TX)	Wamp
Rogers (KY)	Smith (WA)	Waters
Rogers (MI)	Snyder	Watson
Rohrabacher	Solis	Watt
Ros-Lehtinen	Souder	Waxman
Ross	Spratt	Weiner
Rothman	Stark	Weldon (FL)
Royal-Allard	Stearns	Weldon (PA)
Royce	Stenholm	Wexler
Ruppersberger	Strickland	Wicker
Ryan (OH)	Stupak	Wilson (NM)
Ryan (WI)	Sullivan	Wilson (SC)
Ryun (KS)	Sweeney	Woolsey
Sabo	Tancredo	Wu
Sánchez, Linda	Tanner	Wynn
T.	Tauscher	Young (AK)
Sanchez, Loretta	Tauzin	Young (FL)
Sanders	Taylor (MS)	

NAYS—1

Paul

NOT VOTING—30

Aderholt	Engel	Kucinich
Bell	Gerlach	Lantos
Berry	Hinojosa	Pence
Blunt	Hoolley (OR)	Rodriguez
Calvert	Houghton	Rush
Culberson	Isakson	Sessions
Cummings	Kennedy (RI)	Toomey
Davis (IL)	King (NY)	Weller
Doggett	Kleczka	Whitfield
Dooley (CA)	Kolbe	Wolf

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE) (during the vote). There are 2 minutes remaining in this vote.

□ 1239

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KENNEDY of Rhode Island. Mr. Chairman, on rollcall No. 39, passage of H.R. 3752, had I been present, I would have voted "yea."

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. Res. 412, by the yeas and nays; and
H. Res. 56, by the yeas and nays.

These will be 5-minute votes.

HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON ITS 30TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 412.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 412, 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 402, nays 1, not voting 30, as follows:

[Roll No. 40]
YEAS—402

Abercrombie	Coble	Goodlatte
Ackerman	Cole	Gordon
Akin	Collins	Goss
Alexander	Conyers	Granger
Allen	Cooper	Graves
Andrews	Costello	Green (TX)
Baca	Cox	Green (WI)
Bachus	Cramer	Greenwood
Baird	Crane	Grijalva
Baker	Crenshaw	Gutierrez
Baldwin	Crowley	Gutknecht
Ballance	Cubin	Hall
Ballenger	Cummings	Harman
Barrett (SC)	Cunningham	Harris
Bartlett (MD)	Davis (AL)	Hart
Barton (TX)	Davis (CA)	Hastings (FL)
Bass	Davis (FL)	Hastings (WA)
Beauprez	Davis (IL)	Hayes
Becerra	Davis (TN)	Hayworth
Bereuter	Davis, Jo Ann	Hefley
Berkley	Davis, Tom	Hensarling
Berman	Deal (GA)	Herger
Biggett	DeFazio	Hill
Bilirakis	DeGette	Hinchesy
Bishop (GA)	Delahunt	Hobson
Bishop (NY)	DeLauro	Hoeffel
Bishop (UT)	DeLay	Hoekstra
Blackburn	DeMint	Holden
Blumenauer	Deutsch	Holt
Boehlert	Diaz-Balart, L.	Honda
Boehner	Diaz-Balart, M.	Hostettler
Bonilla	Dicks	Hoyer
Bonner	Dingell	Hulshof
Bono	Doolittle	Hunter
Boozman	Doyle	Hyde
Boswell	Dreier	Insee
Boucher	Duncan	Israel
Boyd	Dunn	Issa
Bradley (NH)	Edwards	Istook
Brady (PA)	Ehlers	Jackson (IL)
Brady (TX)	Emanuel	Jackson-Lee
Brown (OH)	Emerson	(TX)
Brown (SC)	English	Jefferson
Brown, Corrine	Eshoo	Jenkins
Brown-Waite,	Etheridge	John
Ginny	Evans	Johnson (CT)
Burgess	Everett	Johnson (IL)
Burns	Farr	Johnson, E. B.
Burr	Feeney	Johnson, Sam
Burton (IN)	Ferguson	Jones (NC)
Buyer	Filner	Jones (OH)
Camp	Flake	Kanjorski
Cannon	Foley	Kaptur
Cantor	Forbes	Keller
Capito	Ford	Kelly
Capps	Fossella	Kennedy (MN)
Capuano	Frank (MA)	Kennedy (RI)
Cardin	Franks (AZ)	Kildee
Cardoza	Frelinghuysen	Kilpatrick
Carson (IN)	Frost	Kind
Carson (OK)	Gallegly	King (IA)
Carter	Garrett (NJ)	Kingston
Case	Gephardt	Kirk
Castle	Gibbons	Kline
Chabot	Gilchrest	Knollenberg
Chandler	Gillmor	Kolbe
Chocola	Gingrey	LaHood
Clay	Gonzalez	Lampson
Clyburn	Goode	Langevin

Larsen (WA)	Oberstar	Sherman
Larson (CT)	Obey	Sherwood
Latham	Oliver	Shimkus
LaTourette	Ortiz	Shuster
Leach	Osborne	Simmons
Lee	Ose	Simpson
Levin	Otter	Skelton
Lewis (CA)	Owens	Slaughter
Lewis (GA)	Oxley	Smith (MI)
Lewis (KY)	Pallone	Smith (NJ)
Linder	Pascrell	Smith (TX)
Lipinski	Pastor	Smith (WA)
LoBiondo	Payne	Snyder
Lofgren	Pearce	Solis
Lowey	Pelosi	Souder
Lucas (KY)	Peterson (MN)	Spratt
Lucas (OK)	Peterson (PA)	Stark
Lynch	Petri	Stearns
Majette	Pickering	Stenholm
Maloney	Pitts	Strickland
Markey	Platts	Stupak
Marshall	Pombo	Sullivan
Matheson	Pomeroy	Sweeney
Matsui	Porter	Tancredo
McCarthy (MO)	Portman	Tanner
McCarthy (NY)	Price (NC)	Tauscher
McCollum	Pryce (OH)	Tauzin
McCotter	Putnam	Quinn
McCrary	Quinn	Taylor (MS)
McDermott	Radanovich	Taylor (NC)
McGovern	Rahall	Terry
McHugh	Ramstad	Thomas
Gordon	McInnis	Thompson (CA)
McIntyre	Regula	Thompson (MS)
McKeon	Rehberg	Thornberry
McNulty	Renzi	Tiaht
Meehan	Reyes	Tiberi
Meek (FL)	Reynolds	Tierney
Meeks (NY)	Rogers (AL)	Towns
Menendez	Rogers (KY)	Turner (OH)
Mica	Rogers (MI)	Turner (TX)
Michaud	Rohrabacher	Udall (CO)
Hall	Ros-Lehtinen	Udall (NM)
McDonald	Ross	Upton
Miller (FL)	Rothman	Van Hollen
Miller (MI)	Roybal-Allard	Velázquez
Miller (NC)	Royce	Visclosky
Miller, Gary	Ruppersberger	Vitter
Miller, George	Ryan (OH)	Walden (OR)
Mollohan	Ryan (WI)	Wamp
Moore	Ryun (KS)	Waters
Moran (KS)	Sabo	Watson
Moran (VA)	Sánchez, Linda	Watt
Murphy	T.	Waxman
Murtha	Sanchez, Loretta	Weiner
Musgrave	Sanders	Weldon (FL)
Myrick	Sandlin	Weldon (PA)
Saxton	Nadler	Wexler
Schakowsky	Napolitano	Wicker
Schiff	Neal (MA)	Wilson (NM)
Scott (GA)	Nethercutt	Wilson (SC)
Scott (VA)	Neugebauer	Woolsey
Sensenbrenner	Ney	Wu
Serrano	Northup	Wynn
Shadegg	Norwood	Young (AK)
Shaw	Nunes	Young (FL)
Shays	Nussle	

NAYS—1

Paul
NOT VOTING—30

Aderholt	Gerlach	Pence
Bell	Hinojosa	Rodriguez
Berry	Hooley (OR)	Rush
Blunt	Houghton	Schrock
Calvert	Isakson	Sessions
Culberson	King (NY)	Toomey
Doggett	Kleczka	Walsh
Dooley (CA)	Kucinich	Weller
Engel	Lantos	Whitfield
Fattah	Manzullo	Wolf

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1248

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING GOALS OF CERTAIN COMMUNITIES IN RECOGNIZING NATIONAL DAY OF REMEMBRANCE

The SPEAKER pro tempore (Mr. LATOURETTE). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 56.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 56, 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 404, nays 0, not voting 29, as follows:

[Roll No. 41]
YEAS—404

Abercrombie	Clay	Gillmor
Ackerman	Clyburn	Gingrey
Akin	Coble	Gonzalez
Alexander	Cole	Goode
Allen	Collins	Goodlatte
Andrews	Conyers	Gordon
Baca	Cooper	Goss
Bachus	Costello	Granger
Baird	Cox	Graves
Baker	Cramer	Green (WI)
Baldwin	Crane	Greenwood
Ballance	Crenshaw	Grijalva
Ballenger	Crowley	Gutierrez
Barrett (SC)	Cubin	Gutknecht
Bartlett (MD)	Cummings	Hall
Barton (TX)	Cunningham	Harman
Bass	Davis (AL)	Harris
Beauprez	Davis (CA)	Hart
Becerra	Davis (FL)	Hastings (FL)
Bereuter	Davis (IL)	Hastings (WA)
Berkley	Davis (TN)	Hayes
Berman	Davis, Jo Ann	Hayworth
Biggett	Davis, Tom	Hefley
Bilirakis	Deal (GA)	Hensarling
Bishop (GA)	DeFazio	Herger
Bishop (NY)	DeGette	Hill
Bishop (UT)	Delahunt	Hinchesy
Blackburn	DeLauro	Hobson
Blumenauer	DeLay	Hoeffel
Boehlert	DeMint	Hoekstra
Boehner	Deutsch	Holden
Bonilla	Diaz-Balart, L.	Holt
Bonner	Diaz-Balart, M.	Honda
Bono	Dicks	Hostettler
Boozman	Dingell	Hoyer
Boswell	Doolittle	Hulshof
Boucher	Doyle	Hunter
Boyd	Dreier	Hyde
Bradley (NH)	Duncan	Insee
Brady (PA)	Dunn	Israel
Brady (TX)	Ehlers	Issa
Brown (OH)	Emanuel	Istook
Brown (SC)	Emerson	Jackson (IL)
Brown, Corrine	English	Jackson-Lee
Brown-Waite,	Eshoo	(TX)
Ginny	Etheridge	Jefferson
Burgess	Evans	Jenkins
Burns	Everett	John
Burr	Farr	Johnson (CT)
Burton (IN)	Feeney	Johnson (IL)
Buyer	Ferguson	Johnson, E. B.
Camp	Filner	Johnson, Sam
Cannon	Flake	Jones (NC)
Cantor	Foley	Jones (OH)
Capito	Forbes	Kanjorski
Capps	Fossella	Kaptur
Capuano	Frank (MA)	Keller
Cardin	Franks (AZ)	Kelly
Cardoza	Frelinghuysen	Kennedy (MN)
Carson (IN)	Frost	Kennedy (RI)
Carson (OK)	Gallegly	Kilpatrick
Carter	Garrett (NJ)	Kind
Case	Gephardt	King (IA)
Castle	Gibbons	Kingston
Chabot	Gilchrest	Kirk
Chandler	Gillmor	Kline
Chocola	Gingrey	Knollenberg
Clay	Gonzalez	Kolbe
Clyburn	Goode	LaHood

Kline	Norwood	Shadegg
Knollenberg	Nunes	Shaw
Kolbe	Nussle	Shays
LaHood	Oberstar	Sherman
Lampson	Obey	Sherwood
Langevin	Olver	Shimkus
Larsen (WA)	Ortiz	Shuster
Larson (CT)	Osborne	Simmons
Latham	Ose	Simpson
LaTourette	Otter	Skelton
Leach	Owens	Slaughter
Lee	Oxley	Smith (MI)
Levin	Pallone	Smith (NJ)
Lewis (CA)	Pascrell	Smith (TX)
Lewis (GA)	Pastor	Smith (WA)
Lewis (KY)	Paul	Snyder
Linder	Payne	Solis
Lipinski	Pearce	Souder
LoBiondo	Pelosi	Spratt
Lofgren	Peterson (MN)	Stark
Lowey	Peterson (PA)	Stearns
Lucas (KY)	Petri	Stenholm
Lucas (OK)	Pickering	Strickland
Lynch	Pitts	Stupak
Majette	Platts	Sullivan
Maloney	Pombo	Sweeney
Markey	Pomeroy	Tancredo
Matheson	Porter	Tanner
Matsui	Portman	Tauscher
McCarthy (MO)	Price (NC)	Tauzin
McCarthy (NY)	Pryce (OH)	Taylor (MS)
McCollum	Putnam	Taylor (NC)
McCotter	Quinn	Terry
McCrery	Radanovich	Thomas
McDermott	Rahall	Thompson (CA)
McGovern	Ramstad	Thompson (MS)
McHugh	Rangel	Thornberry
McInnis	Regula	Tiahrt
McIntyre	Rehberg	Tiberi
McKeon	Renzi	Tierney
McNulty	Reyes	Towns
Meehan	Reynolds	Turner (OH)
Meek (FL)	Rogers (AL)	Turner (TX)
Meeks (NY)	Rogers (KY)	Udall (CO)
Menendez	Rogers (MI)	Udall (NM)
Mica	Rohrabacher	Upton
Michaud	Ros-Lehtinen	Van Hollen
Millender-	Ross	Velázquez
McDonald	Rothman	Visclosky
Miller (FL)	Roybal-Allard	Vitter
Miller (MI)	Royce	Walden (OR)
Miller (NC)	Ruppersberger	Walsh
Miller, Gary	Ryan (OH)	Wamp
Miller, George	Ryan (WI)	Waters
Mollohan	Ryun (KS)	Watson
Moore	Sabo	Watt
Moran (KS)	Sánchez, Linda	Waxman
Moran (VA)	T.	Weiner
Murphy	Sanchez, Loretta	Weldon (FL)
Murtha	Sanders	Weldon (PA)
Musgrave	Sandlin	Wexler
Myrick	Saxton	Wicker
Nadler	Schakowsky	Wilson (NM)
Napolitano	Schiff	Wilson (SC)
Neal (MA)	Schrock	Woolsey
Nethercutt	Scott (GA)	Wu
Neugebauer	Scott (VA)	Wynn
Ney	Sensenbrenner	Young (AK)
Northup	Serrano	Young (FL)

NOT VOTING—29

Aderholt	Ford	Marshall
Bell	Green (TX)	Pence
Berry	Hinojosa	Rodriguez
Blunt	Hooley (OR)	Rush
Calvert	Houghton	Sessions
Culberson	Isakson	Toomey
Doggett	King (NY)	Weller
Dooley (CA)	Kucinich	Whitfield
Edwards	Lantos	Wolf
Engel	Manzullo	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1259

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GERLACH. Mr. Speaker, on rollcall Nos. 39 and 40, I was inadvertently detained. Had I been present, I would have voted "yea."

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the week to come.

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

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, the House will convene on Tuesday at 12:30 for morning hour debates and 2 p.m. for legislative business. We will consider several measures under suspension of the rules, and a final list of those bills will be sent to Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday, the House will convene at 10 a.m. We plan to consider H.R. 339, the Personal Responsibility in Food Consumption Act. In addition, we plan to consider H.R. 3717, the Broadcast Decency Enforcement Act.

Finally, I would like to remind all Members that we do not plan to have votes next Friday, March 12. I will be happy to answer any questions that the gentleman from Maryland has.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information, and also for planning purposes that assurance for March 12.

We talked last week and we know that the highway reauthorization extension for 2 months was worked out. When can we expect the committees to mark up the reauthorization bill, and when do you expect to see it on the floor.

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, I believe the gentleman from Alaska (Mr. YOUNG) is in the process of working with the gentleman from Minnesota (Mr. OBERSTAR), the ranking member, and members of the Committee on Transportation and Infrastructure to develop a product that can move through this House before the Easter recess and be signed into law as quickly as possible. So if we back away from our Easter recess, I would hope that the committee would, within the next couple of weeks, be marking up a bill so we can get it to the floor before the Easter recess.

□ 1300

Mr. HOYER. I thank the gentleman for that answer. Can the leader tell me whether or not there is an expectation that this will be, as we have had in the past, a 6-year reauthorization, or is it possible that there would be a shorter reauthorization, say, of 2 years, obviously focused on trying to build jobs and create jobs in the country?

Mr. DELAY. It is a jobs bill, a very important jobs bill to all of us here in the House. We want to do what we can to create these jobs and get them going as fast as possible. To answer the gentleman's question about whether it is a 2-year bill, a 6-year bill, what is the amount here or there, I am not advised, quite frankly. There are discussions about all of that. I do not think any decision has been made along those lines. The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Alaska (Mr. YOUNG) are still discussing that, but I am sure they soon will come to some sort of understanding as to how we will proceed.

Mr. HOYER. I thank the gentleman. As we, as well, also discussed last week, can the leader bring us up to date on the progress of the budget resolution and when he expects it to be marked up in committee and when we can expect to have that bill on the floor?

Mr. DELAY. It is my understanding after a lot of discussion that Chairman NUSSLE and his Budget Committee members are working furiously to complete all their hearings and be prepared to mark it up possibly as early as next week. I would imagine moving the budget resolution to the floor the week after the committee reports its resolution out of the committee.

Mr. HOYER. I know this is preliminary and it is early, but my presumption would be that as we did in years past, that the minority would have its rights to submit such substitutes as it deemed appropriate?

Mr. DELAY. I am encouraging the minority to present substitutes so that we can have a very healthy debate about the future of this country and how we would as a House decide that the importance of the budget is such that we can come to some sort of agreement as a House to move a budget along.

Mr. HOYER. Reclaiming my time, if I may say, somewhat, I know, facetiously, but we are pleased that the leader is encouraging us to do so. As a matter of fact, we are as pleased about that as we were last year when the gentleman from Texas urged everybody to support our motion to instruct, that we follow the House Democratic substitute as opposed to the one that we actually passed. So we are encouraged by the gentleman's encouragement.

Last, if I can, the FSC bill. We talked about this last week. Obviously, the Europeans have started to impose some penalties. Can the gentleman tell us the status of legislation to deal with the FSC issue?

Mr. DELAY. As the gentleman knows, the Committee on Ways and Means has reported a bill out, H.R. 2896, the American Jobs Creation Act. This was reported last year. But we continue to work with the committee and the other body and the administration to bring that bill to the floor in a form that not only meets our obligations to the WTO but also ensures the

continued competitive position of all U.S. companies. I anticipate that we will bring such a bill to the floor in the very near future.

Mr. HOYER. I presume, as well, that when and if that is brought to the floor, because there has been some real disagreement on who that bill ought to advantage and focus on as the gentleman knows in terms of domestic manufacturers as opposed to manufacturers who do a lot of work overseas, and hopefully we will be able to offer alternatives to certainly the bill that was reported out last year, if it is the same bill. As the gentleman knows, we would have an alternative to that. Can the leader give us assurance that we will have that option?

Mr. DELAY. The gentleman knows that it is the tradition of the House to keep Ways and Means tax bills very tight. We have always as a tradition discouraged amendments, but we have encouraged substitutes. I cannot speak for the Committee on Rules; but if there are alternatives in the form of substitutes, then they will be taken into consideration.

Mr. HOYER. I thank the gentleman for that observation. One additional observation. That is obviously an important option. I think the gentleman states correctly the practice of the House under both Democrats and Republicans.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. If I could ask the gentleman from Texas, I like to keep up with new trends in the House. I was struck when the gentleman from Texas, the majority leader, said he could not speak for the Rules Committee.

Is that a new development we had not previously known about?

Mr. DELAY. That tradition remains the same, I would say to my friend from Massachusetts.

Mr. HOYER. I thought of that question, Mr. Leader, but I thought it was probably not worth asking because I knew the answer. But to the other question, with respect to offering substitutes, very frankly, what happens is you can offer a substitute, but if it is not germane and you do not receive a waiver when you are granted the right to offer the substitute, obviously on the one hand you have the ability to offer a substitute, but you do not really have the ability to offer an alternative. There is a very substantial difference.

I do not necessarily expect an answer today, but I really would hope, because we are talking about very significant, important issues, where there are differences in a bipartisan fashion on either alternative, that alternatives should be allowed that are consistent with the objective, although, as the leader well knows, from time to time because of what is or is not included in the committee product may or may not

be germane even though it is pointed to the subject. I offer that as food for thought because I think it is fair and I think it would be good for the American public to have a broader spectrum of options than is sometimes allowed to us, notwithstanding the fact that theoretically a substitute is made available.

I think the gentleman understands my point, and I thank the gentleman for the information.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, FRIDAY, MARCH 5, 2004, TO FILE A REPORT ON H.R. 339, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight on Friday, March 5, 2004, to file a report to accompany H.R. 339.

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

There was no objection.

ADJOURNMENT TO MONDAY, MARCH 8, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, March 8, 2004.

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

There was no objection.

HOUR OF MEETING ON TUESDAY, MARCH 9, 2004

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, March 8, 2004, it adjourn to meet at 12:30 p.m. on Tuesday, March 9, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

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

There was no objection.

COURT RULING UPHOLDS INTENT OF CONGRESS IN PASSING TELECOMMUNICATIONS ACT OF 1996

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

Mr. SHIMKUS. Mr. Speaker, like many of my colleagues, I was delighted to see that the U.S. Court of Appeals for the District of Columbia issued a ruling yesterday that upholds the intent of Congress in passing the Telecommunications Act of 1996. The court found that the FCC did not comply with the Telecom Act when it voted 3 to 2 last year to adopt its highly controversial Triennial Review Order. This marks the third time since 1996 that the FCC's rules have been rejected by U.S. courts.

In its ruling, the appeals court pointed to the commission's failure, after 8 years, to develop lawful unbundling rules and its apparent unwillingness to adhere to prior judicial rulings. FCC Chairman Michael Powell, who was one of the two commissioners to oppose the Triennial Review Order, has voiced his opposition to any appeal of the court's decision and has said, appropriately, that the FCC should expeditiously get to work to produce a set of judicially sound rules once and for all. I fully support the position taken by Chairman Powell and urge the commission to prepare rules to provide the needed clarity and guidance to restore the health and economic vitality of our Nation's telecommunications sector.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. BLACKBURN). 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.

The SPEAKER pro tempore. 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.)

ORDER OF BUSINESS

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that I may proceed out of order and do my 5 minutes now.

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

There was no objection.

CATHOLIC RELIEF SERVICES BRINGS FOOD AND EDUCATION TO THE CHILDREN OF BENIN

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

Mr. MCGOVERN. Madam Speaker, right now there are more than 300 million chronically hungry children in the world. 130 million, mainly girls, do not attend schools. The other 170 million go to school on an empty stomach, stunting their ability to learn. I want

to describe how one U.S. organization, Catholic Relief Services, is making a difference in the lives of such children in the African nation of Benin.

We can all be proud of the work that Catholic Relief Services does in our name around the world. CRS is known for its integrated approach to development, weaving together programs that help poor nations address the challenges of hunger, malnutrition, illiteracy, and poverty. At the same time, CRS promotes community participation, empowerment, and economic opportunity.

In 2001 and 2002, CRS received funding through the United States Department of Agriculture's McGovern-Dole food for education pilot program to begin school feeding programs in six districts in northwestern Benin. The problems facing Benin are daunting. It ranks extremely low on the United Nations human development index, at number 147 out of 162 countries. In the region where CRS is carrying out this program, families engage mainly in farming and fishing, with annual incomes of around \$175. During the long dry season, the food security situation becomes very tight, even by Benin standards. Only about 30 percent of parents send their children to school.

Facing these realities, the CRS-Benin school feeding program began by strengthening or creating parent-teacher associations in order to increase local commitment to education. These PTAs became involved in providing meals to schools, reaching out and encouraging local families to send their children to school, and determining how to meet basic needs regarding the number and quality of teachers. In 61 schools, the CRS-Benin program provided daily school breakfasts and lunches to nearly 9,000 children each day. It also targeted 3,500 female students for take-home rations as an incentive to increase school attendance by girls. Additional rice and soybean oil were awarded to girls who achieved at least an 85 percent attendance rate each quarter. Summer school and other programs were initiated to meet the needs of displaced or otherwise crisis-affected children.

As part of its integrated approach to development, the CRS-Benin program monetized USDA-provided soybeans to fund a number of other critical interventions for these students, including micronutrient supplements to improve student health; hygiene, health and nutrition education for parents and teachers; school latrines and other sanitation infrastructure; training for teachers and school directors in improved teaching and school management methods; and community awareness campaigns on the importance of education for girls.

□ 1315

The CRS-Benin program also works with the World Health Organization and other NGOs to administer deworming pills to the students in these schools.

In just 2 years, the program has achieved increased student attendance and enrollment, especially for girls; decreased dropout rates; and increased community participation in the schools, including contributions of local foods by families to supplement the U.S.-provided commodities. Some schools have started school gardens or farms in support of the school kitchens. And parents have showed new and improved problem-solving skills tackling such matters as teacher recruitment, improving school classrooms and buildings, and lobbying local Education Ministry officials for more teachers.

Last year the CRS-Benin program received 2 more years of funding through the McGovern-Dole program. CRS-Benin received approximately \$4.1 million in rice, lentils, and sunflower oil from farmers in Colorado, Texas, Tennessee, and Kansas. The program now reaches 12,500 school children, and its achievement can only expand and solidify.

Under the McGovern-Dole pilot program, CRS once carried out similar programs in Albania, Bosnia, Guatemala, and Honduras. Deep funding cuts in the McGovern-Dole program, however, resulted in the survival of only the Benin program. Sadly, more than 95,000 children in the other four countries are now cut off from these vital food, education and health services.

I want to express my admiration and respect for the national and field staff of the Catholic Relief Services and their partners, who carry out these important programs in Benin and elsewhere. They deserve our support and they require more funding.

Madam Speaker, there is no better investment we can make for a more stable world than in the education and well-being of our children, both here at home and around the globe. I urge the congressional leadership of this House to significantly increase the fiscal year 2005 funding for the USDA McGovern-Dole program and for other USDA and USAID food programs.

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

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

ORDER OF BUSINESS

Mr. BILIRAKIS. Madam Speaker, I ask unanimous consent to take my special order at this time.

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

There was no objection.

FIGHTING FOR AMERICA'S VETERANS

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

Mr. BILIRAKIS. Madam Speaker, some military retirees, individuals who are eligible for military retirement benefits as a result of a full-service career, are also eligible for disability compensation from the VA based on a medical problem they incurred while in the service. Due to a 19th Century law, these service-disabled retirees must surrender a portion of their retired pay if they want to receive the disability compensation to which they are entitled.

Nationwide more than 550,000 disabled military retirees have been required to give up their retired pay in order to receive their VA disability compensation. For nearly 2 decades, Madam Speaker, I have introduced legislation to correct this longstanding problem, commonly known as concurrent receipt, in the House of Representatives.

Last year our Republican Congress and President George W. Bush reached an historic agreement that changes the 100-year-old practice of having disabled veterans pay for their VA disability out of their military retirement. The new law greatly expands the Combat-Related Special Compensation Program, which we refer to as CRSC, by repealing the 60 percent minimum disability requirement which was set forth in the 2003 Defense Authorization Act. Effective January 1, 2004, earlier this year, CRSC is payable to any military retiree, including personnel who qualify for reserve retirement, who has at least 20 years of service, a Purple Heart and/or injuries sustained while performing military duty in a combat situation or with military equipment or during military training. Retirees must apply to their military service for CRSC payments, but there is no phase-in period for the CRSC benefit.

The new law also phases in full concurrent receipt benefits over the next 10 years for those who have service-connected disabilities rated 50 percent or higher. In addition, the law extends concurrent receipt and CRSC coverage to Reserve and National Guard retirees who were inadvertently excluded from the CRSC program when it was originally enacted. I am pleased to report that on February 1 approximately 150,000 disabled retirees began receiving their new benefits.

Unfortunately, Madam Speaker, the issue of concurrent receipt has become something of a "political football." Some of my Democratic colleagues have been working hard to convince our Nation's veterans that they are truly dedicated to keeping America's promise to them. I find it highly ironic that these Members are now commending themselves for their recent leadership on an issue that I have been

pursuing for 18 years and I have a simple question for them: "Where have you been all of these years?"

For the 40 years that the Democrats had nearly exclusive control of Congress, they never sent a bill, never sent a bill, to end this unfair practice to either a Republican or Democratic President. Moreover, the House Democrats have never included one penny for concurrent receipt in any of their annual budget proposals. For the first 9 years that I worked on this issue, I was stymied at every turn by the party who controlled Congress. My 1993 Discharge Petition was signed by a small fraction of those who last year expressed a sudden interest in the issue by signing the Democrat Discharge Petition. Not a single disabled retiree, Madam Speaker, received any concurrent receipt benefits under the Democratically controlled Congress.

However, Democrats are now shamelessly attempting to hijack this issue in an effort to portray themselves as friends of disabled military veterans. It was not until the Republican Party took control of Congress in 1995 that we have made significant progress, a step-by-step advance towards full concurrent receipt. The Republican-controlled Congress has acted on five separate occasions to address the concurrent receipt issue.

Republicans also fulfilled the pledge given to millions of military retirees that they would receive lifetime medical coverage in exchange for their selfless military service to the Nation with the enactment of the TRICARE-for-Life program. Moreover, spending for veterans' health care programs has grown by 49 percent over the past 5 years, grown by 49 percent over the past 5 years. So I ask which political party has been the true, underline "true," friend of our Nation's military retirees and veterans?

Despite this breakthrough, full concurrent receipt does remain a priority goal for all of us who have been involved in the campaign to provide equity to America's disabled military retirees. In the interim, Madam Speaker, of reaching our ultimate goal, I would say that I am very proud of our accomplishments on behalf of the brave men and women who have sacrificed so much for our great Nation.

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

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

ORDER OF BUSINESS

Mr. TOWNS. Madam Speaker, I ask unanimous consent to take my special order at this time.

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

There was no objection.

CONGRESSIONAL TRIBUTE TO BERTHA WOODARD JOHNSON

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

Mr. TOWNS. Madam Speaker, I rise today to pay tribute to Bertha Woodard Johnson. Bertha Woodard Johnson is the daughter of the late Sadie Woodard and Richard Wallace. She was born in Chester, South Carolina and reared by her mother and grandmother. Mrs. Johnson spent a life providing services for the needy, with a particular vocation of serving children and the elderly. She has worked tirelessly to improve the quality of life through active participation and personal generous donations of her time and talent. This passion to help people led her to become a care giver and nurse for over 45 years. Before retiring, she received numerous awards and accolades for her dedicated service including "Nurse of the Year."

In a recent celebration in my district, where people came together to pay tribute to Bertha Johnson, they came from all over. They came from Tampa, Florida. Pastor Giles, of course his wife, Deacon Jackson, her daughter Mary and of course Natalie and Ramona. They just came from everywhere to celebrate the life of Bertha Johnson. She is a person that had done so much to improve the quality of life for so many. There were people there who said "I would not be able to be where I am if it had not been for Bertha Johnson." Not her children but people that she influenced, people that she encouraged to do positive things this life. It was the most moving experience I think I have ever encountered.

And I would like to take this opportunity to salute Bertha Johnson; her husband, Charlie Johnson; and all of the Johnson family for the outstanding job that they have done in terms of improving the quality of life for people down through the years and to listen to folks call her Mother that were not even her children but they came and were supportive of her because of the fact that she made such a difference in their lives. There are not too many people around that have the influence and have been able to give the kind of support that Bertha Woodard Johnson has given to so many but recognizing that she could not have done that without the support of her husband, Charlie Johnson, who has been right there by her side and she was able to go out and do things on behalf of people.

I would like to say to the House here today we take the time now to salute Bertha Woodard Johnson for the outstanding work that she has done down through the years and say to those that came to encourage her we salute them as well because we can say without any reservation that Bertha Johnson has made a difference and it is a

life well lived. We continue to support her and we know that she will continue to do great things on behalf of the people not only in the area where she lives but throughout this Nation. We salute Bertha Johnson on this day.

JUDICIAL ACTIVISM, A GRAVE AND GROWING PROBLEM

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

Mr. LEWIS of Kentucky. Madam Speaker, I would like to take this opportunity to speak about judicial activism, a grave and growing problem in our current national discourse that is threatening our democratic principles, eroding the consent of the governed, and radically altering the social fabric of our American society.

It should be of little surprise that the impetus of this debate, and the modest solutions I intend to set forth, stem from the November ruling by the Massachusetts Supreme Court to allow same-sex marriages and the subsequent rulings on the constitutionality of the Defense of Marriage Act that have followed.

I am a strong supporter of numerous legislative measures currently being considered by this Congress, aiming to define marriage as an exclusive union between one man and one woman. However, I believe a more comprehensive solution is necessary to address the broader, troubling trend toward judicial activism, a development with definitive implications beyond just the issue of marriage.

America's judicial branch has become increasingly overreaching and disconnected from the values of everyday Americans, many of whom I represent in the Second District of Kentucky. The recent actions taken by courts in Massachusetts and elsewhere are demonstrative of a single branch of government taking upon itself the singular ability to legislate. I believe these actions usurp the will of the governed, circumvent representative government by allowing tribunals of a select few, not elected or otherwise politically responsible, to conclusively rule on issues that are radically reshaping the societal traditions of our great Nation.

Clearly, this issue is one about power, not in the raw political sense but in terms of the allocation of government authority between each branch of government, specifically between Congress and the Judiciary, in a federal system that relies on checks and balances to protect our liberty. This is a debate that has been taking place since our founding.

At no point is the tension between Congress and the courts greater than in the realm of constitutional interpretation. The Constitution does not expressly provide for judicial review. Instead, the right of judicial review is a practice with origins from the bench

itself, established in 1803 when Chief Justice John Marshall ruled, "It is emphatically the province and duty of the Judicial Branch to say what the law is."

The *Marbury v. Madison* case decision provides an extraordinary recognition of judicial power in a constitutional form of government. The exercise of such broad authority, expanded over time through political tradition, clearly has a growing adverse effect on the relationship between coequal arms of our national government. As judicial power expands, congressional power contracts. This is especially true when the power to interpret the Constitution rests in the hands of activist judges anxious to find the latest "right" hiding between the lines of our founding document.

Our Founding Fathers created three separate branches of government, each with equal checks and balances on the other. Our founders also ensured that each branch, including Congress, play a role in constitutional interpretation, requiring officials in each branch to take an oath to support and defend the Constitution.

The framers did not give authority to one branch over the other. Certainly each branch has its separate functions, but debating, defending, and upholding the tenets of the Constitution involve the decision and duties of each branch. As a Congress, we must change our thinking and reaffirm our authority to interpret constitutional issues in concert with, and independent from, the courts.

The framers of the Constitution were advocates of serious debate who believed that the deliberation of the political process should always be open to the people. If the courts continue their dramatic move toward self-proclaimed interpretive power, I believe Congress, as the people's branch of representative government, should take steps to ensure equal balance and authority to check the final results.

□ 1330

I am introducing legislation today to address these serious, pressing issues in a direct and forceful manner. The bill that I have authored, if enacted, will allow Congress, by a two-thirds majority of each House, to reverse a judgment of the Supreme Court. This additional check may only be enforced on rulings concerning the constitutionality of an act of Congress following the enactment of this bill.

In his first Inaugural Address, Abraham Lincoln warned, "The candid citizen must confess that if the policy of the government upon vital questions affecting the whole people is to irrevocably be fixed by decisions of the Supreme Court, the instant they are made, the people will have ceased to be their own rulers, having practically resigned their government into the hands of that eminent tribunal."

It is my hope that the people and the courts will see my position and recog-

nize the serious problems arising from this growing imbalance of constitutional authority. I urge my colleagues from both sides of the aisle to redress judicial activism, protect the equal dignity of this governing body, and preserve the majority will of the governed by supporting this legislation.

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

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

HONORING THOMAS RUTECKI

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

Mrs. BIGGERT. Madam Speaker, I rise today to honor one of our fellow citizens, Thomas Rutecki, who displayed an act of great courage when he put himself in harm's way to save the life of another.

His story reads like a scene from a movie. From a distance, a passerby sees a woman in a motorized scooter. One wheel has become lodged in the train tracks. He walks on to the tracks to help her, when, all of a sudden, the warning lights at the train crossing begin to flash.

Seeing the lights from an Amtrak train barreling down on them, he frantically tries to dislodge the wheel of the scooter. Unable to free the motorized scooter from the tracks, he picks her up and shields her with his leather coat, only inches from the track, leaving only 5 seconds until the train shatters the motorized vehicle.

A daring scene from a movie? No, it was just what occurred on Tuesday, March 2, in my district in downtown Downers Grove, Illinois. Thomas Rutecki, a Navy veteran, risked his own life to save the life of Rosetta Wiedemann, a wheelchair-bound blind woman on her way to a local deli to buy a loaf of bread.

Not concerned with his own safety, he placed his life in the path of a high-speed train to save the life of another. It was an act of utter selflessness and heroism.

I would like to honor this hero today. He may be retired from the Navy, but he continues to honor all of us with his kind and selfless act of bravery. Our hats are off to you, Thomas Rutecki.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

woman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

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

UNEMPLOYMENT: A SERIOUS ECONOMIC AND SOCIAL PROBLEM FACING THE COUNTRY

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

Mr. FRANK of Massachusetts. Madam Speaker, I am here to talk about a very serious economic and, therefore, social problem facing the country. We talk about the unemployment statistics, we talk about the ebb and flow in the job market, and the particulars are important. But by now we have enough evidence over the past several years so that we should be focusing not on month-by-month figures, but on what appears to be a very significant change in the nature of our economy. Indeed, I think we may be at a major inflection point.

I hope I am too pessimistic. I hope tomorrow there are going to be figures that show much greater growth in employment than we have seen. But even a good one month is not going to undo the problem we are facing.

Here is the problem: we have had a recovery from a recession over the past couple of years. In 2003 in particular, in the third quarter we had very significant growth, aided by a series of government programs and the natural cyclical rebound from a period of slow-down, and we had growth in the fourth quarter. What we have not seen is the growth in employment that ordinarily accompanies this degree of economic recovery.

In short, it appears from a variety of indicia that we are at a point where the ability of the private sector in this country to create wealth is now outstripping its ability to create jobs. The normal rule of thumb by which a certain increase in the gross domestic product would produce a concomitant increase in jobs, it does not appear to apply.

By the way, among those who were misled by the assumption that the normal rules would apply are the leading economic officials of the Bush administration. For example, in October of last year, Secretary of Treasury Snow said, "I am confident that this economic recovery will now be sustained and will

produce loads of new jobs. Everything we know about economics indicates that the sort of economic growth expected for next year, 3.8 to 4 percent, will translate into 2 million new jobs from the third quarter of this year to the third quarter of next year. That is an average of 200,000 new jobs a month."

Well, we have had 4 months of experience since the Secretary told us we would get 200,000 new jobs a month. We have gotten less than 40 percent of that. In a period in which his reading of the rule of thumb said there would be 800,000 new jobs, we have gotten 300,000.

Similarly, interestingly, we then got from the Council of Economic Advisors and the President's economic report a projection that we would get in this calendar year 2.6 million new jobs, more than 200,000 a month. Shortly after that projection was made, it was repudiated by, guess who? The very same Secretary of the Treasury who had predicted the 200,000 a year. He and the Secretary of Commerce were sent out to do that. Then the President distanced himself from it. We use that word in Washington a lot, you "distance" yourself from it. That means you deny it.

Then the chairman of the Council of Economic Advisors, Mr. Mankiw, himself repudiated his own estimate. Here is what is significant. People make mistakes, but his explanation was interesting. On February 17 at the National Economists Club, asked about the job forecast of 2.6 million jobs, which had by then been abandoned by everybody, including himself, his response was, "That particular forecast was made in early December, and we have seen more data since then."

Now, he went on to say he still hoped for more jobs, but his explanation of why the 2.6 was now inoperative is very simple: that forecast was made in early December; we have seen more data since then.

In other words, last fall both the Secretary of the Treasury and the Chairman of the Council of Economic Advisors were going under the old rule that said a certain amount of increase in the GDP, you will get a certain number of jobs. And that turns out, sadly, to have been wrong.

We are in a situation in which the ability of the private sector to create wealth is now leaving behind its ability to create jobs.

By the way, we got further confirmation of that from Alan Greenspan. On February 11, testifying before the House Committee on Financial Services, he was asked what we could expect with regard to unemployment. Our colleague, the gentlewoman from New York (Mrs. MALONEY), asked him, what about unemployment going down? His answer in effect was only if productivity drops.

To quote specifically, asked if the 2.6 million jobs, which, of course, had already been abandoned by the adminis-

tration, was credible, he said, "It is a credible forecast, if the rate of productivity slows down to a more historical average." He later said he did not expect productivity to slow down.

In other words, he joins the Secretary of Treasury and the Chairman of the Council of Economic Advisors in telling us we are not going to get the job growth they had earlier predicted, hoped, wished for, et cetera. But understand the explanation: we will only get a significant drop in unemployment, we will only get the historic drop that we can expect in unemployment, if productivity goes down.

What an unfortunate situation. After all, an increase in productivity is good news. In the economic sphere, it is one of the goals of civilization, to be able to produce more with less; more leisure, less effort. Increased productivity ought to be a good thing. But people who are now unemployed listening to Mr. Greenspan are forced to root against productivity. He tells them that if productivity continues to rise at a higher than historically average rate, that the chances of their getting jobs goes down.

That is where we are today. For a variety of reasons, we have a situation in which increased wealth has been somewhat disconnected from increased jobs; not entirely, but the connection has been loosened.

Another way to put that is this: a disproportionately large share of the increased wealth in this society is now going to the owners of capital. Our usual rules of shared increases in wealth have broken down, and people who work for others are getting a smaller share compared to those who own capital.

By the way, we see this not just in unemployment. Partly because of the increase in unemployment and what that does to the labor market, et cetera, we have a situation in which not only has unemployment stayed higher than historically we had hoped, but wage growth has been below the norm.

The Economic Policy Institute has a very interesting chart which shows the real growth in wages and salaries in the past six recessions, 2 years after the recession ended. Here are the increases in real growth in wages and salaries: 10 percent; 12 percent; 9 percent; 11 percent; 3.6 percent; and, in the current period, in the period since this recession was officially declared over by the National Bureau of Economic Research, 0.4 percent. In other words, virtually no growth in real wages.

Last year, in fact, in another calculation that is presented by the Economic Policy Institute, although it is not controversial, these are basic figures, last year, the year in which we had some real growth, 6 months of last year, after all, were great in terms of overall growth, real wages dropped, median earnings went up 2 percent; but inflation went up 2.3 percent.

In other words, during that period of great growth, not only did our unem-

ployment stay higher than it should have been; real wages did not go up. In fact they went marginally down for people employed. In fact, over the last 2 years, the total increase in median wages here is 3.8 percent. Inflation is 3.9 percent and wage growth is 3.8 percent. So over a 2-year period, 2002 and 2003, there was marginal erosion in real wages.

It is not simply that unemployment has stayed up and real wages have lagged. Health insurance is another area where we have serious problems. In the period from 2000 to 2002, the number of people who were receiving health insurance from private employers dropped by 2.8 million. The number of people with health insurance went up, but it went up because the government sector, Medicare and Medicaid, made up for the erosion in the private sector.

The private sector's profits have gone way up. They are very high. Compensation at the upper levels, the top 1 percent, they are very good. But unemployment, employer-covered health benefits, real wages, are all lagging badly. And while I do not have the statistics on this right in front of me, what we know about health insurance is not only are more people losing privately paid for health insurance; many of those who keep it, keep it by paying a larger percentage of it. Health costs go up, and to the working person it is a double whammy, because they pay, in many cases, a higher percentage of a higher overall cost.

□ 1345

This is the problem then. We are at a situation in which as growth goes forward, and that is a good thing that growth is going forward. It was to be expected and hoped for. We were in a recession. We also have had conscious government policy promoting growth. We have the largest budget deficit, and as we know now, the Republican administration has implicitly become cagey in this regard and they argue that this kind of stimulus that comes from a very large deficit is a good idea, although they continue deficits long after we hope we will need stimulus. You have the lowest real interest rates in memory by the feds.

So everything the Federal Government can do in monetary and fiscal policy to stimulate the economy has been done. Not surprising that given that we start in the recession and you have maximum fiscal and monetary stimulus you get some growth. It is disappointing we have not gotten more. It is a little bit like buying a new car, jumping on the accelerator, and getting it up to 50. It is good for your staying in the speed limit, but it does not say a lot for the engine.

But the discouraging thing is that with maximum stimulus, fiscal and monetary, from the Federal Government, we are seeing no growth in real wages over 2 years, a slight erosion last year, people losing health care on the

whole from private employers and paying more for what they get, and unemployment staying too high.

What do we do about it? First of all, we have to analyze the causes. Some of the causes are inherent in the nature of the economy. Productivity does have the effect of allowing us to do more with less, particularly when you are coming out of a recession and people are reluctant to hire. There are also international trends which no matter what we try to do will be somewhat erosive of the position of some workers in this country. But this situation in which almost all of the benefits of growth are going to the owners of capital would not exist without conscious public policies that promote it.

Public policy in my view, and I will get to specifics, ought to be leaning against the increased inequality that the private sector is creating.

Madam Speaker, let me give you my philosophy. I am a capitalist. I believe the free enterprise system is the best way to create wealth. That means I welcome some inequality in the system. If you do not have inequality, if people are not unequally rewarded for their skills, for their energy, for their correct guesses or intuitions about what the public will want, then the system does not work. But I also believe that left entirely to its own, as I thought we had decided as a country with Franklin Roosevelt, more inequality will be generated than is either socially healthy or economically necessary.

I know there are some conservatives that say, well, that is just the politics of envy. Inequality is unimportant. The only thing that counts is the absolute level. Let me quote what they feel may be an unlikely source in the defense of my argument. It is Mr. Greenspan on the same day he testified February 11. He volunteered that he agreed that, well, let me read it exactly.

I had spoken earlier about my concern about increased inequality and he volunteered, "I happen to agree with Congressman Frank that it is very important in this country not only to have an equitable society but to have it perceived as being inequitable because no democratic system can function unless the people believe it is inequitable. And I think that it is crucially important for us to reduce the income inequality in this country."

Now, he goes on to say that he thinks a major way to do that is through community colleges. I am a strong supporter of community colleges, which do a wonderful job. I think Chairman Greenspan imposes on them too much of the burden. But regardless of our disagreement about how you deal with inequality, I welcome his statement. Let me quote it again.

"It is crucially important for us to reduce the income inequality in this country."

The problem is public policy has gone the other way. It has exacerbated it. How has it done that? First by changes in the Tax Code.

When President Clinton asked this Congress in 1993 to increase taxes it was predominantly, overwhelmingly on people making incomes of \$100,000 and above and that was 10 years ago. Mostly on people making more than \$150,000. For the first time, according to the Congressional Budget Office, that tax bill made the tax system somewhat more progressive. It meant that wealthier people paid more than they have been paying and lower income people less in terms of shares given their income.

President Bush has succeeded in persuading this Congress on several occasions to reduce taxes predominantly, overwhelmingly on wealthy people. The administration has said the goal is to reduce virtually all taxes on capital.

Ownership will pay no taxes. Ownership will get the benefits of the increased wealth but pay none of the taxes. So the Tax Code is one of the reasons we have increased inequality. Another is the systematic attack that has been made on labor unions.

Labor unions have played a very important part in this country in helping middle income, moderate income working people gain some share of income. There has been a consistent assault on them from this Congress and from the President.

Madam Speaker, I would not have thought that so many years, 70 years almost, after the passage of the Fair Labor Standards Act in the New Deal that overtime for people who work by the hour would be a controversial situation. But this administration, with the acquiescence of the Congressional leadership, is allowing overtime to be cut back. So we weaken what instruments are out there to help working people. We change the Tax Code in ways that promote inequality. We pursue an international economic policy which maximizes the extent to which globalization undermines income shares in this country.

I was pleased to be at Davos, Switzerland, at the economic conference. One of the moderators of a panel I was at on inequality, because the people who run that conference agree with Chairman Greenspan and myself that inequality is in and of itself a bad thing. It needs to be addressed. The moderator made a good point. He said, there are two kinds of inequality we have to address. There is inequality between countries and then there is inequality within countries.

The defense that we have heard of international trade, much of which I agree with, has focused exclusively on diminishing inequality between countries. That is a good thing. I want to help poor people elsewhere. But this administration has in a determined way pursued that international economic policy and justified it as helping to deal with poverty elsewhere. But they have done it in ways that have exacerbated inequality within countries, within our own country and within others.

International trade that basically says, you know what, labor regulations and occupational safety and health regulations and environmental regulations, they are an interference with the function of capital. Therefore, let us tell other countries that we will put no pressure on them to deal with any of those things, and then let us use the absence of those things as a lever to reduce them in our own country.

Understand, it is not as the conservatives here believe that there is no comparative impact of differential environmental policies. Indeed, when President Bush explains why he is against doing anything about global warming, certainly against the Kyoto Treaty, explicitly he and members of the administration say we cannot join that treaty with global warming because China and India are exempt from it and that will make a competitive disadvantage for our people.

Of course, his Chairman of Economic Advisers will tell him that you go over that by outsourcing to China and India. That is a good thing. And he should not have to worry. But the President does not go quite that far.

Some of us say, you are right. The fact that they have no environmental rules and we have some does exacerbate our competitive disadvantage. Let us try to get them to do some environmental things.

No one I know of says that the wage level, the minimum wages or the working conditions ought to be the same in the poorest countries of the world as in the U.S. No one is arguing that. That is a straw man.

What we are saying is they should not go standardless. There should be the core labor principles of the International Labor Organization: The right to bargain collectively, the right to form unions, the right to begin to organize as American workers did. Had there never been unions and Franklin Roosevelt had not gotten passed the National Labor Relations Act, we would not have had the kind of middle class that we had in America of which we now boast. They did not do it all by themselves. They were an integral part of it.

At any rate, what this administration wants to do is follow an international economic policy that is further erosive of the ability of working people in this country to maintain some gains because they subject them to maximum competition from others who do not have that. Obviously, there are different wage levels. There are jobs that will go overseas purely economically. That should not be enhanced by an undeserved advantage because there are no unions, because there is child labor, because there are no environmental rules, because there is no concern for occupational safety. That is, yes, comparative advantage in economic terms has a lot to be said for it, but adding to that differential public policies, not only is it in itself bad but it becomes the premise then to

come back home and try and dismantle it.

American workers are told two things by this administration. One, we are not going to try to encourage other countries to require them if they want access to our markets. The American markets are the greatest thing in the history of the world. People want our capital. They want access to our markets. We have a right to condition that on reasonable legislation and regulation that meets minimum standards of civility.

Instead, what we are told is you come here and we will not require of you anything that is protective of those basic human rights. And then American workers will be told by their workers, you know, I am competing with people who do not have unions. I am competing with people who do not have to put up with this occupational stuff so I have got to cut you back. And let us throw in here the very serious problem of health care.

I note on the floor my colleague from the State of Washington (Mr. MCDERMOTT), who has been one of the leaders in this Congress in trying to get a sensible health care system in, one of the things that has contributed to the difficulties that American workers face is our system of tying your health care to your place of employment. That has serious negative consequences. And today as the forces I have been talking about have eroded the ability of working people to defend themselves, we are seeing this in the health care area.

Remember, fewer people today, in the millions, have employer-generated health care and many of those who do have health care that costs them more. Fewer people, and they are paying more for it.

So those are some of the ways in which public policy makes the situation worse. As I said, I accept the fact of inequality. I just do not accept that it is a good thing. It makes the system work. But the role of government ought to be to contain inequality, not promote it, and that is what we have.

Let me talk about why I think inequality is a bad thing. It is nice to be able to cite Chairman Greenspan, but to be honest I do not agree with him on cutting Social Security or a few other things so I should not just rely on that citation.

I think it is a moral issue, a situation in which people receive millions, tens of millions of dollars in bonuses, a situation in which profits go higher and higher and the market is now doing well and we are all glad to see that, a situation in which the owners of capital find their wealth enhanced, but working people lose their health care, people are unemployed, children do not have adequate housing and other necessities. That is morally unacceptable to me.

But I understand, Madam Speaker, particularly in this particular Congress, the moral argument will only

take you so far. When I argue that we should deal with inequality because it is immoral I am reminded of what Adlai Stevenson once said when someone said to him, Governor, you have got the votes of all the thinking people. And he said, well, yes, but the problem is that I need a majority.

Of course it was his penchant for making remarks like that that helped him in getting a majority. But I think there is a strong moral argument here, but I need a majority so I will not rely only on that.

There are two other reasons for helping us reduce inequality, helping us reverse it. Let me just repeat this because I think we have not fully focused on that. We talk about unemployment in a kind of isolation. We talk about other things in isolation. There is an overall picture here. The overall picture is that the private sector is creating wealth and exacerbating inequality at the same time. It is creating wealth without creating an adequate number of jobs. It is eroding health care. It is preventing real wages from going up so that profits are going up much more rapidly than real wages.

Essentially, we have a combination of economic factors and technological factors and public policies, which mean that a disproportionately large share, nearly all of the increased wealth we are producing, goes to the owners of capital and virtually none to the people who do not own a huge amount of capital and get their compensation from the work they do every day.

Now, as I said, I think that is morally flawed. That is why I am in politics, to try and reduce inequality without reducing it to the point where it interferes with inefficiency. And we are, of course, nowhere remotely near that.

But let me give two other self-interested reasons. First is a political one. I read recently that the Republican leadership has decided that they probably better not put the Central American Free Trade Treaty up.

□ 1400

I have disagreed with the trade treaties that have come forward for reasons that I have said. I think globalization is a necessary thing. It is a fact of life, and it can be a good thing if it is done well. It is important for us to try to reduce poverty elsewhere: good morally, good politically, good practically.

I never liked the particular trade treaties. So I am talking now to the people who do. There are people out there who think that getting more trade treaties through is, in fact, important for the economy. There are people who believe that continuing to allow businesses to rationalize their workforces, rationalize means cut, that that is a good thing.

What do you see today? You see great opposition to the trade treaties. They are afraid to bring any up here, for good reasons. They would probably lose. They have Republicans saying to

them, please, I have enough problems that you have created for me; I do not need to vote for trade treaties when there is this terrible problem about unemployment.

You are going to see legislation adopted, you do not have to be a genius to predict this, which says if you are going to get government money in this contract, you cannot outsource, because outsourcing has bothered people. Ten or 15 years ago, I was representing an area that had a large textile and trade employment base, and we were told, well, stop worrying about that, these people should understand. That is not a good job for an American. We will retrain them.

Well, first of all, the extent to which you were going to retrain some 49- or 53-year-old with a high school education was limited in terms of its appeal to them; but even to the extent that you were retraining, let us note that the jobs that I was being told 15 years ago, for which we would retrain people, we would not only now have to retrain them, we would have to buy them airplane tickets because they are going out of the country. The jobs being outsourced today are the jobs for which we had been told we should retrain people.

I do not think the answer is just to stop this. I do not think you can say, all right, we do not want any more of this going on in the economy. I understand the importance of economic transition, although I believe that we are failing in our responsibility to manage that transition.

What I will point out now is this: precisely because of the public policies that have exacerbated inequality, what you have done, those of you who have promulgated those policies in the administration and the congressional leadership, in the business community, in the intellectual circles that reinforce them, you are increasingly persuading the American people that they have no skin in this game of economics, that they will not benefit from this increased wealth. So when you say to them, do this, it is in your long-term interest, they turn against you.

So precisely out of self-interest, those who believe that increased trade and the ability to outsource and flexibility in the labor market, if you believe those things, understand that the policies that you have supported in the short-term and the consequences of that have built up a resistance you cannot overcome. Those people who believe in increasing the ability of capital to find its own level are going to find they are going to have the worst year they have had this year than they have had in a very long time because they have convinced most Americans that it is not in their interests.

I talk about this with Mr. Greenspan when he testifies. He will cite in his speeches and elsewhere a very eminent deceased economist, Joseph Schumpeter. In his great book, "Capitalism, Socialism and Democracy," he

talked about creative destruction. He said, you know, he did not say you know. He was an illustrian, much more formal than me. Than I. He would not say than me either. Joseph Schumpeter said, when you destroy old economic entities because they are outdated, new ones will be created out of the resources freed up. That is what he means by creative destruction, Mr. Greenspan. As old economic activity is outdated, that frees up people and resources for new economic activity; and Mr. Greenspan is prone to say to people, I understand you are losing your job and that is a problem, but in the long run this will be good because out of this will come this new stuff.

Well, as I have told Mr. Greenspan, there is another economist whom people believe much more instinctively, John Maynard Keynes, because if you listen closely to the Bush administration and some of the conservatives here, a lot of Keynes-ism has sneaked in as they tried to justify the world's largest deficits by short-term budget terms.

Keynes also said something very smart politically: in the long run we shall all be dead. People understand that. Telling some 45-year-old worker with a couple of children that he or she should not despair at losing the job that he or she has had for 20 years because out of the loss of his or her job new jobs will be created at some point in the future, which he or she probably will not get, does not help them. They are resistant.

So people should understand, one of the prices they are paying for enhancing inequality, encouraging it, is that you have persuaded most Americans, an increasing number of Americans, it may yet be most, but it is certainly a lot, they are immune to your argument that this is good for the economy and the country. I do not think that is healthy. I do not agree with necessarily every one of those specific policies, but I do not think we ought to have this angry public resistance to overall growth; but you have built it up, and we need to tell you how you can undo it.

Now, there is another reason why this is not good economically. One of the private sector economists, Stephen Roach, who has done a good job of documenting the fact that we are at an inflection point, that we are in a situation in which we simply are not getting the job growth we thought historically we would get, well, let me just quote him: In my view, the income leakages of imported productivity, that is, when you send the jobs overseas, et cetera, that is imported productivity, the income leakages of imported productivity raise serious questions about the sustainability of this recovery from an economic point of view.

What you are saying is this, the economy is sustained to some extent by its own momentum. One of the things that helps you grow is the income that is generated by that growth.

There is a beneficial cycle that we call it. You are not getting that now because as the profits grow and wealth grows, but real incomes of most of the people do not grow, there is a missing element in the economy. Short term, we are not hurting; but there is a very real prospect that this increased inequality will stunt our economic growth. In other words, the situation in which growth is great but all of the benefits of growth go to a handful is not long-term sustainable. So, once again, even those who do not mind the increased inequality do not understand they are building in a difficult situation.

Wage and salary disbursements, Mr. Roach points out, are basically unchanged in real terms fully 21 months into this recovery. By contrast, at this juncture in the past six upturns, real-wage income has been up on average by about 9 percent. Absent other sources of support, this shortfall of internally driven income generation could end up spelling serious trouble for the overly indebted, saving-short American consumer. Let me read that a little more sensibly, for the overly indebted, saving-short American consumer. In short, there is a good reason to doubt the sustainability of a recovery built on a foundation of imported productivity.

In other words, when you create wealth and some of it goes, most of it, to the owners of capital and some of it goes to people outside our economy, you are not doing the kind of self-sustaining recycling of economic activity that you need. So that is where we are.

We are at a situation, as I said, which seems to me an inflection point. The normal rules by which a certain amount of economic activity in the country will produce a certain amount of jobs, that has been eroded; and as we have seen high profits, we have seen a fall-off in real wages. We have seen a fall-off in the private sector provision of health insurance which is supposedly the major way we do it. We have seen unemployment staying above where it should be. We have seen profits do very well. We have seen the market go up. We have seen upper income compensation stay up. We have seen the Tax Code change in ways that unfortunately reinforced that.

Well, it is fair to say at this point, okay, what do you do about it, because conclusions are not always easy. Some things we can do. When it comes to inequality in the society, there is, of course, the story about a man who goes to the doctor and says, Doctor, when I hold my arm this way it hurts, and the doctor looks and looks and cannot find anything wrong, and he says, okay, I know what to do. He says what? Do not hold your arm that way.

I mean, to a certain extent, you can remedy something by simply not continuing to do it. We can stop changing the Tax Code in ways that exacerbate inequality. We can stop encouraging owners of capital to find ways, with tax help in some cases, to export jobs and

import productivity. We can stop weakening labor unions, stop eroding the ability of working men and women to stand up for themselves; but we can go beyond that.

First, with regard to international trade, and I do not want to stop it, not anybody does, but we have a group here, one of the leaders intellectually is the gentleman from Michigan (Mr. LEVIN), who is the senior Democrat on the Subcommittee on Trade, and a lot of us have worked with him, we do not want to block trade, but we want to deal both with income inequality between countries and income inequality within countries. We do not want the one to be exacerbating the other.

We do not expect other countries to have the same wages and environmental and occupational health policies we do, but we do not think they should have none either. We think they ought to be encouraged to level up some, and it will not stop trade; but it will diminish the depths of the comparative disadvantage and make it a more legitimate one.

We can, as I said, even change the Tax Code to make it even more progressive. I think it is entirely legitimate for this government to say, by the way, where the government, where the people, through their taxes, are paying for jobs, we do not want you outsourcing them. Even if it costs us a little bit more, we believe that the value to this society of not having that source of income in jobs lost is worth it. So I think restrictions in outsourcing will help.

But there is one other thing I want to address in particular here. It is one that I think I and many Democrats have not been sufficiently explicit about.

One of the important sources of relief here is government. I know it is very fashionable to bash government. From the platform just behind me, President Clinton, with whom I was usually in agreement, made a big thing of saying the era of Big Government is over. Well, in worldwide comparative terms, the era of Big Government never really got started here, and our problem today is too little government. Of course, we want government to be sensible. We do not want excessive regulation. I have supported many of the deregulations, but there is a role for government today that we are ignoring.

I mentioned as an example health care, and I pointed out that health insurance coming from private employers has dropped. The only reason that health insurance in the country as a whole has not dropped is we have taken up that slack through government, through Medicaid, through Medicare. People tell us, well, government medicine is terrible.

In my experience, the most popular form of medicine in America is that which is delivered through the Veterans Affairs Department; and anybody who tells World War II veterans, average age of 80 or so, that they are not

going to get their VA medicine any-more better be ready for World War IIA because they are going to be very angry at you.

In fact, we have relied on government to plug part of the gap that is increasingly left in the provision of health care by the private sector, and I am for those as stopgaps; but we would be much better off following the lead of my colleague who I have referred to earlier from Seattle, the gentleman from Washington (Mr. McDERMOTT), and let us do this in a systematic way.

We need more of a government role in health care, and breaking the nexus between your private job and health care makes sense from every perspective. It would remove a disadvantage from some American businesses, and I would say this to Mr. Greenspan and others who preach patience to those who are losing their jobs to these trends. It is one thing to lose your job, get unemployment for a while. We will get to that in a minute, maybe get another job. Increasingly, though, the jobs you lose had some health benefits and the jobs you get do not.

One of the things that people who kind of blithely tell people do not worry about it, creative destruction, you will be okay in the long run, maybe not blithely, maybe that is unfair, but who tell people just buck up, they do not understand the terror and horrors of losing health care. As long as Americans who lose their jobs are told they are also losing their health care, they are resistant to what is euphemistically called labor flexibility and will understandably and legitimately be very tough.

Let us begin by providing health care to every American whether or not he or she is employed and regardless of where he or she is employed, and you will reduce a lot of the resistance and a lot of the pain that comes from these transitions.

I do not think we should try to stop economic transitions, and I do not think we can; but it is our responsibility as public sector people, as the private sector undergoes these transitions, to manage them better, to ease the pain of the victims of the transition, to use some of the wealth generated by this increased productivity, by this labor flexibility, by this rationization and globalization. Let us use some of the wealth not simply to go to the pockets of those who own but to deal with the social problems generated by that very transition.

Government also has a major role here in the job area. People then say, okay, what are you going to do about the jobs? Here is the way I would conceptualize it.

We are now, as I said, in a situation where the private sector produces more wealth than jobs. I believe we should take a percentage of that increased wealth, a fairly small percentage, certainly nothing that is going to interfere with incentive, and use it together, the people coming together to

employ people on socially useful purposes. Yes, we got some boosts from tax cuts last year during the recession. I think we would have gotten a better boost economically and socially if we had given more to the cities and States and municipal governments. They added to the unemployment problem, not willfully. They hated to do.

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But for a variety of reasons, as we were trying to get the private sector to add jobs, we were involved in policies that cost jobs at the local level. Had we instead given tens of billions more to the local governments and State governments, we would have had better economic stimulus.

You know, nobody will have a propensity to spend, in economic terms, as high as a city government that is stressed and needs to provide services. That is especially the case when we talk about homeland security. There are things in our society which are partly public and some that are largely private. Some are entirely private in terms of what we want done. Homeland security is pretty much a public sector activity. It does not make any sense to talk about how we are enhancing homeland security and then beat up government and boast about reducing government. Police officers, firefighters, ambulance drivers, public health workers, and public works people, who are going to have to repair damages, these are public sector people.

The point is this: One of the ways we can deal with the inability of the private sector to produce the level of jobs we had hoped it would produce, and again I want to note John Snow and Gregory Mankiw, leaders of this administration's economic policy, in effect both admitted that last year they predicted many, many more jobs than are being created in the private sector because they thought the old rules applied, and it is now clear the old rules do not apply. So, what do we do? Well, one of the things we can do is to recognize that the public sector can in fact take up some of that slack, that some of the wealth we create through our increased productivity, et cetera, can usefully be sent to cities and States, and to others as well.

We are now underfunding the Environmental Protection Administration. We have Superfund sites, the worst environmentally blighted sites in this country, that are going to go untended because there is not enough money in the Federal Government to take care of them.

The Bush administration finds itself being criticized by veterans through an inadequacy of the government. Secretary Principi, a man of great courage, acknowledged he got \$1.8 billion less in the budget this year than he thought he needed. I do not believe the President dislikes veterans. I do not believe this administration set out to say, I have a good idea, in an election

year let us really aggravate the veterans. They are driven to it because, thanks to their policies, there is not enough money to meet our basic needs.

If we were to take some part of the private sector wealth that is now going almost exclusively to the owners of capital and put it in the hands of government, Federal, State, and local, we would have more police officers, we would have more Environmental Protection Administration cleanups, we would have better public transportation and trains, we would have more medical care, we could deal with the terrible housing crisis that we have. And I know to the Republican leadership this might sound like a revolutionary bill, but we might even pass a highway bill. That seems to be beyond their means. Why? Because there is not enough money.

I just wrote an article for one of my papers, and I said I know you hear a lot of discussions in the abstract about the size of government, but let me make it concrete for you, and I mean literally concrete. I am not a big fan of metaphors. Under the proposed public works bill that the chairman of the Committee on Transportation and Infrastructure wanted, I would have gotten so much money for a major highway project important both to the public safety and the public convenience and the economic development of a major city in my district, the City of Taunton. Under the Bush plan we would get one-third less. Now, this is highway money that is, I am told by the business community, important to the economic future of the area.

This is a clear point here. We now have the acknowledgment of the Chairman of the Council on Economic Advisers and the Secretary of the Treasury and the President that the private sector cannot produce enough by way of jobs to meet our needs. Wages are eroding in part because as there is higher unemployment, the pressure on wages is higher. Medical care gets cut back to the extent that we rely on the private sector.

We will remain a private sector economy. We should welcome productivity. We are in a situation, just to sum up, in which the good becomes the bad. Greenspan tells us we are not going to get a reduction in unemployment unless you see a slowdown in productivity. What a topsy-turvy world in which people have to root for less productivity. That is the result of bad public policy. This is not a force of nature. It is not the case that good productivity ought to mean bad social policy. It is because we have a bad set of public arrangements.

One way to change that is to take some of the wealth which is being created by this wonderful thing, this increased productivity, this new technology and the ways of using it, and all this innovation, and let us use it for our own undisputed public purposes. Let us give cities and States more money so they can have more people

policing, fighting fires, cleaning up the environment, repairing facilities that need to be repaired, enhancing train transportation, building highways, helping construct affordable housing in places where that is a crisis, helping pay for higher education for students.

Chairman Greenspan said it is education, but we have a situation now where if you are not wealthy then you cannot pay for the kind of public education that maybe you ought to be getting. You have to sacrifice too much for it. Let us use some of this wealth.

And, again, the choice is this: We are talking about more wealth going to the wealthiest. And I know there are two aspects of the administration's justification for its tax bill, a supply side and a demand side. The demand side says we are in a recession, we need to spend our way out of it to some extent or we need to create a deficit so the Federal Government is spending more than it is taking in. Good Keynesian economics. Good for Keynes in the 1930s, good for Bush in the year 2003. That is what we did.

But that was only a small part of the tax relief. A very small percentage of the tax relief came in the form of that demand stimulus. The great bulk of the tax relief, some of which is yet to come, some of which has begun to happen, is a supply side tax cut. Supply side tax cuts do not try to increase money in people's hands to spend. They say if we will tax rich people less, they will do us the favor of working more. And that is what we have got. If we tell people when they die and they have \$8 billion the people who inherited from them will not have to pay a penny of taxes on it, then they will accumulate more. That is their argument.

I do not think there is much to the supply side argument at all. It is certainly unproven. And certainly it is the case that trying to justify a very large chunk of supply side justified taxes by the success of a smaller amount of demand side taxes has a total disconnect there. I think if we were to take some of the revenue that is now set aside to persuade the rich, the very rich to work harder to the benefit of all of us, though we have not yet seen that benefit, if we were instead to make that available for undisputed, noncontroversial public purposes, public safety, environmental cleanup, highway construction, public health, if we were to do that, it is a situation of multiple benefit. The public purposes are accomplished and there are people employed.

We are talking now to some extent about the New Deal philosophy. But we are not talking about leaf raking. We are talking about very real needs. And, of course, it was not just leaf raking in the New Deal. A lot of very important things were built by the Works Progress Administration and even the Public Works Administration. But we are talking now about unmet needs in this society. In virtually every area where we come together: In education, where we underfund the No Child Left

Behind Act; in the environment, where we are leaving Superfund sites untended; in veterans affairs, where the veterans legitimately complain about cutbacks; in highways, where the chairman of the committee is told, no, you cannot have the money you think we need for this; in housing, which comes within the jurisdiction of my committee, where not only are we not building any new affordable housing, we face a crisis where nearly a million units over the next 10 or 12 years will be lost to us if we do not reverse policies.

Using some of the money that now goes overwhelmingly to the owners of capital, only some of it, leaving them still very well off, and making that available to the government, to the public, is economically and socially better. So there is a case now for taking some of that wealth and for more government. Sensible government? Yes. There are indisputable cases where this country believes, understands that we need more public spending. We now have an ability.

And that takes me finally, Mr. Speaker, obviously, to the question of the tax cuts. This is the issue before us. Do you, as the President wants, make permanent all those tax cuts, which exacerbate inequality, which enhance the situation where the owners of capital get almost all the wealth, and which does not appear to be generating the kinds of jobs and other benefits we had hoped for; or do you take a part of it and make it available to the public sector so that undeniable public needs can be met and people can be better employed?

I would just say in closing to my conservative friends, who are currently and I hope temporarily in control, you have the ability to say no to all these things. You can keep wealth-enhancing tax cuts in place, you can continue to cut back on overtime, you can continue to undermine labor unions, you can continue to pursue a trade policy that gives leverage on people to bring down rather than up any kind of protections, and you may win these battles in the short run. But you are every day increasing public resistance to what you think is necessary for overall economic policies.

So if equity is not enough, self-interest ought to persuade those at the top of the private sector, and those who represent them politically, that the time has come to recognize that we have a changed economy and to adopt public policies and reverse the trends of making inequality worse and instead diminishing so that we get both more jobs and a healthier society and a more sustainable economic recovery.

Madam Speaker, I submit for the RECORD documents supporting and relating to my special order speech.

THE EVIDENCE ON JOB CREATION, WAGES, AND HEALTH INSURANCE

Non-farm payroll employment increased by 88,000 in October 2003, by 83,000 in November 2003, by 16,000 in December 2003, and by

112,000 in February 2004. (Source: Bureau of Labor Statistics.)

Real wages has grown by 0.4% since the end of the recession in November 2001. In the five previous recessions, real wages grew by 10.7%, 12.4%, 9.2%, 11.3%, and 3.6%, by the same point in the recovery (25 months). (Source: Economic Policy Institute based on Bureau of Economic Analysis data.)

Growth in median wages in 2002 was 1.8%, compared to inflation of 1.6%. In 2003, median wage growth was 2.0%, compared to inflation of 2.3%, resulting in a decline in real median wages of 0.3%. (Source: Economic Policy Institute based on Bureau of Labor Statistics data.)

Between 2000 and 2002, employer-provided health insurance declined by 2.8 million people. (Source: Urban Institute based on Current Population Survey.)

During the past five years, health insurance premiums have increased annually by 5.3%, 8.2%, 10.9%, 12.9%, and 13.9%. (Source: Urban Institute based on KFF/HRET Survey of Employer-sponsored Health Benefits.)

HOUSE COMMITTEE ON FINANCIAL SERVICES
HOLDS A HEARING ON FEDERAL RESERVE'S
SEMI-ANNUAL MONETARY POLICY REPORT,
FEBRUARY 11, 2004

GREENSPAN. The pointed issue here is that we are ending up with an inadequate ability to move skills up sufficiently quickly and this, as you point out has created a problem of excess supply versus demand amongst our lower skills and the reverse in the top. And that is something we have to address.

And I happen to agree with Congressman Frank that it is very important in this country not only to have an equitable society, but to have it perceived as being equitable, because no democratic system can function unless the people believe it is equitable.

And I think that it is crucially important for us to reduce the income inequality in this country. And I think the way that one has to do that, by any means that I can see, is through education. And I must say to you, the community colleges in this country have been in the forefront of a major change in the quality of what we are doing with respect to re-establishing skills.

MALONEY. So given what you've said today in your testimony and given the fact that you have accommodated this with a very low federal funds rate, a historically low one, and is it safe to say that you disagree with the report that came out yesterday from the Bush administration's economic policy advisers that next year, we will create 2.6 million jobs? That's what this report says. That's what the report came out.

GREENSPAN. I haven't read the specific . . .

MALONEY. Well, it says we're going to create 2.6 million jobs.

GREENSPAN. Yes. I haven't read the specific details of their forecast. My impression is that they have a significant decline in the rate of productivity advance from where it has been recently. And if you get . . .

MALONEY. Do you agree or disagree?

OXLEY. The gentelady's time has expired.
GREENSPAN. I haven't read it. I've said to one of your colleagues earlier, it's not—it is a credible forecast if the rate of productivity slows down to a more historical average.

TRANSCRIPT, GREGORY MANKIW, NATIONAL
ECONOMIST CLUB, FEBRUARY 17, 2004

Question. Can you comment on the job forecast?

MANKIW. The economic report of the president is forecasting a strong labor market in 2004, as many private forecasters are. That particular forecast was made in early December, and we've seen more data since then.

[From the Times Online, Oct. 20, 2003]

SNOW BOASTS SPRING HAS SPRUNG FOR US
ECONOMY

(By Anatole Kaletsky)

This July, when I first interviewed John Snow in London, the world economy was just beginning to emerge from the trauma of the Iraq war but the US Treasury Secretary was in ebullient form. The US economy, he insisted, was on the verge of a spectacular recovery from the three-year malaise that began with the collapse of technology stocks on Wall Street and was aggravated by the horror of September 11.

The American economy, he maintained, was "coiled like a spring and ready to go".

This remark was widely quoted in the media and greeted with skepticism, bordering on derision. Three months later, as I met Mr. Snow again in his Washington office, he was entitled to gloat.

"The spring has now sprung," he declared as our conversation started. "I am confident that this economic recovery will now be sustained and will produce loads of new jobs. Everything we know about economics indicates that the sort of economic growth expected for next year, 3.8 to 4 per cent, will translate into two million new jobs from the third quarter of this year to the third quarter of next year. That's an average of about 200,000 new jobs a month."

With a US election approaching, the figures he mentioned were significant in political as well as economic terms. Two million is the number of jobs the Bush Administration is accused of "destroying" since it took over the White House and the rule of thumb among US economists is that 200,000 new jobs a month are needed for the unemployment rate to show a sustained decline.

"What gives me confidence? Everything we know about economics and history."

"Consumption and housing remain strong. Now capital spending is clearly coming back and inventories are at astonishingly low levels. Jobs are always a lagging indicator which follows economic growth. I would stake my reputation on employment growth happening before Christmas. I'd bet dollars to doughnuts that we are going to see a pick-up in employment in 2004."

But surely there is a serious qualification to this optimism? If economic growth does take off as suggested, then surely interest rates will start to rise?

Recent statistics on consumption and industrial production suggest that the US economy grew by 7 percent in the third quarter. In such an environment, the Federal Reserve might well consider raising interest rates. On Wall Street, however, the futures markets imply that interest rates will rise by no more than one quarter or half a per cent before the summer and several leading banks expect no tightening at all until 2005. Surely, markets may be in for a nasty surprise? Mr. Snow seemed totally unperturbed. "Economic growth is a process of constant adjustments. If you've got productivity running at very high levels, you will get higher real wages and profits. Rates of return are up and as long as the expected return on capital is higher than the cost of capital, businesses will expand and the adjustment process kicks in."

"The price of capital is interest rates and there is going to be a need for a capital rationing process. Higher interest rates are an indicia of a strengthening economy. I'd be frustrated and concerned if there were not some upward movement in rates."

But what about politics? Next year will see a fiercely contested presidential election. Wouldn't an increase in interest rates at such a time interfere with the political process?

Mr. Snow was completely dismissive of this argument. It may be an article of faith on Wall Street that the Fed tries to avoid raising interest rates before elections, but this is factually untrue. The idea that the Fed doesn't move in election years is just "an amazing sort of mythology". Mr. Snow insists. After our interview, I check the historical record and discover that he is right. The Fed has raised interest rates sharply in three out of the past five election years, most recently in 2000. Moreover, while Wall Street mythology contends that the Fed lost President Bush's father the 1992 election, the record shows the opposite. The Fed cut interest rates by 2 percentage points in 1992. In the 1988 polls, by contrast, interest rates were lifted from 6.5 to 8.5 per cent, yet that was the election won by the first President Bush.

Turning to questions on the dollar, Mr. Snow indicated that the US policy had been misunderstood by many commentators, though not by the markets themselves. The dollar has fallen sharply in the four weeks since a statement issued in Dubai by G7 ministers, which called for "greater flexibility" in exchange rates. Mr. Snow had hailed this statement as "a milestone" and this comment was widely interpreted as a hint the US wanted to see the dollar decline. Mr. Snow insisted, however, that the real milestone he referred to was the commitment of all the G7 countries to pursue policies to stimulate domestically led growth.

The US had never intended to talk the dollar down. Although Mr. Snow did not express any views on individual exchange rates, another senior Treasury official noted that the comments in Dubai were directed solely at countries that attempted to manage or control their currencies, not at market-based exchange rates such as the dollar-euro rate.

The US was not trying to persuade China to float its exchange rate in the short term, but rather to make the financial changes needed for a market-driven currency to be set one day. Moving to a floating rate would be "ill-advised" before the financial reforms were in place. "They are not going to get there overnight and we recognise that," he said. In Japan, too, Mr. Snow welcomed the economic reforms undertaken by Junichiro Koizumi, the Prime Minister. He refused to be drawn on whether he was satisfied with the strengthening of the yen since Dubai.

But another Treasury official noted that Japan had reduced the scale of its currency intervention and no longer seemed to be defending arbitrary exchange-rate levels, as it had been before Dubai.

UNIVERSAL HEALTH CARE

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

Mr. MCDERMOTT. Madam Speaker, I want to reassure my colleague from Massachusetts that there is hope after all. The Bush administration has endorsed and even funded universal health insurance. The thing is, the President's universal health insurance program is for the people of Iraq, not anything for the 44 million Americans.

Madam Speaker, we already pay enough for universal health care in this country, but we are not getting it. The administration misleads the American people by having the Secretary of Health and Human Services say, and I quote, "You are still taken care of in

America. That certainly could be defined as universal coverage." The truth is that every other industrialized nation in the world has a universal health system except the United States. Half the bankruptcies in this country are due to health care costs.

The United States spent \$1.6 trillion on health care in 2003. That is an average of \$4,900 per person for the entire country. The average of the next 29 industrialized countries is less than half that amount, about \$2,100 per person. Switzerland, at number two, spends \$3,106. That is \$1,800 less per year per person than the United States. Every one of these countries has universal health insurance except us.

We have 44 million uninsured and 40 million underinsured, and premiums are going up. At the same time, employers are shifting more of their health care costs on to their employees. Every strike has as the number one issue of contention their health care benefits. They just settled a grocery strike in California that has been going on for 6 months and it was all about that.

Seventy-two percent of the uninsured are in families where there is a full-time worker. Sixteen percent have two full-time workers. Only 62 percent of all employers even offer health insurance, and only 60 percent of employees can take advantage of it. How bad does it have to get before we begin to do what is necessary?

Not many years ago opponents and an army of lobbyists turned back the last great hope for real reform. We were told managed care in the marketplace would save the health care system. It never happened. All through the 1990s when the economy was hot, the number of Americans without health insurance went up. When the economy tanked under President Bush, the number of Americans without health care kept going down. How bad does it have to get?

A long time ago we made some decisions in this country: Police, fire protection, national defense, education, and highways would be issues of the common good. We would do them together. It is time for health care to be done as a common good. We have the power and ability to take care of everyone, from patient to physician to provider.

National health care does not mean government medicine.

□ 1430

It means a guaranteed revenue stream to give a stable set of benefits for everyone that cannot be taken away.

At the present time, government at all levels already finances 60 percent of all the health care spending in this country. That is over \$2,600 per person. Remember, the international average is \$2,100 per person so we are already spending enough. If we were tightfisted, we could have that kind of a system.

The fact is that we simply do not have the political will to establish the common good. If our costs were in line with other industrialized nations who have a national health care system, government spending in this country alone would cover our costs. I can hear the chorus already. Do not let anyone tell you that health care in England or Germany or Sweden or Norway or France or Japan is not as good as ours. Ours is good if you are lucky with the right piece of plastic in your pocket when you get sick. But if you do not have insurance, it is a real crapshoot. It is a real roll of the dice.

Americans deserve universal health care, just like everybody else from the industrialized nations, all of the way to Iraq. Yes, most people would actually save money, according to the Congressional Budget Office, because if we tightened up the system and got rid of the millions of forms, the hundred billion dollars' worth of paper that we put in every year, we would have a cheaper system than we presently do with guaranteed benefits and guaranteed revenue.

The President has said, "These problems will not be solved with a nationalized health care system that dictates coverage and rations care." He said it right here in the well. Every health insurer in the United States dictates coverage. That is how they do business, and America is rationing care. The time has come to change that. We will talk more about that later.

We need a solution.

I have introduced H.R. 1200, the American Health Security Act. I also support other plans to reform our health care system.

Reform will not change how health care is delivered, only how it's paid for.

Health care providers will continue to do business as they already do, competing with one another, striving to be the best.

Under my plan people can choose their doctor and hospital, an incentive for innovation and a reward for excellence.

For health care providers, national health insurance means a guaranteed revenue stream.

For Americans, national health insurance means coverage for everyone.

America was founded on the premise of working together for the common good. Our society recognizes this responsibility every time a fire truck responds to a fire or a police car responds to a call for help.

Today, there is an urgent call for help from voices across America.

We have it in our power to respond. Come on Mr. President. We are already paying for universal health care. Let us make sure Americans get it.

WAR ON TERRORISM

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

Mr. HOEKSTRA. Mr. Speaker, today I want to spend a little bit of time talking about the war on terrorism,

and I believe it is a war, tracing the history of the previous administrations and the Bush administration in recognizing the threat that al Qaeda, Iraq, and others pose to the United States as evidenced most dramatically on the events of September 11, 2001.

Back in February 1998, then-President Clinton talked about the threat of Iraq: "They have harassed the inspectors, lied to them, disabled monitoring cameras, literally spirited evidence out of the back doors."

Another quote: "They," predators of the 21st century, "will be all the more lethal if we allow them to build arsenals of nuclear, chemical and biological weapons, and the missiles to deliver them. We simply cannot allow that to happen. There should be no doubt, Saddam's ability to produce and deliver weapons of mass destruction poses a grave threat to the peace of that region and the security of the world. There is no more clear example of this threat than Saddam Hussein's Iraq. His regime threatens the safety of the people, the stability of his region, and the security of all the rest of us. In the next century, the community of nations may see more and more of the very kind of threat Iraq poses, a rogue state with weapons of mass destruction, ready to use them, to provide them to terrorists who travel the world. If we fail to respond today, Saddam Hussein will be emboldened tomorrow by the knowledge that they can act with impunity."

Another quote from President Clinton in 1998: "I have no doubt he would use them again if permitted to develop them."

So back in 1998, President Clinton was highlighting the threat as he saw it, in this case talking about Iraq specifically, but also laying out the possibility of what might happen in the future. Again the quote: "A rogue state with weapons of mass destruction, ready to use them or provide them to terrorists."

On September 11, 2001, we found out in the United States about the willingness of terrorist organizations to use airplanes as a weapon of mass destruction and to inflict death and destruction to an extent we had never seen before.

Another quote, and this is from President Clinton, I believe: "Some day, some way, I guarantee you he will use the arsenal; and I think everyone of you who has worked on this for any length of time believes that, too." Again, not President Bush in 2001, 2002 or 2003, but a consistent message beginning in the late 1990s from President Clinton and his administration outlining the threat of Iraq; and, more importantly, the threat of a linkage of the capabilities that Iraq might have and their willingness to give those capabilities and share them with terrorist organizations.

Again, the same speech: "Saddam Hussein's Iraq reminds us of what we learned in the 20th century and warns

us what we must know about the 21st century. In this century, we learned through harsh experience that the only answer to aggression and illegal behavior is firmness, determination and, when necessary, action. In the next century, the community of nations may see more and more the very kind of threat Iraq poses now, a rogue state with weapons of mass destruction ready to use them or provide them to terrorists, drug traffickers or organized criminals who travel the world among us unnoticed."

Through the window of 9/11, we can see how prophetic President Clinton was in 1998. Let me read that again: "In this century, we learned through harsh experience that the only answer to aggression and illegal behavior is firmness, determination and, when necessary, action. In the next century, the community of nations may see more and more the very kind of threat Iraq poses now," or paraphrasing, that I believe terrorist organizations will pose in the 21st century.

December 17, 1998, President Clinton said: "I am convinced that the decision I made to order this military action, though difficult, was absolutely the right thing to do. It is in our interest and in the interest of the people around the world. Saddam Hussein has used weapons of mass destruction and ballistic missiles before. I have no doubt he would use them again if permitted to develop them."

So back in the 1990s, the late 1990s, President Clinton was highlighting the threat of Iraq and also outlining the threats of terrorist organizations in the 21st century.

Another quote, and this is from the White House, a White House briefing. It is a speech by Senator Al Gore. This is way back in 1992. So even in the early 1990s, key officials in what would become the Clinton administration had identified the challenges that we would face as a Nation in the 21st century. Here is what Senator Al Gore said: "He had already launched poison gas attacks repeatedly," and this is what he says about the President at that time, "and Bush looked the other way. He had already conducted extensive terrorist activities, and Bush looked the other way. He was already deeply involved in the effort to acquire nuclear weapons and other weapons of mass destruction, and Bush knew it, but he looked the other way."

Then Senator Al Gore in 1992 said: "Well, in my view, the Bush administration was acting in a manner directly opposite to what you would expect. With all of the evidence that it had available to it at the time, Saddam Hussein's nature and intentions were perfectly visible."

In other remarks made by Vice President Al Gore, May 23, 2000, talking about the threat of Saddam Hussein: "Despite our swift victory in every sense, there is no doubt in my mind that Saddam Hussein still seeks to amass weapons of mass destruction.

You know as well as I do that as long as Saddam Hussein stays in power, there can be no comprehensive peace for the people of Israel or the people of the Middle East. We have made it clear," and this is Vice President Al Gore on May 23, 2000, "we have made it clear that it is our policy to see Saddam Hussein gone." In parentheses, applause. "We have sought coalitions of opponents to challenge his power. I have met with the Iraqi opposition, and invite them to meet with me again next month when I will encourage them to further unite in their efforts against Saddam."

The threat to peace in the civilized world was well identified through the Clinton administration through the 1990s.

Here is another article talking about folks and their views of Saddam Hussein dated November 1997: "The stakes are very real, and they are enormous," said Richard Haass, Middle East expert on the National Security Council during the Bush administration. "This is someone who has used weapons of mass destruction twice against his own people and against Iran. He does not have qualms. Based on U.N. inspection reports and Western intelligence assessments, Washington's allies are convinced that Saddam Hussein possesses the resources and technical skill to begin cranking out menacing new supplies of exotic weaponry and delivery systems with even a brief absence of foreign watch dogs."

That is the same thing that David Kay said when he came back, saying at this point in time the Iraqi survey group may not have found stockpiled weapons of mass destruction, and David Kay believes that maybe they did not exist after meeting with the new folks over there. He said we may or may not find the stockpiles, but the key thing here, and this is what David Kay said, which was reported already in 1997: "Washington and its allies are convinced that Hussein possesses the resources and technical skill to begin cranking out menacing new supplies of exotic weaponry and delivery systems with even a brief absence of foreign watch dogs."

So the real question was after the war and after we went in and took a look at what they had, what did David Kay find? He found exactly what was identified in 1997, that if the stockpiles are not there, what Saddam Hussein has done is he has developed the capability, the weaponry, to crank out menacing new supplies during a brief absence of foreign watch dogs. The intent was clear. Saddam Hussein used weapons of mass destruction at one time, may have had stockpiles, but clearly was building the technical infrastructure to be able to produce significant quantities of weapons of mass destruction in a relatively short period of time once the inspectors were gone and once sanctions were lifted.

□ 1445

September 9, 1998, Madeleine Albright:

"In this struggle our adversaries are likely to avoid traditional battlefield situations because there American dominance is well established. We must be concerned instead by weapons of mass destruction and by the cowardly instruments of sabotage and hidden bombs. These unconventional threats endanger not only our Armed Forces but all Americans and America's friends everywhere. We must understand that this confrontation is long-term. It doesn't lend itself to a quick victory."

For those of us who believe that September 11 was the culmination of our war with al Qaeda and with terrorist organizations, listen to Madeleine Albright, 1998, who recognized that this war was already going on in the 1990s because of the length and the number of attacks that had taken place during the 1990s. Remember, early in the 1990s was the first time that the World Trade Center was hit, and she recognized in her quote: "We must understand that this confrontation is long-term. It doesn't lend itself to quick victory."

She goes on to say: "Force for peace, freedom, progress and law in the world. But no threat, no bomb, no terrorist can diminish America's determination to lead."

She then also goes on: "A second major threat to America's security also has entered a new phase and that is weapons of mass destruction and the systems that deliver them. For decades, we viewed this threat primarily through a narrow Cold War lens and now our concerns have broadened. We are deeply concerned by regional tensions in South Asia where both India and Pakistan have conducted nuclear tests."

Going on: "Chemical or biological warheads and they are devilishly difficult to shoot down."

So the threat of weapons of mass destruction was well understood during the Clinton administration by President Clinton, by Vice President Gore, by Senator Gore in 1992, by Secretary of State Madeleine Albright when we used force against Saddam in December of 1998. Secretary of State Madeleine Albright:

"This is a moment of grave determination. We have decided to use force because other means simply have not worked. Saddam's capacity to develop and brandish such armaments poses a threat to international security and peace that cannot be ignored. Month after month we have given Iraq chance after chance to move from confrontation to cooperation and we have explored and exhausted every diplomatic action. We will see now whether force can persuade Iraq's misguided leaders to reverse course and to accept at long last the need to abide by the rule of law and the will of the world."

October 16, 1998, National Security Adviser Samuel Berger, an op-ed piece in the Washington Times:

"Indeed we have information that Iraq has assisted in the chemical weapons activity in Sudan. We had information linking bin Laden to the Sudanese regime and the Al Shifa plant."

"One senior administration official, who asked not to be quoted by name, said the administration had compelling evidence tying Al Shifa to the Sudanese military and to Iraq's chemical weapons program, none of which have ties to bin Laden."

So there were questions about whether bin Laden was involved or not with the Al Shifa plant, but there was no question here back in 1998 by a number of folks within the Clinton administration that Iraq was involved with chemical weapons activity in Sudan.

A dangerous world. Why do I talk about the events of the 1990s up until 2000, the Clinton administration? It is because for a long time leaders in this country have been identifying Iraq and terrorism as the new threat to the security of America and Americans and the free world.

An interesting quote, Secretary Albright, Time Magazine, November 23, 1998:

"Up to now, we've had diplomacy backed by force. Now we need to shift to force backed up by diplomacy." In that same article, she is quoted as saying: "We'll be prepared to act alone if we have to."

Secretary of State Madeleine Albright:

"Month after month we have given Iraq chance after chance to move from confrontation to cooperation. We have explored and exhausted every diplomatic action. We will see now whether force can persuade Iraq's misguided leaders to reverse course and to accept at long last the need to abide by the rule of law and the will of the world."

President Clinton in the State of the Union speech on January 20, 1999:

"For nearly a decade, Iraq has defied its obligation to destroy its weapons of terror and the missiles to deliver them. America will continue to contain Saddam, and we will work for the day when Iraq has a government worthy of its people." Remember that by that time, the policy of regime change for Iraq had already become the accepted policy of the United States and the accepted policy of the Clinton administration.

Why do we talk about it now? Because the threat in 2004 is still very, very real. But let us go back and document that what happened on 9/11 was not an isolated event. It was the most significant event of a series of attacks on U.S. interests.

In 1993 was when the World Trade Center was bombed for the first time. 1996 was when the U.S. military barracks were bombed in Saudi Arabia. In 2000 there was the attack on the USS *Cole*. Of course we also had the attacks on our embassies in Africa during the late 1990s. In 1995, two unidentified gunmen killed two U.S. diplomats and wounded a third in Karachi, Pakistan.

In 1997 a Palestinian sniper opened fire on tourists atop the Empire State Building. A bomb exploded across the street from the U.S. embassy in Manila, injuring nine people. The list goes on. What had happened during much of the 1990s, there was compelling evidence that there were individuals who had declared war on the United States, but we never recognized the threat in terms of the actions that we took.

I am sure that that will be a debate much like there is a debate as to whether going to war in Iraq was the appropriate activity. There should also be, and there will be, a debate as to whether doing very little during the 1990s was the appropriate action. But what we do have in the 1990s is a clear record of factual events that America was a target. We have the clear statements from a President, a Vice President, a National Security Adviser, a Secretary of State that identified the changing shifts and the challenges to the security of the United States, moving out of the Cold War mentality of the period from 1945 to the early 1990s to a new threat of rogue states, but also rogue organizations that were not tied to a single country but that were loose gatherings of individuals, scattered throughout parts of the world that in many cases were willing to operate on their own. They are still out there, and in many ways we have damaged their capabilities to effectively attack us; but they are still out there organizing, recruiting, raising funds and training with the hope and expectation that they will hit us and that they will hit others again in the future. Is that a new threat? Here is what we said about Iraq in 1999:

"Iraq continued to plan and sponsor international terrorism in 1999. Although Baghdad focused primarily on the anti-regime opposition both at home and abroad, it continued to provide safe haven and support to various terrorist organizations."

Going on, the "Global Terrorism Overview of State-Sponsored Terrorism" says:

"Iraq continued to provide safe haven to a variety of Palestinian rejectionist groups, including the Abu Nidal organization, the Arab Liberation Front, and the former head of the now defunct 15 May Organization, Abu Ibrahim, who masterminded several bombings of U.S. aircraft. Iraq provided bases, weapons and protections to the MEK, an Iranian terrorist group that opposes the current Iranian regime."

The "Pattern of Global Terrorism" report in 2001 said about Iraq:

"In addition, the regime continued to provide training and political encouragement to numerous terrorist groups, although its main focus was again on dissident Iraqi activity overseas. Iraq provided bases to several terrorist groups including the Mujahedin-e-Khalq (MEK), the Kurdistan Workers' Party, the Palestine Liberation Front, and the Abu Nidal organization. In 2001, the Popular Front for the Libera-

tion of Palestine raised its profile in the West Bank and Gaza Strip by carrying out successful terrorist attacks against Israeli targets. In recognition of the PFLP's growing role, an Iraqi vice president met with former PFLP Secretary General Habbash in Baghdad in January 2001 and expressed continued Iraq support for the intifada. Also in mid-September a senior delegation from the PFLP met with an Iraqi deputy prime minister. Baghdad also continued to host other Palestinian rejectionist groups including the Arab Liberation Front and the 15 May Organization." Iraq continued to support terrorism organizations.

2002, the "Patterns of Global Terrorism":

"Iraq planned and sponsored international terrorism in 2002. Throughout the year, the Iraqi Intelligence Services laid the groundwork for possible attacks against civilian and military targets in the United States and other Western countries. The Iraqi Intelligence Services reportedly instructed its agents in early 2001 that their main mission was to obtain information about the U.S. and Israeli targets. The IIS, Iraqi Intelligence Services, also threatened dissidents in the Near East and Europe and stole records and computer files detailing anti-regime activity. In December 2002, the press claimed Iraqi intelligence killed Walid al-Mayahi, a Shia Iraqi refugee in Lebanon and member of the Iraqi National Congress. Iraq was a safe haven, transit point, and operational base for groups and individuals who direct violence against the United States, Israel and other countries. Baghdad overtly assisted two categories of Iraqi-based terrorist organizations, Iranian dissidents devoted to toppling the Iranian government and a variety of Palestinian groups opposed to peace with Israel."

It goes on to list the groups that I have talked about before. Again, provided material assistance to the Palestinian terrorist groups that are in the forefront of the intifada.

"Saddam paid the families of Palestinian suicide bombers to encourage Palestinian terrorism, channeling \$25,000 since March through the ALF alone to families of suicide bombers in Gaza and the West Bank. Public testimonials by Palestinian civilians and officials and canceled checks captured by Israel in the West Bank verify the transfer of a considerable amount of Iraqi money."

The threat is real. Back a few weeks ago, I had the opportunity to be at a meeting where the Under Secretary of Defense for Intelligence, Steve Cambone, spoke. I think he wrapped it up quite well, because I think if you go through this and later on when you take a look at what the Director of the CIA said, Mr. Tenet, who served in both the Clinton and the current Bush administrations, you go through and you take a look at everything or much of what was said during the 1990s by a number of officials within the Clinton

administration, what was said by the Bush administration, what was said earlier on in the 1990s by Senator Al Gore, outlining the threat to the United States. And then imagine taking a look at that threat through the window of 9/11. Here is what Mr. Cambone said:

"We are a nation at war. We do not know how long it will last, but it is unlikely to be short. We cannot know where or against whom all of its battles will be fought. There are multiple fronts in this war. There is no single theater of operation.

□ 1500

"We do know that we are all at risk, at home and abroad, civilians and military alike. We do know that battles and campaigns will be both conventional and unconventional in their conduct. Some of those battles and campaigns will be fought in the open, and others will be fought in secret, where our victories will be known to only a few."

Think back on the last few years and the attacks that we have been the victims of. We do know, as Dr. Cambone says again, that we are all at risk, at home and abroad. On 9/11, the attack on the World Trade Center, the Pentagon, the crash in the field in Pennsylvania, civilians were victims, civilians here in our homeland. But our embassies have been attacked in Africa. Our military folks have been attacked aboard the USS *Cole*. Our barracks have been attacked in Saudi Arabia and the World Trade Center was attacked in 1993. Dr. Cambone identified, "We do know that we are all at risk, at home and abroad, civilians and military alike," and we know now with the ongoing activities in Iraq that over 500 young men and women have lost their lives in Iraq. There have been countless numbers of our folks who have been wounded, many of them rather severely. I had the opportunity to meet with one of the families this week of someone who was badly injured in Iraq, and it was their prayer and their request that we, as Americans, not forget about those who have been injured in Iraq, that with these improvised explosive devices that are targeting our military vehicles or that suicide bombers with very deadly bombs, that there are other American families who are hurting. They are the ones whose loved ones are in a hospital in Iraq, in Germany or here in Washington, D.C. at Walter Reed Hospital. So let us not forget our military individuals who have been injured in and their families.

Dr. Cambone goes on to say "We are facing a turbulent and volatile world populated by a number of highly adaptive state and nonstate actors. Some of these are weighing whether, to what extent, or how, they might oppose the interests of the United States and its friends. Others, such as the terrorist organizations responsible for attacks on the United States, Turkey, Indonesia, Morocco, Saudi Arabia, Israel,

Kenya, the Philippines, Afghanistan, Pakistan, Iraq, and other places have committed themselves to war.”

I think that is what we have to recognize. This is what Dr. Cambone says. These individuals have committed themselves to war with the United States. Whether we want to be engaged in this war or not is no longer our decision. They have committed themselves and declared war on the United States. We now need to respond to protect and provide for the security of the United States.

“... It is impossible to predict with confidence what nation or entity will pose a threat, in 5, 10, or 20 years, to the United States or to our friends and allies.”

Dr. Cambone goes on to say: “But not everything that unfolds in the coming years should be a surprise.”

If we take a look at history the last 12, 13 years, what can we expect? He goes on: “We can expect that an adversary will continuously search for effective means to attack our people; our economy, military, and political power; and the people in power of our friends and allies.

“We can also expect that an adversary will have access to a range of modern technologies and will be prepared to use them to magnify the destructiveness of their attacks, using truck bombs and improvised explosives, cyber intrusions to attack the computer systems upon which we rely, radio transmitters to jam our space assets, small laboratories to develop new biological and genetically altered agents, and chemical and nuclear technology and materials delivered by missile, plane, boat, or backpack to poison our environment and destroy human lives.

“In this era of surprise, lack of preparation is a harbinger of catastrophe. Being prepared, by which I mean taking measures to avoid surprise, if possible to mitigate its effect when it occurs, and to bring appropriate force to bear to defeat those who would surprise us, is essential.”

This is a very complicated and a very difficult environment in which we work today. We need to convince ourselves that there is a real threat to the United States. We need to educate ourselves as to what the threat looks like. It is very difficult to predict exactly what it is going to look like, and then to have the dialogue and the discussion as to how we respond. I think part of the problem that we have in 2004 is that the debate and the discussion that could have taken place 4 or 5 years ago never took place. Even though there was mounting evidence and even though the Clinton administration in many ways was trying to raise the profile of this issue, we did not have the national debate about how we respond to an emerging threat to the United States. We had that discussion and that debate and we understood the threat of the Cold War. I am not sure how long it took America and our al-

lies to come together to recognize the threat and to respond to the threat, but we did. America responded after World War II immediately recognizing the threat, helping to rebuild a free Europe, a democratic Europe, being the focal point for creating NATO to stand as the barrier to expansion of the former Soviet Union, and we did it incredibly well, and in many ways, as we describe the effort against the former Soviet Union, it kind of matches the threat that we face today. We knew there was a threat. We did not know exactly how it would manifest itself. We did not know exactly if there would ever be an attack against the United States. But we figured it would be a long and difficult struggle. There were no easy answers but that we would come together and that we would be engaged in what we called the Cold War. And the Cold War lasted 45 years. And then finally the wall came down and we were able to declare victory. But as that wall was coming down, another threat began to emerge, and that was the threat of terrorist organizations. So after 1945, it probably took us a period of time to identify the threat, to have the discussion and the dialogue within the country as to how we should respond to the threat, but once we identified the threat, once we had the national dialogue about the threat, there was a lot of consensus about how we should respond, and the response was one of we are going to be forceful and we are going to be in a position to defend ourselves and we are going to stand strong. And after 45 years we were able to defeat and win the Cold War. There are lessons that we can learn from that but we need to now go through the process.

Hopefully Americans, as they take a look at the events of the 1990s, as they then take a look at what happened on 9/11, and as they take a look at what is going on in Iraq and what we have found in Iraq, they will begin to understand the nature of the threat to the United States. A very uncomfortable threat. With the former Soviet Union and the Cold War, we could identify the buildings, we could identify the people, we could identify the borders and the boundaries most of the time. But here we do not know the players. We do not know their strength. We do not know where they are. But we do know a few things. We do know that they are very willing to use unconventional weapons in unconventional ways, that they will attack civilians and military personnel. They will attack our friends, they will attack us in places around the world in very deadly ways. We know that they come back and revisit their same targets on a regular basis until they are successful. So we know quite a bit about them.

Here is what Director Tenet of the CIA said, who is very familiar with this because he is the one person who was carried through as the Director of the Central Intelligence Agency from the Clinton administration through the

Bush administration, recognizing that the Clinton administration saw terrorism and Iraq as a threat and carried that message and that understanding into the Bush administration. What does he say in a speech that he gave on February 24? I would encourage my colleagues to read the speech in detail because it gives a lot of framework and context to the challenges that we face in 2004. As a matter of fact, it is entitled *The Worldwide Threat 2004: Challenges in a Changing Global Context*. What does he say about terrorism? “I’ll begin today on terrorism, with a stark bottom line: The al Qaeda leadership structure we charted after September 11 is seriously damaged, but the group remains as committed as ever to attacking the U.S. homeland. But as we continue the battle against al Qaeda, we must overcome a movement, a global movement infected by al Qaeda’s radical agenda. In this battle we are moving forward in our knowledge of the enemy, his plans, capabilities, and intentions. And what we’ve learned continues to validate my deepest concern: that this enemy remains intent on obtaining, and using, catastrophic weapons.”

Going on: “Military and intelligence operations by the United States and its allies overseas have degraded the group. Local al Qaeda cells are forced to make their own decisions because of disarray in the central leadership.”

“We are creating large and growing gaps in the al Qaeda hierarchy.

“And we are receiving a broad array of help from our coalition partners, who have been central to our effort against al Qaeda.”

In a little while, I am going to talk about the changes in Libya. But the amazing thing is that more and more countries are coming to the realization that we are involved in a war on terrorism and that they are involved in a war on terrorism and that in many cases the terrorists do not distinguish between America or America and its friends.

Whom are we getting help from?

“Since the May 12 bombings, the Saudi government has shown an important commitment to fighting al Qaeda in the Kingdom, and Saudi officers have paid with their lives. Elsewhere in the Arab world we’re receiving valuable cooperation from Jordan, Morocco, Egypt, Algeria, the UAE, Oman, and many others. President Musharraf of Pakistan remains a courageous and indispensable ally who has become the target of assassins for the help he’s given us.”

It is always interesting to hear people say we do not have any friends in this. We have got lots of friends in this whose countries are paying with the lives of their citizens and their security personnel.

□ 1515

Partners in Southeast Asia have been instrumental in the roundup of key regional associates of al Qaeda. Our European partners worked closely together to unravel and disrupt a continent-wide network of terrorists planning chemical, biological, and conventional attacks in Europe. So we have made notable strides. But do not misunderstand me, again quoting Director Tenet. Do not misunderstand me. I am not suggesting al Qaeda is defeated. It is not. We are still at war. This is a learning organization that remains committed to attacking the United States, its friends and allies.

Successive blows to al Qaeda's central leadership have transformed the organization into a loose collection of regional networks that operate more autonomously. These regional components have demonstrated their operational prowess in the past years. The sites of their attacks span the entire reach of al Qaeda: Morocco, Kenya, Turkey, Jordan, Saudi Arabia, Kuwait, Afghanistan, Pakistan and Indonesia. And al Qaeda seeks to influence the regional networks with operational training consultations and money. Khalid Sheik Mohamad sent Hambali \$50,000 for operations in Southeast Asia. You should not take the fact that these attacks occurred abroad to mean that the threat to the United States homeland has waned. As al Qaeda and its associated groups undertook these attacks overseas, detainees consistently talk about the importance the group still attaches to striking the main enemy, the United States.

Across the operational spectrum, air, maritime, special weapons, we have time and again uncovered plots that are chilling. On aircraft plots alone, we have uncovered new plans to recruit pilots and to evade new security measures in Southeast Asia, the Middle East, and Europe. Even catastrophic attacks on the scale of 11 September remain within al Qaeda's reach. Make no mistake, these plots are hatched abroad; but they target U.S. soil or that of our allies.

Remember, I am quoting from a speech that is available to all my colleagues on the Central Intelligence Agency Web page, and I encourage them to read this.

So far I have been talking only about al Qaeda, but al Qaeda is not the limit of terrorist threats worldwide. Al Qaeda has infected others with its ideology, which depicts the United States as Islam's greatest foe. The steady growth of Osama bin Laden's anti-U.S. sentiment through the wider Sunni extremist movement and the broad dissemination of al Qaeda's destructive expertise ensure that a serious threat will remain for the foreseeable future, with or without al Qaeda in the picture. If we take care of al Qaeda and capture bin Laden, it is not over. There is still a tremendous amount of work to do.

A decade ago, bin Laden had a vision of rousing Islamic terrorists worldwide

to attack the United States. He created al Qaeda to indoctrinate a worldwide movement and global jihad with America as the enemy, an enemy to be attacked with every means at hand. In the minds of bin Laden and his cohorts, September 11 was the shining moment, their shot heard round the world; and they want to capitalize on it. That was not the culmination; that was the kickoff of their campaign. And so even as al Qaeda reels from our blows, other extremist groups within the movement, it influences to become the next wave of the terrorist threat.

Let me just kind of summarize the terrorism and the threat that we face, quoting Mr. Tenet from his speech: "For the growing number of jihadists interested in attacking the United States, a spectacular attack on the U.S. homeland is the brass ring that many strive for, with or without the encouragement by al Qaeda's central leadership." A spectacular attack on the U.S. homeland is the brass ring that many strive for, with or without encouragement by al Qaeda's central leadership.

I want to talk a little bit about the rebuilding efforts that are going on in Iraq and Afghanistan. It was a couple of weeks ago that I and some of my colleagues had the opportunity to visit Iraq and to take a look at exactly what was happening. There is tremendous progress being made in Iraq, there is tremendous progress being made in Afghanistan, but I think we have to put this in the context of how much work actually has to happen.

Saddam Hussein ruled Iraq for over 30 years. There was no rule of law. There were no effective police agencies. There were no judicial processes in place. It was a mess.

If we go back and take a look at the rebuilding process, as Americans we should not underestimate the amount of work that needs to take place. In Iraq, Saddam Hussein ruled this country ruthlessly for 30 years, killing, executing somewhere in the neighborhood of 300,000 to 500,000 of his own people, brutally attacking the Shiites after the 1991 Gulf War, attacking the Kurds in the north of Iraq, breaking down the rule of law, breaking down a civil society, no police, no law enforcement, no judiciary, no transparent government, you know, totally destroying what we would call a civil society.

That is the same thing we see in Afghanistan after 12 years of rule by the Taliban or the Russians. Again, the rule of law is gone, no police, no effective security forces, no framework, and no rules by which society can live together in a civil way.

We are now trying to help the Iraqis and the people in Afghanistan to build a civil society, with a tremendous amount of focus on developing policing organizations, a law enforcement process, a judicial process, a constitution that will enable the folks in Iraq and Afghanistan to create a civil society. In both countries we are also working

on trying to help them rebuild infrastructure, roads, hospitals, schools, other health care facilities, make sure that they have got water and food, the basic necessities of life.

It is going to take tremendous amounts of time and energy for the people in these countries to identify the rules by which they want to live together, to then structure the security and the police and the law enforcement and the judicial branch to make it happen, to establish institutions of government that are transparent so that the people who are served by these government institutions actually recognize and believe that these government institutions are working for them, rather than being an organization that they should fear, that might imprison them.

They are experimenting with the opportunity of free speech, and in both countries they are beginning the process of constitutional and representative government by which they will have elections and have the individuals that they elect begin to govern them.

So it is a very, very difficult process that, at the same time, is being hindered by the continuing violence in both Iraq and Afghanistan. So as we try to help them rebuild a civil society, there is tremendous challenge that they face because of the violence.

There is a letter that we got the other day that was picked up in Iraq that outlined the strategy. Here is one of the terrorists talking about their strategy:

"After study and examination, we can narrow our enemy down to four groups. The Americans. These, as you know, are the most cowardly of God's creatures. They are an easy quarry, praise be to God. We ask God to enable us to kill them and capture them to sow panic among those behind them and to trade them for our detained Shiites and brothers.

"The Kurds. These are a lump in the throat and a thorn, whose time to be clipped is yet to come. They are last on the list, even though we are making efforts to harm some of their symbolic figures, God willing.

"Soldiers, police and agents. These are the eyes, ears and hands of the occupier through which he sees, hears and delivers violent blows. God willing, we are determined to target them strong in the coming period before the situation is consolidated and they control."

I will get on to the fourth in a minute. When we were in Iraq, we had the opportunity to go visit the police academy, 500, 600 young people who were committed to helping rebuild Iraq and rebuilding a civil society. They know that when they come out of their 4 to 6 weeks of training and they go on the streets of Baghdad, Basra and the other cities in Iraq, they walk out on their streets with a target on their back, because the last thing the terrorists want to see, of those opposed to us in Iraq, the last thing that they want to see is an effective law enforcement

and security apparatus in Iraq, because they know that that is the beginning of the end.

We went there, we laid a wreath in recognition of the over 100 police cadets, policemen and women and potential recruits who were killed in the 8 to 10 days before we came there through suicide bombings. We then had the opportunity to shake hands and to meet many of these recruits. Their enthusiasm for their work, their enthusiasm for building a new Iraq, their enthusiasm that Saddam Hussein was gone and that they had their country back was very, very clear. They knew that it was the Americans that had given them their country back; and they were very, very appreciative and thankful. They knew that the future of Iraq was in their hands, and not in the hands of the Americans or the coalition forces, but that what we provided them was the framework to take back their country and to move in the future.

You could see it in their eyes when you looked at them, you could feel it in the vigor and the strength of their handshake, you could hear it in their voices; and as you left, they took their hand and put it on their heart and moved it away to express the deepness and the sincerity in the comments that they were making to us.

The Shia, how do our terrorists feel about the Shia? These, in our opinion, are the key to change. I mean, the key to change? What kind of change are they looking for? I mean that targeting and hitting them in their religious, political and military depth will provoke them to show the Sunnis their rabies and bear the teeth of the hidden rancor hidden in their breast. If we succeed in dragging them into the arena of sectarian war, it will become possible to awaken the inattentive Sunnis as they feel imminent danger and annihilating death at the hands of these Sabians. Despite their weakness and fragmentation, the Sunnis are the sharpest blades, the most determined and most loyal when they meet those Batinies, who are a people of treachery and cowardice. They are arrogant only with the weak and attack only the broken wing. Most of the Sunnis are aware of the danger of these people, watch their sides and fear the consequences of empowering them. Were it not for the enfeebled Sufi sheiks and the Muslim brothers, people would have told a different tale.

It is very clear what the folks who are opposed to us are going to do. They are going to kill the police and they are going to fight and drive sectarian violence.

I want to talk just briefly about Libya, because some have said showing strength is a problem. Take a look at what has happened with the Libyans. I was there a couple of weeks ago as well. At the end of the December visit, the Libyans admitted having a nuclear weapons program and having bought uranium feed material for gas cen-

trifuge enrichment, admitted having nuclear weapons design documents, acknowledged having made about 25 tons of sulfur mustard chemical weapons agents, aerial bombs for the mustard and small amounts of nerve agent, provided access to their deployed Skud-B forces and revealed the details of indigenous missile design work and of cooperation with North Korea on the 800 kilometer range Scuds-CSs.

□ 1530

What a change in Libya. The headlines in today's paper. "Ghadafi Vows No More Terror." He seeks a new era with the United States, seeks better relationships with the United States.

One of our colleagues who was there this weekend is quoted as saying, "The incredible thing about being here is to hear a former antagonist of our country say, 'What in the world was I thinking when I took on a superpower,' says SILVESTRE REYES, Texas, Democrat. 'I thought it was an incredible, historic moment. This could potentially redefine our relationships with Africa and potential with the most conflicted part of the world, which is the Middle East. If I had not been here and had Chairman WELDON or Congressman ORTIZ tell me about it, I would not have believed it,' he said."

So what a dramatic change we are seeing, I think, in many reasons because we have displayed strength and the determination in dealing with the types of threats that President Clinton and his administration identified throughout the 1990s, that President Bush and his administration identified during their administration, and because of the strong action we are seeing a change in behavior in Libya, with a possibility and hope for progress in Iran and North Korea.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 3717, BROADCAST DECENCY ENFORCEMENT ACT OF 2004

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

Mr. DREIER. (during the Special Order of Mr. HOEKSTRA) Madam Speaker, the Committee on Rules may meet the week of March 8 to grant a rule which could limit the amendment process for floor consideration of H.R. 3717, the Broadcast Decency Enforcement Act of 2004. The Committee on Energy and Commerce ordered the bill reported yesterday, March 3, 2004, and is expected to file its report in the House on Tuesday, March 9, 2004.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in Room H-312 of the Capitol by 10 a.m. on Wednesday, March 10.

Members should draft their amendments to the text of the bill as re-

ported by the Committee on Energy and Commerce which will be available tomorrow for their review on the Web sites of both the Committee on Energy and Commerce and the Committee on Rules.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

VICE PRESIDENT CHENEY'S ABUSES OF POWER

The SPEAKER pro tempore (Mrs. BLACKBURN). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes.

Mr. PALLONE. Madam Speaker, I come to the floor this afternoon to urge Supreme Court Justice Antonin Scalia to recuse himself from a case that the Supreme Court will hear this year regarding Vice President CHENEY.

I am also here this evening to voice my concern over another example of Vice President CHENEY abusing his power as Vice President to continue to keep secret documents that would significantly impact our Nation's future energy policy.

Madam Speaker, for 3 years now the Vice President has done everything he can to keep the record of his energy task force secret. This secret task force developed President Bush's energy policy, a policy that was then made into legislation here in Congress, legislation that is now stalled in the other body. Nevertheless, the end result of this task force and of that legislation was bad energy policy. There is no doubt that the energy industry succeeded with its influence during these secret closed door meetings in crafting an energy policy that benefited them rather than benefitting Americans who at the time desperately needed relief from high energy prices.

For 3 years now the Vice President has refused to let the American people know who made up this White House energy task force. For 3 years now the Vice President has refused to let the American people know how and why the task force came to the conclusions it did about energy policy. And finally, after 3 years of hiding the information, it appeared that we would finally get some of the information CHENEY was fighting so hard to keep secret, thanks to the Sierra Club and another conservative group called Judicial Watch who jointly sued the Vice President and the energy task force, seeking an accounting of energy participation in crafting the Bush administration's destructive energy policy.

There was a Federal district court order that said that the administration as a result of this suit had to provide information about participation from these industries, which the Bush administration refused to do. The Bush

administration claimed constitutional immunity from such inquiries. But the Federal court rejected the Bush administration's contentions and pointed out that the administration was attempting to "cloak what is tantamount to an aggrandizement of executive power with the legitimacy of precedent where none exists."

So what happened is that the district court basically at the request of the Sierra Club and Judicial Watch insisted that the members of the energy task force had to be made public.

Now, you would think under normal circumstances that the Bush administration or the Vice President would say okay, the court has now ruled on this. They have said that this secret energy task force has to be made public effectively and at that point would simply say, okay, we will make the information public. But no. Refusing to give in, Vice President CHENEY then appealed the court decision, asking the D.C. District Court to make new law that would effectively shield the Bush administration from any scrutiny.

In my opinion that is the height of arrogance. Here we have a district court saying that information about this task force should be made public. What is the real harm? I cannot imagine that there would be any harm in making it public, but he nonetheless insisted that he will not go along with the district court's opinion. And the Bush administration actually went to court and asked the court to shield President Bush, Vice President CHENEY, and the rest of the administration from any scrutiny from opening up this energy task force.

Now, what happened, of course, is that the court denied the Bush administration's request. And so what did Vice President CHENEY then do? Well, he appealed the decision to the United States Supreme Court. And on December 15 of last year, the Court agreed to take the case and the Supreme Court is expected to hear arguments next month in April.

An interesting phenomenon though is that 3 weeks after the Supreme Court agreed to hear this case on December 15, just 3 weeks later Justice Scalia, a member of the Supreme Court, and one of his children accompanied Vice President CHENEY on an Air Force II flight from Washington, D.C. to Morgan City, Louisiana.

There, according to news reports, Justice Scalia and the Vice President were guests of a Wallace Carline, president of an energy services company, and they went on a duck hunting vacation. Neither the Vice President nor Justice Scalia made this duck hunting vacation public. Had it not been for the investigative work of the Los Angeles Times we might still not know that these two spent several days together hunting duck in Louisiana.

After the vacation made national headlines, Justice Scalia offered the following response. He said, "Social contacts with high level executive offi-

cial, including Cabinet officers, have never been thought improper for judges who may have before them cases in which those people are involved in their official capacity. For example, Supreme Court Justices are regularly invited to dine at the White House, whether or not a suit seeking to compel or prevent certain presidential action is pending. I expect that all of the justices were invited to Vice President CHENEY's annual Christmas party. The invitation was not improper, nor was the attendance."

That was Justice Scalia's response.

Madam Speaker, let me say I do not think this response by Justice Scalia is acceptable. I do not think, Madam Speaker, you would expect the American people to believe that a social dinner in which hundreds of people are gathered at the White House is the same as spending one-on-one time with the Vice President on his jet, on the American taxpayers' dime. You spent days of quality one-on-one time with the Vice President, and that is certainly difficult than quickly exchanging a hello at a White House social gathering with hundreds of other people.

In case you think or someone thinks it is my own prejudice because I happen to be a Democrat, you do not have to take my word for it. The media and the American public are also not buying Justice Scalia's explanation for this duck hunting vacation. And I just wanted to quote several comments from editorials in newspapers around the country commenting on this conflict of interest or potential conflict of interest.

The San Diego Union Tribune said, "As legal experts point out, a private hunting trip is not a simple social event. It is extremely personal access by a litigant to a judge hearing his case."

The Charlotte Observer in North Carolina made the following observation in their editorial comments. "When a judge goes on a 3-day hunting trip in Louisiana as the guest of a man who is at the center of a case before the Supreme Court, that is hardly the kind of casual social contact that most people would consider innocuous."

Then we have a New York Times editorial, "Vacationing with a litigant in a small group outside the public eye raises a far greater appearance of impropriety than attending a White House dinner."

I could give you other examples, Madam Speaker, as well. I think the New York Times went on to say or I would like to go on to say that I think it is quite ironic that the man hosting the two men, Wallace Carline, made his fortune in the energy sector. He was the one that hosted the Vice President and Justice Scalia, and he of course is an energy corporate executive. And some of the newspapers commented on that as well.

The Salt Lake Tribune editorial page noted, "Perhaps the businessman, Wal-

lace Carline, of Diamond Services Corporation, was a member of the secret advisory committee that CHENEY convened to draft the administration's pro-oil energy policy. Perhaps he was not. Whether the public ever knows that is up in part to Mr. Hunting Buddy Scalia."

The point is we do not know what the conflicts are in terms of Mr. Carline because we do not know whether he is on the energy task force. If we found out that he was on the energy task force, which is one of the things that this suit is trying to determine, then that would indicate even more strongly the nature of the conflict of interest.

But I do not think there is any doubt that this vacation serves as a conflict of interest, and because of that Justice Scalia should recuse himself from hearing the Cheney case.

One has to understand that the issue here is not just the actual conflict but the appearance of it. Those of us who went to law school know that when you talk about ethics and the issue of whether a judge should recuse himself from a case, it is an issue not only of a potential conflict but also the appearance of conflict. And I do not think there is any question that the appearance of conflict is here because of the fact that this case involving the Vice President was imminent before the Supreme Court and that Justice Scalia would have to make a ruling and a decision on the case.

I want to point out that it is not just Justice Scalia who is responsible for the conflict of interest. Vice President CHENEY should have realized that vacationing with a Supreme Court Justice not even 3 weeks after the court agreed to hear his appeal had the appearance and was a conflict of interest. I think the Vice President, unfortunately, seems to be willing to do anything to ensure that the records of this energy task force are never made public.

I do not really understand, Madam Speaker, what the Vice President is trying to hide. Would it be embarrassing to the administration to have to admit that every member of the task force was an oil or gas executive? Probably. But thinking about it, that really would not be anything new. I do not know that anybody would really be surprised by that. So I am beginning to think that there is something else that is being hidden here.

What could be so damaging in these documents that the Vice President and the Bush administration do not want them released? We could speculate that somewhere within these documents there is proof that the Bush administration was looking at taking out Iraqi leader Saddam Hussein in order to take control of that nation's rich oil reserves.

Well, interestingly enough former Treasury Secretary Paul O'Neill stated in his recent book that Vice President CHENEY strongly suggested U.S. intervention in Iraq well before the terrorist attacks of September 11. Additional

evidence exists that CHENEY played an early planning role in the war in a national security document dated February 3, 2001, months before September 11.

According to a report in the *New Yorker Magazine*, the top secret document written by a high National Security Council staffer, "directed the NSC staff to cooperate fully with the energy task force as it considered the melding of two seemingly unrelated areas of policy, the review of operational policies towards rogue states such as Iraq and actions regarding the capture of new and existing oil and gas fields."

Now, I am just speculating here and I know others have speculated in this same manner, but really that is all we can do right now because the Vice President refuses to allow the American public to see these documents from his energy task force.

I would like to point out incidentally, Madam Speaker, that I do not understand why congressional Republicans are not demanding that these documents be released by the administration. Of course, some of my colleagues on the Democratic side have been asking for it. My colleague, the gentleman from California (Mr. WAXMAN), who tried for months to get the administration to turn over these documents from the energy task force, he said it best in my opinion during a floor speech last week after the General Accounting Office refused to force the Vice President to turn over the documents. And this is what the gentleman from California (Mr. WAXMAN) said. He said, "The hypocrisy about this issue on the Republican side is simply breathtaking. During the 1990s it was Republicans in Congress who embarked on a concerted effort to undermine the authority of then-President Clinton.

□ 1545

Congressional committees spent over \$15 million investigating the White House. They demanded and received information on the innermost workings of the White House. They subpoenaed top White House officials to testify about the advice they gave the President. They forced the White House to disclose internal White House documents, memos, e-mails, phone records, even lists of guests at White House movie showings; and they launched countless GAO investigations into everything from President Clinton's health care task force to his working group on China permanent normal trade relations.

Yet we do not see anybody on the Republican side insisting, even after the court has said that it should be, that any of the documents be released from this energy task force. How different is that in any way from President Clinton's health care task force or his working group on China permanent normal trade relations? We do not see any difference.

The gentleman from California (Mr. WAXMAN) continued in this speech

when he said, "And if the White House resisted, these same leaders insisted that Congress and the public's right to know was paramount."

Defending his numerous demands for White House records, for example, one of my colleagues, who I respect a great deal, the gentleman from Indiana (Mr. BURTON), insisted on the House floor that public disclosure of the facts is the essence and, in large part, the purpose of congressional oversight. The American people have a right to know the facts. Other Republican leaders reiterated this message over and over again on countless television shows.

So when President Clinton was President and he had task forces on health care, on China, on other issues, the Republicans insisted that this was a right-to-know issue and that the records of the White House task forces, such as the health care one, had to be made public, that this somehow was a fundamental issue that went to the public's right to know; but now we do not hear our colleagues on the other side of the aisle, the Republicans here in Congress, saying that the energy task force records should be made available, the document, the members of the energy task force should be made available.

Frankly, I do not see the difference. It seems to me the same right-to-know issue exists with regard to the energy task force under President Bush and Vice President CHENEY that existed with regard to similar-type task forces under President Clinton.

The bottom line is that on the Republican side oversight does not seem to be a priority anymore, not when it comes to a President who is of their own party or a Vice President who is of their own party.

Normally, I would not restate one of my colleague's statements, but the gentleman from California (Mr. WAXMAN) was right in what he was stating about access to these documents; and I think that he, being the ranking Democrat on the Committee on Government Reform, is frustrated because Republicans here in Congress no longer seem to care or play any role to oversee the actions of this Republican administration, and I think that is a very dangerous precedent for the future of our country.

Now that the Republican majority has given up its oversight ability, the only ones who can now force Vice President CHENEY to hand over these documents is the Supreme Court, and I do not know exactly, Madam Speaker, how we can effectuate that; but I do think that we need to speak out. We need to speak out and say that under the circumstances, Justice Scalia must recuse himself from this case; Vice President CHENEY must be forced essentially to turn over these documents. I would hope that the Justice would take this action on his own. I would hope that the Vice President would take this action on his own, and we would not have to have these lawsuits occur.

But until such time as they agree to do so, I also think it is important for us as Members of the Congress to come down on the floor and speak out because this is just another example, in my opinion, of the Republican Party's abuse of power and a very bad example because it basically nullifies our ability to know what happened in this White House energy task force which was essentially instrumental in putting together the legislation that is now pending in the other body, that passed this House, that is the basis for our national energy policy.

I see one of my colleague from Washington is here, and I appreciate his coming down; and I yield to the gentleman.

Mr. INSLEE. Madam Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) for yielding. I appreciate him bringing this important matter up for discussion because I think it strikes at the very heart of American democracy, which is a fundamental tenet that people have to trust the system, to have confidence in the ultimate results of what has happened here in Washington, DC.

Unfortunately, due to ignoring some basic tenets that people have to trust the cards and who is dealing the cards before they are going to trust the outcome of the game, people have doubts about what is going on in Washington, DC right now; and my colleague has brought up two reasons why those doubts have been fanned, and those reasons have to do with being centered around this secretive energy task force which has been shielded from public attention, that has been cloaked by secrecy all the way now to the U.S. Supreme Court, which is now involved in a situation which I believe can diminish people's trust, not only in the executive branch in government but in the judicial branch in government. I would like to address those concerns if I can.

First, I want to talk about the judicial branch of government and why I believe right now it is at risk of undergoing some loss of trust in the American people associated with this energy task force situation. Perhaps my colleague has spoken about this already, but let me address what my understanding of the situation is, and what I know about this comes from the newspapers, so I am going to relay what I have read about this situation.

As we know, the Vice President convened a task force to develop the administration policy, official policy of the executive authority of the United States of America, and he asked people to come in secretly and who came in was secret. When they met was secret. What they talked about was secret. What policies were developed as a result of that input was secret. Who got the tax breaks as a result of those discussions is secret. Who got the public subsidies from American taxpayers was secret. What deals were cut to give American taxpayers' money away to multi-million dollar corporations was

secret. It was secret then, it is secret now, and apparently the executive branch wants to keep that secret to infinity, to eternity.

Now, this has caused extreme angst and concern of my constituents, and I hear about this problem frequently. So what has happened as a result of that abnormal, unusual, unjustified secrecy is some citizens have challenged that, rightfully so, I believe, in court. At least one significant court, a court of appeals, has ruled that this veil of secrecy should be lifted.

Appropriately, that matter is now pending before the U.S. Supreme Court. The executive branch has appealed. They have the right to appeal that, and we respect their right to appeal that so that the Supreme Court can decide the legal issue, and it is important for the Supreme Court to decide this legal issue, and we have no problem with the executive branch making whatever arguments they believe are appropriate to have this matter dealt with.

However, when it is dealt with, it has to be done in a manner that is consistent with American jurisprudence and consistent with Americans' expectation that the carving in the marble over the Supreme Court is going to be more than a carving because the carving says, "Equal Justice Under Law," and Americans expect equal justice under law; and when they expect equal justice under law, they expect that everyone will be treated equally, that there will not be personal relationships that could possibly influence the decision of the highest court, the bastion of liberty, the single most important court in the world that has been the bastion of preserving our personal individual liberties since the beginning of this country.

Now, I am going to display a little bit of pride in the American judicial system for a minute. I am an old lawyer, a small-town practicing lawyer; and I really, truly believe that the American independent judicial system is one of, if not the principal, the reasons we have personal liberties in America today, because the Supreme Court of the United States historically has been a guardian of personal liberty, has protected the first amendment. It has protected our rights of freedom of speech. It has protected our rights of freedom of religion. It has protected our rights that we enjoy in reality, not just in paper, because you know what? The Soviet Union had the same bill of rights we do. They just did not have the courts to enforce them.

We have a judicial system that is independent, and rightfully, from the political winds that blow, as much as we can make it, so that it will make decisions based on freedom rather than politics. So I believe very strongly in how important a clean, even-handed, fair, independent judiciary is to American democracy; and I believe right now that is at risk, that Americans' trust in that system is at risk.

Now, I will not mention one decision that had a little controversy associated

with it at the beginning of this administration. That is history. We do not want to talk about that, but today we have a situation where the Vice President, whose name is attached to this specific litigation, to decide whether or not his secret plan will remain secret, rather his cabal of people he got into the room, who he will not tell us about, will always remain secret and Americans will never know about it. Clearly, he has an interest in the resolution politically and a great sense personally in the resolution of this issue, and I respect the Vice President's right and the executive branch's right to have this matter heard on a fair basis by the U.S. Supreme Court.

But we know that what has happened is in a fairly short time, before this matter will be heard before the U.S. Supreme Court, we are told in press reports that the Vice President of the United States invited one of the nine people, the only nine people in the world that can affect his secret task force or the secrecy of his task force, of only nine people in the world who can help him win his victory to keep this information from the American public, he invited one of them to come down to a duck hunting club in the South, I believe it was Louisiana, invited him, gave him free, I believe, I am told, a flight down on a jet to this duck hunting club where they could hobnob in secrecy for several days, where the American public was not invited into their discussions, where they did whatever people rightfully do in duck blinds across the world, which I respect and admire and am somewhat jealous of, which is great, and we admire collegiality.

We admire people enjoying each other's company, but we cannot allow Americans to doubt the integrity of the United States Supreme Court, and when a Vice President of the United States, whose name is attached to the very litigation that we are associated with, whose political fate is somewhat tied up ultimately in the outcome of this litigation, who has the entire country focusing on the energy policy rightfully of this country, that is going to be decided by his duck hunting buddy, Americans are not wholly confident about that situation.

We have a concept in the law called "an appearance of fairness," and I do not mean any personal disrespect for the particular Justice involved here. I do not mean to demean his stature in any way, but under the circumstances of this case, it is not up to the standards of the American judicial system to have that situation exist while one of the nine people involved, where there is no further appeal, this is not just the district court where you can say well if the one district court makes a mistake later on, some appellate judge is going to clean it up. There is no more cleaning up after the U.S. Supreme Court. This is it.

That is why I believe that it was a mistake of significant order for the

Vice President of the United States to invite someone who will be deciding his case on this vacation shortly before this decision is going to be decided, and I can tell you that this has not helped restore the integrity and maintain the integrity of the U.S. Supreme Court on the high levels of expectations that we should have, and this is not a personal issue. It is a matter of integrity of the American judicial system.

Now, this is all tied up and it kind of flows from the concept of secrecy. I mean, what we found is that in public life openness and sunshine is the antivirus agent and the best antivirus agent for things that are not healthy in American democracy; and what the Vice President has found is his insistence of not allowing public disclosure of this information has resulted in this controversy, which is most unfortunate.

We have legitimate policy disagreements with this administration, about energy policy. We believe that the administration's energy policy is a tremendous energy policy for 2 centuries ago, in that it was very successful in handing out tremendous special interest breaks to large corporations, many in the fossil fuel business, that are not sufficiently visionary to deal with what we need to really break our addiction to Saudi Arabian oil, to stop global warming, and to grow new jobs in this country.

□ 1600

And we have a better policy, we believe.

But before we get to the policy, this administration needs to come clean with the American people about what type of back-door, closed-room dealing went on to create this proposal by them. And this administration should not infect the judicial system. The executive branch here should not infect the judicial system here by carrying this secret policy all the way to the U.S. Supreme Court and thereby reducing not only the respect for the executive branch but for the judicial branch as well.

I think at this point it would be well advised for the Supreme Court to consider this as a court, not as an individual judge or justice to resolve what its policies should be. I have heard the justification by the particular justice involved here. He has suggested that social interaction of one nature or another is to be expected in Washington, D.C. People are going to bump into each other at charity banquets, receptions and galas, and he is entirely correct. Those things will happen and they are expected, and I have never heard that anybody would gripe if this particular justice would have bumped into the Vice President at the former Members of Congress reception I was at the other night. I do not think anybody would have been raising a hue and cry about that issue.

The fact of the matter here is that we are talking about a very visible, important, and national public policy decision by the U.S. Supreme Court, and the gentleman who is the very person whose conduct is in question in this litigation spent several days, with very few other people, in a duck blind in Louisiana before this major national decision will be made by this sitting justice, based on discussions he has had with this Vice President, with no public disclosure whatsoever. And I am here to say that is wrong.

Republicans believe that is wrong, Independents believe that is wrong, Democrats believe that is wrong, and most importantly those who believe in the integrity of the American judicial system believe that is wrong. And I am one of them. I walk by the U.S. Supreme Court every day on my way to work. It is a beautiful white building. And the reason it is beautiful is it has maintained the trust of the American people that they will get a fair deal ultimately in the U.S. Supreme Court. The minute that they cannot believe that we have got big problems in American democracy.

I am encouraging the executive to rethink this entire secrecy policy and the U.S. Supreme Court to consider it as well, and I appreciate the gentleman bringing this to our attention.

Mr. PALLONE. Madam Speaker, I want to thank my colleague for the various points he made, but if I could develop a couple of them because I think some of them were particularly incisive.

First of all, the gentleman started off by talking about the reputation of the Supreme Court being at stake here. I think that is true. I have to say that I came to this issue initially because of my concern over the policy aspects. In other words, we have this energy task force which made recommendations and became the basis for legislation that moved in the Congress. And, frankly, I feel that most of that work should have been done here in the Congress.

In other words, we have committees, we have hearings, we introduce bills, and we move forward with legislation on something as important as this. But as the gentleman and I both know, in this case, almost everything that was in the legislation that was moved here by the Republican majority came out of this task force. So unlike the normal circumstance where somebody introduces a bill, we have a committee hearing, we have witnesses, we develop the legislation, it comes to the floor, and there is all this public input, which there was public input, that did happen in this case, but the seeds of this were developed in this secret task force.

We do not come to the floor and complain about these problems with the abuse of power by the Republicans just because we are Democrats. We worry about the impact on public policy and whether or not it is good public policy in terms of our energy independence,

for example, because of maybe who was involved in putting this legislation together.

So I did not come to this, is what I am trying to say, by reference to the Supreme Court and the reputation of the Supreme Court, but I think the gentleman justly brings up the fact that that is a very important part of this; the trust and the ability of us to believe that the Supreme Court is going to make a very fair decision. That is probably just as important here as what the energy policy is that came out of this task force.

When the gentleman mentioned that, I was looking at this New York Times editorial from last Saturday, which I had quoted earlier before the gentleman came down to speak, and I am not going to read the whole thing, but it is right on point in the last two paragraphs as to what the gentleman said. The New York Times editorial from February 28, last Saturday, reads: "The law says a Federal judge must recuse himself from proceedings where his impartiality might be questioned. What matters, the Supreme Court has held, is not the reality of bias but its appearance. By vacationing in a small group with Mr. CHENEY and taking things of value, Justice Scalia indicated an appearance of bias in Mr. CHENEY's favor. It raises an appearance of partiality and should have been avoided."

Then they go on to say, "the recusal rules protect not only litigants but also the court itself. Justice Scalia's actions have again made the court fodder for late night comedy, as it was after the 2000 election. If Justice Scalia stays on the case and votes in Mr. CHENEY's favor the Court will no doubt face more criticism. Justice Scalia should recuse himself either of his own volition or with the encouragement of his colleagues."

Of course, they are referencing back to the Presidential election and the Court's decision in the Presidential election. But the point is it is the Supreme Court itself whose reputation is at stake, as the gentleman pointed out. And they have had problems in the last few years, so they do not need another problem. Also, it is not really the issue of whether or not they actually discussed this litigation, because we do not know that, but the appearance of it, which is really what this is all about.

Madam Speaker, I yield to the gentleman once again.

Mr. INSLEE. And let me say why I think this is so important. This is not important to Democrats, this is important to all Americans, Republicans, Independents, Green Party, you name it. Again, the reason is this is the people's House, the House of Representatives. We like to believe we do a good, and we do a good job some of the time at least, when we win our battles anyway, but we have to understand that the way people set up this country is that they had a peculiar genius and they understood to protect individual

liberty they were going to need a separate entity that could stand alone and could even stand against sometimes very passionate emotional issues for individual liberty. That in our system of justice has been, I believe, a major tenet of the success of American democracy.

Brown vs. Board of Education came from the Supreme Court. It did not come from the House of Representatives. The protection of people's civil liberties and their religious expression came from the Supreme Court. The Supreme Court has enforced the Bill of Rights in a lot of ways. And unless the Supreme Court remains inviolate and enjoys the popular support of the American people to understand they are going to get a fair shake, then those individual liberties are in danger.

So I think this is much bigger than the energy task force. Although this is important, the issue of secrecy, but what is more important is the basic trust of the American people in that white marble building there that I believe is at risk in this very, very high profile decision. That is why I believe the Supreme Court should make a decision as a group on this, not as individual justices, because they as a group have a stake in this particular controversy.

Again, I do not blame the Supreme Court. I think this was a mistake by the Vice President to initiate this controversy both in the secrecy aspect of it and the effort to have these out of court contacts with the person who will be deciding the case. So we hope that those things are remedied.

Mr. PALLONE. Madam Speaker, I know my colleague mentioned the fact that the Supreme Court should act on this collectively. My understanding is that on Tuesday of this week, March 2, the Supreme Court issued its first collective statement related to the controversy surrounding Justice Scalia, and basically said they would let Justice Scalia decide by himself whether he should sit in on this case in which the Vice President is the named plaintiff.

Again, I think that is unfortunate, because I do think that since Justice Scalia has been so reluctant to recuse himself, the likelihood that he would do it on his own is probably less than if the Court as a whole made that decision. But, nonetheless, we can still hope that if we continue to talk about this and bring it up that maybe he will recuse himself.

I have some statistics about the current justices recusing themselves from cases, and the fact is many have recused themselves in many cases. Chief Justice Rehnquist, for example, has recused himself 299 times since he joined the Court and Justice Clarence Thomas has recused himself 199 times. So it is not unusual for that to happen. I still, for the life of me, do not understand why in this situation, which is so high profile, that Justice Scalia does not simply say, look, I will stay out of

this one. I will recuse myself and I will not allow myself to participate.

It seems like it is a very simple thing that could be done, and I do think it is important for us to continue to bring it up. Because the bottom line, Madam Speaker, is that this energy task force has played a very important part in energy legislation that was developed here. And the whole concept of the appearance of impropriety on behalf of both the Vice President and the Supreme Court is at stake.

So we are bringing this up tonight, myself and the gentleman from Washington, but we are going to have to come back here again and bring it up because this case will be heard in April and there is still the opportunity for Justice Scalia to heed the advice of the litigants, the Sierra Club and the other public advocates who have asked he recuse himself in this case.

MESSAGE FROM THE PRESIDENT

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

SOCIAL SECURITY

The SPEAKER pro tempore (Mrs. BLACKBURN). Under the Speaker's announced policy of January 7, 2003, the gentleman from Michigan (Mr. SMITH) is recognized for 60 minutes.

Mr. SMITH of Michigan. Madam Speaker, I am going to give a short tutorial on Social Security tonight, and this is going to be somewhat bipartisan because I am going to criticize both parties a little bit for not acting on one of the most serious problems I think is facing our country, and that is unfunded liabilities. In other words, the kind of promises that Congress has made to make themselves more popular back home and yet not having any way to pay for it.

The estimated unfunded liabilities in today's dollars of the promises that we have made that we do not know where the money is coming from is estimated now at \$53 trillion. In other words, we would have to come up with \$53 trillion and put it in a savings account that is going to return at least inflation and the time value of money in order to pay for these kind of future benefits. Even at this time, when Republicans are talking about the diligence that we must have in reducing spending, and my guess is we are going to reduce spending even less than what the President has suggested, there still is the problem of dealing with Social Security.

I asked the pages a little earlier to listen up to my comments tonight on Social Security because our pages, who are 16- and 17-year-olds and in high school, are the generation at risk that are going to have to put up with our nonaction to solve this serious problem. And as long as the pages are listening, let me just say it is a tremen-

dous service that they provide to America, giving up their time, getting up at 5:30 in the morning, eating quickly and doing all the work we put before them.

Okay, here goes the roughly 30, 35-minute tutorial on Social Security. First, I am going to start out with how we divide up government spending. If you look at this pie chart, we see that the expense for Social Security is the largest piece of this pie.

□ 1615

Let me remind everyone that Social Security is a pay-as-you-go program where the taxes, FICA taxes that come out of your paycheck immediately, once it gets to the Department of Treasury, is either sent out in benefits to current retirees, or where there is a surplus it is spent for other government programs. Social Security even exceeds the 20 percent increase in cost of defense. Interest is 14 percent, but to continue to borrow this money and pretend that our problems today are so serious that it justifies taking money away from our kids and grandkids that cannot defend themselves I think is unconscionable.

Here is briefly how Social Security works. Benefits are highly progressive and based on earnings. Some people have said if the economy improves it will satisfy the problems that we are facing with Social Security. That is not true because as the economy improves and wages go up, that means future benefits, because they are directly related to the wages that you are making, future benefits are also going to go up. It might solve the problem in the short run, but in the long run it does not solve the problem.

The second is at retirement all of a worker's wages up to the tax ceiling are indexed to present value using wage inflation. In other words, if you made \$20,000 a year 15 to 18 years ago, the wage inflation would credit you on the way your benefits are calculated up to what that \$20,000 is worth today. In other words, it would be written down someplace around \$40,000. The third blip, the best 35 years of earnings are averaged. So if you only work 20 years, 15 years go as a zero for your average earnings in terms of defining your benefits.

The annual benefit for those retiring in 2004 equals, and this is how it is progressive, it equals 90 percent of the earnings up to 7 percent. These are the benefits you are going to get or are getting. It equals 90 percent up to the first \$73,440; 32 percent of the earnings between that figure \$73,440 and \$44,000; and 15 percent of the earnings above the \$44,286. In other words, if you are a very low-income person, you can receive back on our average Social Security check 90 percent of what you averaged during the 35 years. If you are a very high income recipient, you are going to get 15 percent of the earnings up to the maximum of what is now \$89,000. We have capped your earnings

in terms of defining Social Security benefits up to \$89,000, and that is geared to inflation in future earnings.

Early retirees receive adjusted benefits. If you retire at 62, they figure out how long you are going to live and reduce your benefits accordingly. However, if you decide to put off retirement, maybe until you are 70, then your retirement benefits are indexed to a higher calculation in your monthly payment. So if you are in good health, keep exercising and eat right, sometimes it is going to be to your advantage to put off receiving those Social Security benefits for a few years.

What a lot of people come to me and ask, what about all this cheating on SSI? These people are getting my Social Security benefits. That is not true. SSI comes out of the general fund. It does not come out of Social Security.

Well, Social Security started in 1934 with President Franklin Roosevelt. When President Roosevelt created the Social Security program over 6 decades ago, he wanted it to feature a private sector component to build retirement income. Social Security was supposed to be one leg of a three-legged stool to support retirees. It was supposed to go hand-in-hand with personal savings accounts.

Researching the archives, and if you have never looked at the archives and the history of this country, it is very interesting. Looking at the archives when Social Security was passed, the Senate actually said there should be personal retirement savings accounts owned by the individual worker. The House said no, let us have government take all of the money and the government can invest it. That way we can be sure no snake oil salesman comes in and tries to convince individuals to invest their money some place where it might be risky.

In conference committee the House won out, the government won, and from then on every time Social Security gets into a little trouble in terms of income, enough income coming in to pay benefits, it does one of three things: It increases taxes; it reduces benefits; or a combination of those two. Most often it is a combination of the two.

Social Security is, what I wrote on this chart, is a system stretched to its limit. There are 78 million baby boomers that begin retiring in 4 years in 2008. This is part of the problem. With a pay-as-you-go program with more and more retirees and a lower birth rate, you end up with fewer and fewer workers paying for the benefits of that increasing number of retirees. Social Security spending exceeds tax revenue in 2017. That is the current estimate. Later this month the Social Security Administration is going to come out with their new projections of how big a problem we have for Social Security.

Chairman Greenspan at a House Budget Committee hearing said a couple weeks ago that Congress has got to

do something about Social Security. It is going broke. He suggested that we have a few changes in Social Security that slows down the increase in benefits over and above inflation. We had both Republicans and Democrats saying well, boy, we do not want to touch Social Security. As most people know, Social Security is easy to demagogue. We have so many people that are so dependent on Social Security, when somebody says this other guy running for Congress, he wants to ruin your Social Security, and if you do not understand how Social Security works, if you do not understand how great the predicament is going to be and how underfunded Social Security is going to be in the future if we do not make some changes, it is easy to say I better vote for the person that says my Social Security is never going to be touched.

There are only three ways to fix Social Security: You either reduce benefits; you increase taxes; or you make a change in the program to get a better return on the money that is being sent in by American workers. What I am suggesting and I put into my bill 10 years ago, and I was the first to say that we should consider private savings accounts in order to get a better return than the 1.7 percent that the average retiree gets from the money that is paid in, that they pay into Social Security.

The third bullet on this chart, Social Security trust funds go broke in 2037. But in 2017 or 2018 is when there is not enough money coming in from taxes to pay benefits, and so then you have to increase taxes on somebody else. What Congress has done in the past, they say let us just reduce benefits a little bit.

When I introduced my first bill over 10 years, and I have introduced a bill scored by the administration every session of Congress that I have been here since 1992, it was easy to fix the program because there were a lot of surpluses coming in. The point I am trying to make is that those surpluses are going to go away every year.

Back to the pie chart, guess how much we take in from Social Security now? We take in from Social Security taxes \$540 billion a year, and what we pay out is \$450 billion a year. So right now because of the huge tax increase on Social Security that we imposed with a Greenspan commission in 1983, for a short time period at least we are bringing in more revenues than we need. And part of the problem is that this Congress, both sides of the aisle, have said here is some free money so we are going to spend that Social Security extra money and then we are going to write out an IOU to the Social Security Trust Fund.

Very briefly, solvency is certain. We know how many people there are, and we know when they are going to retire. We know people will live longer in retirement, we know how much they will pay in and how much they will take out, and we know that payroll taxes will not cover the benefits starting in

2017. What do we do? And the shortfalls are going to add up to \$120 trillion between 2017 and 2075. That is in future dollars. So if you count how many dollars every year between 2017 and 2075, \$120 trillion, compare that to our \$2 trillion, a little over, we are running maybe \$2.4 trillion this year, that is our annual budget, a little over \$2 trillion, \$120 trillion we have to come up with in future dollars. If we had \$12 trillion in today's dollars and put it into that savings account, we could accommodate benefits; but that is \$12 trillion. Where is it going to come from?

This chart represents the demographic problems. The pay-as-you-go retirement system is not going to meet the challenges of a reduced birth rate and an increased longevity for people to live. Back in 1940 there were 37 workers paying in their Social Security tax for every one retiree. By the year 2000, it got down to three workers paying in their Social Security tax for every retiree. Of course we are estimating in 2025 it is going to be down to two.

In addition to those demographic considerations, what we are also facing is the fact that we have increased benefits along the way. And so the fewer workers you have to pay that increased benefit, the greater the burden is on those individuals. But more than that, what is it going to do to our economy? Do you know what is happening in France? France has a payroll tax to accommodate their senior population of over 50 percent. No wonder France has such a high unemployment rate. No wonder France is having a difficult time competing with world trade in their production, because a business only has two chances when they have that kind of increased tax: You either have to pay the employees less or you have to charge more for your product. And if charging more for your product makes you less competitive, then your economy is weakened.

Guess what the payroll tax in Germany is? Now the payroll tax in Germany is 42 percent. Ours is 15.2 percent, but if we do not do something and we say look, we will deal with this problem later, then the consequences are increasing taxes on American workers. That is a problem for those individual workers, and it is a problem for our economy if we start having to charge business the extra tax to pay those kinds of benefits.

That means that the United States Government, Federal Government, has to start considering doing something that almost every State in the Nation has done now, and that is instead of having a fixed-benefit program, you have a fixed-contribution program, and it is going to take 20–30 years to make the transition to that kind of a program. But look, the longer we put it off, the more drastic the solution is going to be.

I know I get a little emotional about this issue. Many of us have shouted and

pulled our hair and got on our soapbox saying these are real problems, the unfunded liability of our promises. And of course it has been the tendency that politicians that take home pork projects, that start new programs, that make promises, and the needs out there are unlimited, but those kinds of extra promises that are put into law tend to increase the chance that that individual politician is going to be elected to office.

□ 1630

They get on the front page of the newspapers, their picture is on television cutting the ribbon, and they end up increasing the likelihood that they will be reelected. Part of that is because now over 50 percent of the adult population gets much more from government services than they pay in in taxes. With 50 percent of the people now paying about 1 percent of the total income tax in this country, it is easy to understand why some say, look, I've got problems, give me a little more government, give me a Representative that's willing to spend a little more money. But for the sake of our kids and our grandkids, we have got to face up, I think, to the real problems that we have today in the unfunded liabilities and the overspending.

This is simply a chart that says, starting in 2017, we go from the surpluses of the high taxes that we passed back in 1983 and we go into a future of huge deficit spending.

What I think it is good to remind people about is there is no Social Security account. That is the same as saying it is a pay-as-you-go program. The Supreme Court on two decisions now has said just because you pay Social Security taxes all your life there is no obligation on the part of the Federal Government to pay Social Security benefits. That is what the Supreme Court has said. They said Social Security taxes are a law that has been passed by Congress and signed by the President for increased taxes and that benefits are simply a benefit provision passed by Congress and they are not connected as far as an entitlement.

These so-called trust fund balances in Social Security are available to finance future benefit payments and other trust fund expenditures, but only in a bookkeeping sense. This was the Office of Management and Budget that said this, just to hopefully emphasize the fact that there is no entitlement program. I am introducing legislation to say that in future budgets of both the OMB, that is the President's budget people and CBO, the Congressional Budget Office, which is the congressional budget office, they have got to include projections on unfunded liabilities; and I think maybe it will help us better realize the predicament that we are facing. Generally, it is a little easier to put off the solutions until the disaster is right there upon you. It is easier in terms of politics. It is not easier in terms of finding a good solution to keep Social Security solvent.

As I go around, since it was used against me in my first three reelections that Nick Smith is trying to ruin Social Security, I have probably given maybe between 250 and 300 speeches in my district to my constituents presenting the problem of the dilemma of Social Security. My district is starting to understand better that something needs to be done. Luckily, I have been reelected in spite of the demagoguery. But what a lot of the people say, if government would just keep their cotton-picking hands off of the extra Social Security money coming into the trust fund, it would be okay. This chart represents that it would not be okay. What government has borrowed and spent because of the annual surpluses is now in IOUs down in Virginia and it amounts to \$1.4 trillion. The unfunded liability is \$12.2 trillion in today's dollars, \$120 trillion if you include the future dollar cost of what is going to be unfunded if we stay with the current tax structure.

I think I mentioned a little bit, so just briefly, economic growth will not fix Social Security. Social Security benefits are indexed to wage growth. When the economy grows, workers pay more in taxes but also will earn more in benefits when they retire. And so growth makes the numbers better now, but worse in the future.

The biggest risk is doing nothing at all. Social Security has a total unfunded liability, this is an old figure, of \$9 trillion. It is closer to \$12 trillion. The Social Security trust fund contains nothing but IOUs. To keep paying promised Social Security benefits, the payroll tax will have to be increased by nearly 50 percent, or benefits will have to be cut by 30 percent. Let us make sure we do not make that happen.

This is a chart that shows what the average retiree gets on the money they send in for Social Security taxes from their paycheck. The real return on Social Security is less than 2 percent for most workers and shows a negative return for some, compared to over 7 percent for the market. If you happen to be a minority whose life span is less, you actually are a loser and you do not get the money that you send in in Social Security taxes. If you are an average, you end up at about 1.7 percent return on your Social Security benefits. I just put this number down in terms of what has happened to the 5,000 stocks in the Wilshire 5,000, the index fund. This is what it has earned after inflation over the decade ending January 31, 2004. So it includes the down years, the low-income years. That is 11.86 percent. If we had government invest it and say, look, you cannot spend it anyplace else, but you have got to invest it, if we were to have individuals own it and say, look, government is going to say that you cannot take it out until you retire, government is going to limit the investment funds that you are allowed to invest in, in safe investments, the possibilities are that you could double, triple, quadruple and even more what

you are getting now in terms of returns on the money you pay in for Social Security.

This is another way of saying it in my little bar chart, that if you retired in 1940 when there were so many workers and the program was just starting, it took 2 months to get back everything you and your employer had paid in. If you retire in 2005, it is going to take you 23 years after retirement to break even. And as you see, in 2015 it goes up to 26 years that you are going to have to live after you retire to break even on the money that was sent in for Social Security.

This chart shows what Congress and the President have done in the past to solve the Social Security problem, as there are more retirees and fewer workers. We have increased taxes, this chart does not show how we have reduced benefits, but what we did in 1983 is we increased the age that you receive the maximum benefits. So we are now indexing that age upward from 65, but it only goes up to 67 and then levels off again. Probably what we should do is somehow instead of indexing it to inflation, maybe index that retirement age for maximum benefits to the mortality tables.

I chaired the bipartisan task force on Social Security, Democrats and Republicans. After we spent about a year, both Republicans and Democrats on that task force agreed that something has to be done and the sooner the better. We had testimony from futurists, medical futurists that suggested that within 20 years, anybody that wanted to live to be 100 years old would have that opportunity. Within 30 to 35 years, probably, with our medical technology, anybody that had the desire and the money could live to be 120 years old. So medical technology is making the life span greater. Just let me give Members a short comparison. When we started Social Security back in 1935, the average age of death was 62. That meant most people paid into Social Security most of their lives but died before they were eligible for those retirement benefits. Now the average age of death for a male is 78 and the average age of death for a female in America is about 81½, almost 82 years old.

Very briefly, what we have done on tax increases, in 1940 our rate was 2 percent of the first \$3,000. In 1960 we raised it threefold, 6 percent of the first \$4,800. In 1980 we raised it to 10.16 percent of the first \$25,900. In 2000 we raised it to 12.4 percent of the first \$76,200. Now in 2004, because it is indexed for inflation, it is 12.4 percent of the first \$87,900. The danger again is increasing taxes or reducing benefits.

Let us deal with some structural changes to Social Security, and I am just going to get into what I think is reasonable as far as some suggestions. I think it is important that we have raised Social Security taxes so much that now 78 percent of working families in the United States pay more in the Social Security tax than they do the income tax.

There are six principles of Social Security that I think are important: protect current and near-term retirees, allow freedom of choice, preserve the safety net, make Americans better off. On the principle of preserving the safety net, nobody's proposal for Social Security makes any change to the insurance part of that program, the disability part. If you get hurt on the job, you are going to be covered under Social Security for some payments. Nobody is suggesting any change in the government running that disability insurance part of the program. Make Americans better off and not worse off, and hopefully the economy in America better off; create a fully funded system; and no tax increases. Those are what I think should be our six guiding principles.

The U.S. trails other countries saving its retirement system. In the 18 years since Chile offered personal retirement accounts, 95 percent of the Chilean workers have created accounts and their average rate of return has been 11.3 percent. Of course, there is Australia, Britain, Switzerland, other countries. Even England allows 50 percent of their FICA tax, so-called, to go into personal retirement accounts.

Here are some of the highlights of my proposal. People choosing to participate in the voluntary account program would continue to receive benefits directly from the government. In other words, they have the option of going into a personal retirement savings account as part of the money that they pay in in Social Security taxes, or they can stay in the current system. Those benefits would be offset based on the amount of money deposited into their accounts, not on the amount of money earned in their accounts. In other words, if you earn more money, then you are better off than if you would be sticking with Social Security. If you can find a rate of return that is better than Social Security, you end up with higher retirement incomes.

In our Social Security legislation that we passed back in 1934, we said that municipalities did not have to go into this program; they could devise their own program as long as they had required saving investments. That is what a lot of counties in the United States have done. Some Texas counties are now paying \$40,000 a year in retirement benefits compared to a much lower rate in Social Security. Those benefits would be offset based on the amount of money in accounts. This means that workers could expect to earn more for their account than the offset. What we do in our legislation, because it is so absolute, because we can have some companies that will guarantee a better return than Social Security, we have guaranteed in my bill that your retirement income will be at least as high if you stayed in the Social Security system. We start out, into Social Security you pay 6.2 percent, your employer pays 6.2 percent. In reality it all comes out of the worker's pocket. But we are saying that out

of that 12.4 percent, we are going to start letting you set aside 2.5 percent of your earnings in your own personal retirement savings account.

□ 1645

And there are several provisions where we divide it.

All worker accounts would be owned by the worker and invested through pools supervised by the government. Regulations would be instituted to prevent people from taking undue risks. I know this is all coming hard and strong, but if I give this special order maybe 100 times, people can tune in to pick up some of the leftover pieces.

Until an account balance reaches \$2,500 in their personal retirement account, we restrict what they can invest in. It would be limited to choosing one of three funds: an 80 percent bond, a 20 percent index stock or a 60/40 fund or a 40/60 fund. So what we are saying is until one reaches that minimum, that they are going to be limited on the kind of investments they can make. But we also say when one can buy an annuity account that will give them as much money as Social Security would in their retirement, then they can do anything they want to with their money. After the balance reaches \$2,500, workers would have access to additional safe funds.

The bill would increase contribution limits for IRAs, 401(k)s, and pension plans because we need to increase our savings in this country. The United States has one of the lowest savings rates in the world right now. That means it is tougher for our business and industry to come up with the funds that they use for research and growth and eventually jobs. It would create a 33 percent tax credit for the purchase of long-term care insurance up to \$1,000, \$2,000 for a couple. The long-term care insurance is one of the highest costs for Medicaid, a little bit different but still dealing with the huge problem of unfunded liabilities that we are facing with the Medicaid program. The Medicare program is the health care program for seniors. The Medicaid program is the health care program for low income.

It would create a tax credit to make it easier for low-income seniors to live at home or with a family rather than going to retirement care. Low-income seniors would be eligible for \$1,000 for expense related to living in their own home, and households caring for dependent parents would also be eligible for a \$1,000 credit for expenses.

Here is an issue that has bothered me in Social Security, and I call it "fairness to women." Sometimes it would be the man that is the spouse, but in my proposal I say for married couples, account contributions would be pooled and then divided equally between husband and wife. In other words, if one spouse was making twice as much as the other spouse, they pool what they are making together in terms of what can go into their personally owned pri-

vate investment account and divide it in two so each husband and wife would have the identical amount of money in their savings account. Certainly, it is going to simplify divorce settlements. It would increase surviving spouse benefits for up to 110 percent of the higher earning spouse's benefit. And stay-at-home mothers with kids under 5 would receive retirement credit. My wife has got me convinced, my daughters have me convinced that stay-at-home moms really work hard, and we should not discourage it. We should encourage it. So I am suggesting in my bill for a mom staying home with those young kids, they can get extra credit in terms of assigning an average earning for those later years of what they might have made if they had been in the working environment. So it averages their highest income for those years they stay at home with those young kids up to 5 years.

Briefly, and let me wind this up pretty quickly, the Social Security Solvency Retirement Security Act has been scored by the Social Security actuaries to restore long-term solvency to Social Security. There would be no increases in the retirement age, changes in benefits for seniors or near seniors or changes in the Social Security COLA. The COLA is the cost of living index that is calculated every year to increase Social Security benefits. Solvency would be achieved by recouping a portion of the higher returns from workers' accounts and slowing the increase in benefits for the highest-earning retirees. Remember that chart back a while ago, if people have been watching this whole show, where the progressivity of the Social Security system ends up with receiving 5 percent if one is of very high income? I add one more bend point, is what I call it, what economists call it, and say if one is of very high income, it is going down to be 5 percent of that very high-income earning. What this does in effect is it slows down the increase in benefits, slows down the increase in benefits for very high-income retirees. That is where we make up some of the money.

The bill would also call for a loan of \$900 billion from the general fund to Social Security to help ease the transition. The loan would be repaid when the program regains solvency. My early bills that I introduced in 1993, 1995, 1997 in other sessions did not require that loan to help make the transition, and the transition is a problem because if we are going to have personal retirement savings accounts, somehow we have got to come up with that extra money because of the consideration that it is a pay-as-you-go. As soon as the money comes in, we are paying it out. And in 2017, the current estimate, that we are not going to have enough money to pay benefits. So starting in 2017, we need more money to continue those personal savings accounts.

I think I am down to my last chart, Madam Speaker. The trust fund con-

tinues; so I do not deplete the trust fund. I leave at least half of the trust fund in place in case of contingencies, emergencies, or anything else. The Retirement Security Act would allow workers to create, on a voluntary basis, accounts funded from their payroll taxes. The accounts would start at 2.5 percent of income and would reach 8 percent of income by 2075, a very gradual process, but, again, the longer we put it out, the more drastic the solution it is going to be. So we need to do it quickly. We need to quit demagoging. If one is a Republican, do not demagogue the Democrats' suggestions. If one is a Democrat, do not demagogue the Republicans' suggestions on how to fix Social Security. If one is a voter in the United States, then I think they should be asking everybody running for office what is their solution to make sure that Social Security stays solvent? Are they going to simply borrow more money and let our grandkids pay for it? Are they going to increase taxes? Are they going to reduce benefits? What is their proposal? And do not let them give some fast talk and say, "Boy, I am not going to let anybody touch your Social Security benefits." That is what has been done too long. Pin them down. What bills have they introduced? What bills are they signing on to and cosponsoring to make sure we save Social Security?

The Retirement Social Security Act accounts start at 2.5 percent. They go up. Workers would own the money in their accounts. And that means right now if one dies at an early age, they might get burial expense but the money is not theirs; so that is how the Social Security system has gained some money with people that die before they are eligible for retirement benefits. In their personal retirement account the money is theirs. It goes to their heirs if they die before they reach age 65.

Investments would be limited, widely diversified, and investment providers would be subject to government oversight. The government would supplement the accounts of low-income workers making less than \$35,000 a year to ensure that they build up significant savings. Actually, I sort of stole this idea from President Clinton. That was one of his proposals that was just part of a proposal that we have an American savings account. But let us make sure, to the best we can, that every worker ends up better in their retirement, that the system helps the economy by having the kind of savings account that, rather than being spent by government for more government programs, ends up being invested in equities, in bonds, in stocks, in the kinds of investments and savings that are going to help our country.

In conclusion let me just say that I was in Libya yesterday meeting with Colonel Khadafi. We have a system and a Constitution in the United States that provided that those people that work hard and save, that study and

learn and use it, end up better off than those who do not, the kind of motivation that has helped us have the strongest economy in the world. It was interesting that Khadafi told us that what he thinks is they need less government in Libya, that if they work 4 hours, they get paid for 4 hours; if they work 8 hours, they should get paid for 8 hours, and if they do not like what their employer is doing, changes jobs, and they do not want somebody speaking for them. In fact, also, and I made a decision early on not to take special interest PAC money for my campaigns, he said we do not want political parties in Libya because with political parties they are both going to be trying to get a majority. To get a majority, they spend money. And the first thing one knows, countries like Egypt would be coming in, financing one political party. Somebody else might be coming in with a different interest, financing another political party. And they would be tending to push laws that were good for their interests and not good for the country of Libya. That is a very interesting change of mood for an individual that has supported terrorist regimes in the past in how he thinks the future of Libya should be restructured.

ANNOUNCEMENT REGARDING
AMENDMENT PROCESS FOR CON-
SIDERATION OF H.R. 339,
PERSONAL RESPONSIBILITY IN
FOOD CONSUMPTION ACT

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

Mr. GOSS (during Special Order of Mr. SMITH of Michigan). Madam Speaker, the Committee on Rules may meet the week of March 8 to grant a rule for the consideration of H.R. 339, the Personal Responsibility in Food Consumption Act, which may require that amendments be printed in the CONGRESSIONAL RECORD prior to their consideration on the floor.

The Committee on the Judiciary ordered the bill reported on January 28, 2004, and is expected to file its report with the House by Friday, March 5, 2004. Members should draft their amendments to the bill as reported by the Committee on the Judiciary, which will be available tomorrow for their review on the Web sites of both the Committee on Rules and the Committee on the Judiciary.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

PROTOCOL AMENDING AGREE-
MENT FOR COOPERATION
BETWEEN UNITED STATES AND
REPUBLIC OF INDONESIA CON-
CERNING PEACEFUL USES OF
NUCLEAR ENERGY—MESSAGE
FROM THE PRESIDENT OF THE
UNITED STATES (H. DOC. NO. 108-
169)

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

To the Congress of the United States:

I am pleased to transmit to the Congress, consistent with sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Protocol Amending the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Indonesia Concerning Peaceful Uses of Nuclear Energy, signed at Washington on June 30, 1980. I also transmit my written approval, authorization, and determination concerning the Protocol, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Protocol. (Consistent with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified Annex to the NPAS, prepared by the Secretary of State in consultation with the Director of Central Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) the joint memorandum submitted to me by the Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed.

I am advised that the proposed Protocol has been negotiated consistent with the Act and other applicable law and that it meets all statutory requirements. This Protocol will advance the nonproliferation and other foreign policy interests of the United States.

The Protocol amends the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Indonesia Concerning Peaceful Uses of Nuclear Energy in two respects:

1. It extends the Agreement, which expired by its terms on December 30, 2001, until December 30, 2031, with effect from the former date; and

2. It updates certain provisions of the Agreement relating to the physical protection of nuclear material subject to the Agreement.

As amended by the proposed Protocol, the Agreement will continue to meet all requirements of U.S. law.

Indonesia is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement to its

nuclear program. It was also among the early sponsors of, and is a current party to the Southeast Asia Nuclear Weapons Free Zone. The United States and Indonesia have had a long and positive history of cooperation in the peaceful uses of nuclear energy, with our earliest agreement for this purpose dating back to 1960.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Protocol and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Protocol and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. My Administration is prepared to begin immediately the consultations with the Senate Foreign Relations Committee and House International Relations Committee consistent with section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

GEORGE W. BUSH,
THE WHITE HOUSE, March 4, 2004.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ISAKSON (at the request of Mr. DELAY) for today on account of attending his daughter's wedding.

Mr. KING of New York (at the request of Mr. DELAY) for today on account of medical reasons.

Mr. WOLF (at the request of Mr. DELAY) for today on account of attending the funeral of the president of Macedonia.

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

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

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

Mr. FILNER, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. TOWNS, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

(The following Members (at the request of Mr. LEWIS of Kentucky) to revise and extend their remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, today.

Mr. GILCHREST, for 5 minutes, March 10.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2057. An act to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel; to the Committee on Armed Services.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2136. An act to extend the final report date and termination date of the National Commission on Terrorist Attacks Upon the United States, to provide additional funding for the Commission, and for other purposes.

ADJOURNMENT

Mr. SMITH of Michigan. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until Monday, March 8, 2004, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

6999. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Cold Treatment of Fruits [Docket No. 02-071-2] received February 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7000. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Irradiation of Sweetpotatoes From Hawaii [Docket No. 03-062-2] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7001. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Gellan Gum; Exemption from the Requirement of a Tolerance [OPP-2004-0003; FRL-7344-1] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7002. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pyriproxyfen; Pesticide Tolerance for Emergency Exemption [OPP-2004-0028; FRL-7345-3] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7003. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule

— Yeast Extract Hydrolysate from *Saccharomyces cerevisiae*; Exemption from the Requirement of a Tolerance [OPP-2003-0403; FRL-7343-9] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7004. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Magnet Schools Assistance Program (RIN: 1885-AA01) received February 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7005. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices: Classification of the Dental Sonography Device and Jaw Tracking Device [Docket No. 2002N-0305] received December 18, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7006. A letter from the Attorney Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Occupant crash protection [Docket No. 03-16476; Notice 2] (RIN: 2127-AJ30) received February 4, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7007. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of Arizona; Tuscan Area; Technical Correction [AZ 114-CORR; FRL-7632-1] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7008. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arizona — Maricopa County Ozone; PM-10 and CO Nonattainment Areas; Approval of Revisions to Maricopa County Area Cleaner Burning Gasoline Program [AZ-082-0072; FRL-7626-1] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7009. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Commonwealth of Pennsylvania; Control of Emissions from Existing Small Municipal Waste Combustion Units [PA190-7008a; FRL-7631-7] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7010. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Louisiana; Plan for Controlling Emissions From Existing Commercial and Industrial Solid Waste Incinerators [FRL-7624-6-LA-66-1-7598a] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7011. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Delaware: Final Authorization of State Hazardous Waste Management Program Revisions [FRL-7631-4] received February 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7012. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines [OAR-

2002-0059; FRL-7630-8] (RIN: 2060-AG-63) received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7013. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants; Surface Coating of Automobiles and Light-Duty Trucks [OAR-2002-0093; FRL-7630-9] (RIN: 2060-AG99) received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7014. A letter from the Deputy Chief, WCB/TAPD, Federal Communications Commission, transmitting the Commission's final rule — Rural Health Care Support Mechanism [WC Docket No. 02-60] received February 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7015. A letter from the Senior Legal Advisor to Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.606(b), Table of Allotments, Television Broadcast Stations (Tupelo, Mississippi) [MB Docket No. 03-221; RM-10796] received February 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7016. A letter from the Senior Legal Advisor to Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Fargo, North Dakota) [MB Docket No. 03-234; RM-10699] received February 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7017. A letter from the Senior Legal Advisor, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2 and 25 to Implement the Global Mobile Personal Communications by Satellite (GMPCS) Memorandum of Understanding and Arrangements [IB Docket No. 99-67]; Petition of the National Telecommunications and Information Administration to Amend Part 25 of the Commission's Rules to Establish Emission Limits for Mobile and Portable Earth Stations Operating in the 1610-1660.5 MHz Band [RM No. 9165] received February 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7018. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Passport Procedures—Amendment to Passport Regulations (RIN: 1400-ZA05) received February 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

7019. A letter from the Counsel for Rule-making and Regulations, Department of Homeland Security, transmitting the Department's final rule — Department of Homeland Security Human Resources Management System (RIN: 3206-AK31/1601-AA19) received February 19, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

7020. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Extension of Administrative Fines Program [Notice 2004-5] received February 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

7021. A letter from the Assistant Secretary of the Interior, Department of the Interior, transmitting the Department's final rule — Permits for Recreation on Public Lands [WO-250-1220-PA-24 1A] (RIN: 1004-AD45) received February 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7022. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 031126297-3297-01; I.D. 013004B] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7023. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands [Docket No. 031126295-3295-01; I.D. 012904C] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7024. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Vessels Catching Pacific cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska [Docket No. 031126297-01; I.D. 013004A] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7025. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase [Docket No. 001005281-036902; I.D. 012904D] received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7026. A letter from the Director, Faith Based and Community Initiatives Task Force, OAG, Department of Justice, transmitting the Department's final rule — Participating in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of All Justice Department Program Participants [Docket No. OAG 106; AG Order No. 2703-2004] (RIN: 1105-AA83) received February 10, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7027. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Chemical Testing [USCG-2003-16414] (RIN: 1625-AA80) received February 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7028. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; San Francisco Bay, California [COTP San Francisco Bay 03-002] (RIN: 1625-AA00) received February 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7029. A letter from the Attorney Advisor, FHA, Department of Transportation, transmitting the Department's final rule — Federal Lands Highway Program; Management Systems Pertaining to the Fish and Wildlife Service and the Refuge Roads Program [FHWA Docket No. FHWA-99-4970] (FHWA RIN: 2125-AE54) received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7030. A letter from the Attorney Advisor, FHA, Department of Transportation, transmitting the Department's final rule — Fed-

eral Lands Highway Program; Management Systems Pertaining to the Forest Service and the Forest Highway Program [FHWA Docket No. FHWA-99-4969] (FHWA RIN: 2125-AE55) received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7031. A letter from the Paralegal Specialist, Faa, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727, 727-100C, 727-200F, and 727C Series Airplanes [Docket No. 2003-NM-191-AD; Amendment 39-13475; AD 2004-03-31] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7032. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation, Ltd. Models FU24-954 and FU24A-954 Airplanes [Docket No. 2003-CE-38-AD; Amendment 39-13473; AD 2004-03-29] (RIN: 2120-AA64) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7033. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. 2002-NM-213-AD; Amendment 39-13465; AD 2004-03-21] (RIN: 2120-AA64) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7034. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 Series Airplanes [Docket No. 2001-NM-333-AD; Amendment 39-13464; AD 2004-03-20] (RIN: 2120-AA64) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7035. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dornier Model 328-300 Series Airplanes [Docket No. 2002-NM-267-AD; Amendment 39-13460; AD 2004-03-16] (RIN: 2120-AA64) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7036. A letter from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Contract Administration; Removal of Miscellaneous Obsolete or Redundant Regulations (RIN: 2125-AF01) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Falcon 2000 and 900EX, and Dassault Model Mystere-Falcon 900 Series Airplanes [Docket No. 2002-NM-231-AD; Amendment 39-13419; AD 2004-01-05] (RIN: 2120-AA64) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7038. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. 2003-NM-55-AD; Amendment 39-13429; AD 2004-01-15] (RIN: 2120-AA64) received February 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7039. A letter from the Deputy Associate Administrator, Environmental Protection

Agency, transmitting the Agency's final rule — Effluent Limitations Guidelines and New Source Performance Standards for the Meat and Poultry Products Point Source Category [FRL-7631-2] (RIN: 2040-AD56) received March 2, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7040. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Revisions to the One-Time Appeal Process for Hospital Wage Index Classification [CMS-1373-N2] (RIN: 0938-AN00) received February 18, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7041. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Property Transferred in Connection with Performance of Services (Rev. Rul. 2004-37) received February 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7042. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Proposed Revenue Procedure Regarding Services that Qualify For the Student FICA Exception [Notice 2004-12] received February 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7043. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Annuities; Certain Proceeds of Endowment and Life Insurance Contracts [Notice 2004-15] received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7044. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Electronic Payee Statements [TD 9114] (RIN: 1545-AY50) received February 23, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7045. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rate Update [Notice 2004-14] received February 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7046. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's Congressional Justification of Budget Estimates for Fiscal Year 2005, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. HART (for herself, Mr. MURPHY, and Mr. ENGLISH):

H.R. 3890. A bill to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; to the Committee on Science.

By Ms. HART:

H.R. 3891. A bill to amend the Internal Revenue Code of 1986 to provide for the use of redevelopment bonds for environmental remediation; to the Committee on Ways and Means.

By Ms. HART:

H.R. 3892. A bill to amend the Internal Revenue Code of 1986 to encourage businesses to establish hazardous waste remediation reserves, and for other purposes; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. BARTLETT of Maryland):

H.R. 3893. A bill to limit the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. BURNS (for himself, Mr. KELLER, Mr. BOEHNER, Mr. MCKEON, Mr. ISAKSON, Mr. NORWOOD, Mr. WILSON of South Carolina, Mr. CARTER, Mr. FORBES, Ms. GINNY BROWN-WAITE of Florida, and Mrs. NORTHUP):

H.R. 3894. A bill to provide enhanced Pell Grants for State Scholars; to the Committee on Education and the Workforce.

By Mr. ISSA (for himself, Mr. HUNTER, Mr. CUNNINGHAM, Mr. TERRY, Mr. BE-REUTER, Mr. FILNER, and Mrs. DAVIS of California):

H.R. 3895. A bill to amend title XIX of the Social Security Act to permit local public agencies to act as Medicaid enrollment brokers; to the Committee on Energy and Commerce.

By Mr. DEMINT (for himself, Mr. AKIN, Mr. BLUNT, Mr. OBERSTAR, Mr. PAUL, Mr. PENCE, Mr. POMEROY, Mr. SHIMKUS, Mr. STEARNS, Mr. WEXLER, and Mr. VAN HOLLEN):

H.R. 3896. A bill to establish an Office of Intercountry Adoptions within the Department of State, and to reform United States laws governing intercountry adoptions; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER:

H.R. 3897. A bill to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACEVEDO-VILÁ (for himself, Mr. GUTIERREZ, Mr. SERRANO, Ms. VELÁZQUEZ, and Mr. FILNER):

H.R. 3898. A bill to authorize construction of a new (replacement) medical center for the Department of Veterans Affairs in the Commonwealth of Puerto Rico at a site to be selected pursuant to a study by the Secretary of Veterans Affairs and Secretary of Defense as suitable for a new Federal medical center in the Commonwealth of Puerto Rico that would best serve the needs of both veterans and Department of Defense medical beneficiaries in Puerto Rico; to the Committee on Veterans' Affairs.

By Mr. BOSWELL:

H.R. 3899. A bill to require agencies to submit to Congress any contracts in amounts greater than \$1,000,000 that are proposed to be awarded using noncompetitive procedures; to the Committee on Government Reform, and in addition to the Committees on Armed Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 3900. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters water in the area of Oxnard, California; to the Committee on Resources.

By Mr. CRANE (for himself, Mr. SAM JOHNSON of Texas, Mr. CANTOR, Mr.

RAMSTAD, Mr. HOSTETTLER, Mr. RYAN of Wisconsin, Mr. BRADY of Texas, Ms. DUNN, Mrs. JOHNSON of Connecticut, Mr. HAYWORTH, Mr. MCINNIS, Mr. HERGER, Mr. ENGLISH, Mr. GUTKNECHT, Mr. WILSON of South Carolina, Mr. BALLENGER, Mr. PAUL, Mr. RYUN of Kansas, Mr. GREEN of Wisconsin, Mr. BURGESS, Mr. PETERSON of Pennsylvania, Mrs. BLACKBURN, Mr. CANNON, Ms. HARRIS, Mrs. MUSGRAVE, Mr. BASS, Mr. HUNTER, Mr. KLINE, Mr. BEAUPREZ, Mr. HENSARLING, Mr. BARRETT of South Carolina, Mr. WELDON of Florida, Mrs. MYRICK, Mr. KING of Iowa, Mr. FRANKS of Arizona, Mr. BARTLETT of Maryland, Mr. GINGREY, Mr. ISTOOK, Mr. MILLER of Florida, Mr. PITTS, Mr. FLAKE, Mr. JONES of North Carolina, Mr. GOODE, and Mr. FEENEY):

H.R. 3901. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for premiums for high deductible health plans required with respect to health savings accounts; to the Committee on Ways and Means.

By Mr. GARRETT of New Jersey (for himself, Mr. FRELINGHUYSEN, and Mr. FERGUSON):

H.R. 3902. A bill to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Resources.

By Mr. GILLMOR (for himself, Mr. ROSS, Mr. PITTS, Mr. HALL, Mr. LATHAM, Mr. OXLEY, Mr. GOODE, Mr. SOUDER, Mr. REGULA, Mr. LIPINSKI, Mrs. MALONEY, Mr. DAVIS of Tennessee, Mr. TOWNS, Mr. ISRAEL, Mr. BERRY, Mr. WOLF, and Mr. JENKINS):

H.R. 3903. A bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States; to the Committee on Resources.

By Mr. KIND (for himself, Mrs. EMERSON, Mr. SCHIFF, and Mr. PETRI):

H.R. 3904. A bill to amend the Richard B. Russell National School Lunch Act to establish pilot projects to support and evaluate the provision of before-school activities that advance student academic achievement and encourage the establishment of, and increase participation in, school breakfast programs; to the Committee on Education and the Workforce.

By Mr. LARSON of Connecticut (for himself and Ms. DELAURO):

H.R. 3905. A bill to amend part C of title XVIII of the Social Security Act to prohibit the operation of the Medicare comparative cost adjustment (CCA) program in Connecticut; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself and Mr. KNOLLENBERG):

H.R. 3906. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine; to the Committee on Ways and Means.

By Mr. PORTER:

H.R. 3907. A bill to authorize the Secretary of Transportation to transfer to the Administrator of the National Highway Traffic Safety Administration a certain percentage of apportionments of funds made available from the Highway Trust Fund from States that do not enact laws to prohibit driving under the influence of an illegal drug, and

for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio:

H.R. 3908. A bill to provide for the conveyance of the real property located at 1081 West Main Street in Ravenna, Ohio; to the Committee on Education and the Workforce.

By Mr. RYUN of Kansas (for himself, Mr. TIAHRT, Mr. MORAN of Kansas, and Mr. MOORE):

H.R. 3909. A bill to establish the Bleeding Kansas and the Enduring Struggle for Freedom National Heritage Area, and for other purposes; to the Committee on Resources.

By Mr. STUPAK:

H.R. 3910. A bill to amend the Transportation Equity Act for the 21st Century to modify a high priority project in the State of Michigan; to the Committee on Transportation and Infrastructure.

By Ms. WATERS:

H.R. 3911. A bill to make certain companies that have outsourced jobs during the previous five years ineligible for the receipt of Federal grants, Federal contracts, Federal loan guarantees, and other Federal funding, and for other purposes; to the Committee on Government Reform.

By Mr. SMITH of New Jersey (for himself, Ms. LORETTA SANCHEZ of California, Mr. TOM DAVIS of Virginia, Mr. LOFGREN, Mr. ROHRBACHER, Mr. ROYCE, Mr. COX, Mr. BURTON of Indiana, Ms. ROS-LEHTINEN, Mr. GREEN of Wisconsin, Mr. AKIN, Mr. PITTS, Mr. SHIMKUS, Mr. FRANKS of Arizona, Mr. KENNEDY of Rhode Island, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. LANGEVIN, Ms. JACKSON-LEE of Texas, Mr. BERMAN, Ms. MCCARTHY of Missouri, and Mr. WEXLER):

H. Con. Res. 378. Concurrent resolution calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly, and for other purposes; to the Committee on International Relations.

By Mr. PETRI (for himself, Mr. OBEY, Mr. SENSENBRENNER, Mr. KLECZKA, Mr. KIND, Ms. BALDWIN, Mr. GREEN of Wisconsin, and Mr. RYAN of Wisconsin):

H. Con. Res. 379. Concurrent resolution commemorating the 150th anniversary of the first meeting of the Republican Party in Ripon, Wisconsin; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. WATERS introduced a bill (H.R. 3912) for the relief of Rafael Camacho, Rosa B. Camacho, and Rosa Camacho; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 104: Mr. WEXLER.

H.R. 173: Mr. BOEHLERT, Mr. SABO, and Mr. GEPHARDT.

H.R. 218: Mr. AKIN.

H.R. 331: Mrs. JO ANN DAVIS of Virginia.

- H.R. 339: Mr. CARDOZA and Mr. STENHOLM.
H.R. 391: Mr. PEARCE and Mr. BRADLEY of New Hampshire.
H.R. 463: Mr. TURNER of Ohio.
H.R. 525: Mr. ACEVEDO-VILÁ, Mr. ANDREWS, Ms. BORDALLO, Mr. BOUCHER, Mr. DINGELL, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. GEPHARDT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KLECZKA, Mr. LARSEN of Washington, Mr. LYNCH, Mr. MILLER of North Carolina, Mr. MOLLOHAN, Mr. MURTHA, Ms. NORTON, Mr. PASTOR, Ms. SOLIS, Mr. STARK, Ms. VELÁZQUEZ, Mr. VISCLOSKEY, Mr. ADERHOLT, Mr. AKIN, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARRETT of South Carolina, Mr. BASS, Mr. BEAUPREZ, Mr. BEREUTER, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BLUNT, Mr. BOEHLERT, Mr. BOEHNER, Mr. BONNER, Mrs. BONO, Mr. BRADLEY of New Hampshire, Mr. BROWN of South Carolina, Mr. BURGESS, Mr. BURNS, and Mr. BURR.
H.R. 584: Mr. LAMPSON, Mr. HALL, and Mr. JOHNSON of Illinois.
H.R. 588: Mr. MARKEY.
H.R. 736: Mr. SHERMAN.
H.R. 839: Mrs. KELLY, Mrs. DAVIS of California, Mr. SMITH of New Jersey, Mr. BLUMENAUER, and Mr. HYDE.
H.R. 857: Mr. FORBES.
H.R. 876: Mr. WATT and Mr. BRADY of Pennsylvania.
H.R. 962: Mr. LYNCH.
H.R. 1005: Mr. ENGLISH.
H.R. 1051: Mr. GEORGE MILLER of California.
H.R. 1052: Ms. ROS-LEHTINEN.
H.R. 1083: Mr. MEEHAN and Mr. MCGOVERN.
H.R. 1084: Mr. WAMP.
H.R. 1097: Mr. RUSH and Mr. HASTINGS of Florida.
H.R. 1336: Mr. PRICE of North Carolina, Mr. WATT, Mr. MICA, and Mr. UDALL of New Mexico.
H.R. 1482: Ms. LEE.
H.R. 1534: Mr. HONDA.
H.R. 1776: Mr. TERRY.
H.R. 1991: Ms. SLAUGHTER.
H.R. 2096: Mr. WOLF, Mr. LIPINSKI, and Mrs. BONO.
H.R. 2154: Mr. SANDERS.
H.R. 2182: Mr. GOODE.
H.R. 2346: Mrs. MUSGRAVE, Mr. KING of Iowa, Mr. FEENEY, and Mr. AKIN.
H.R. 2394: Mr. MORAN of Virginia, Mr. LARSEN of Washington, Mr. BALLANCE, and Mr. RAMSTAD.
H.R. 2671: Mr. HALL.
H.R. 2797: Mr. GOODLATTE.
H.R. 2824: Mr. HALL, Mr. TURNER of Texas, and Mr. HOLDEN.
H.R. 2839: Mrs. JOHNSON of Connecticut and Mr. MICHAUD.
H.R. 2850: Mr. SMITH of Washington.
H.R. 2890: Mr. SIMPSON.
H.R. 2915: Mr. NORWOOD.
H.R. 2928: Mr. MORAN of Kansas.
H.R. 2932: Mr. EVANS and Mr. STARK.
H.R. 2949: Mr. MCDERMOTT.
H.R. 2983: Mr. MATHESON.
H.R. 3115: Mr. TERRY.
H.R. 3173: Mr. MCDERMOTT.
H.R. 3194: Mr. PRICE of North Carolina.
H.R. 3213: Mr. CRENSHAW, Mr. DEAL of Georgia, Mr. GREEN of Wisconsin, and Mr. BARRETT of South Carolina.
H.R. 3215: Mr. BALLENGER, Mr. OTTER, Mr. REHBERG, Mr. SIMPSON, and Mr. YOUNG of Alaska.
H.R. 3246: Mr. KINGSTON.
H.R. 3307: Mr. MCINNIS.
H.R. 3329: Mr. COX.
H.R. 3416: Ms. CARSON of Indiana.
H.R. 3446: Mr. KLECZKA, Mr. LEVIN, Mr. ABERCROMBIE, Ms. WOOLSEY, Mr. COSTELLO, and Mr. STARK.
H.R. 3545: Mr. HONDA.
H.R. 3550: Ms. ROYBAL-ALLARD.
H.R. 3598: Mr. SHIMKUS.
H.R. 3658: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 3661: Mr. BURR, Mr. BALLENGER, Mrs. MYRICK, Mr. HUNTER, Mr. COBLE, Mr. JONES of North Carolina, Mr. GOODE, Mr. WILSON of South Carolina, Mr. SHERWOOD, and Mr. ETHERIDGE.
H.R. 3687: Mr. BOYD, Mr. STENHOLM, Mr. RAMSTAD, and Mr. HALL.
H.R. 3711: Mr. MCDERMOTT.
H.R. 3717: Mr. KLINE, Mr. STENHOLM, and Mr. KING of Iowa.
H.R. 3719: Mr. MORAN of Virginia, Mrs. CAPPS, Mrs. NAPOLITANO, Mr. BERMAN, Mr. STARK, and Ms. NORTON.
H.R. 3763: Mr. MARIO DIAZ-BALART of Florida, Mr. PASCRELL, and Ms. BALDWIN.
H.R. 3793: Mr. GONZALEZ and Mr. BILIRAKIS.
H.R. 3796: Mr. ROGERS of Kentucky, Mr. WHITFIELD, Mr. LEWIS of Kentucky, Mrs. NORTHUP, Mr. LUCAS of Kentucky, and Mr. CHANDLER.
H.R. 3833: Mr. DELAHUNT.
H.R. 3854: Mr. PAUL and Mr. DUNCAN.
H.R. 3857: Mr. AKIN, Mr. KENNEDY of Minnesota, and Mr. HENSARLING.
H.R. 3858: Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. RUPPERSBERGER, Mr. COSTELLO, Mr. ABERCROMBIE, Mr. TURNER of Texas, Mr. WAXMAN, Mr. MCDERMOTT, Mr. KILDEE, Mr. HINOJOSA, Mr. PALLONE, Mr. MEEHAN, Mr. MARKEY, Mr. QUINN, Mr. LAMPSON, Mrs. JO ANN DAVIS of Virginia, Mr. WOLF, Mr. WALSH, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mr. ACKERMAN, Mr. ROSS, Mr. HINCHEY, Mr. FOLEY, Mr. JENKINS, Mr. LEACH, Mr. HOLT, Mr. PASCRELL, Mrs. NAPOLITANO, Mr. MORAN of Virginia, Mr. VITTER, Ms. BERKLEY, Mr. CLAY, Mr. HILL, Mr. EMANUEL, Mr. CHABOT, Mr. HOEFFEL, Mr. BACHUS, Mr. TIBERI, Mr. KENNEDY of Rhode Island, Mr. PAUL, and Mr. MURPHY.
H.R. 3881: Mr. HONDA, Mr. FORD, Mr. DAVIS of Florida, Mr. KIND, and Ms. BALDWIN.
H. Con. Res. 3: Ms. WATSON, Mr. HALL, Mr. HASTINGS of Florida, Mr. BALLANCE, and Ms. CORRINE BROWN of Florida.
H. Con. Res. 15: Mr. FEENEY and Mr. MANZULLO.
H. Con. Res. 111: Ms. SLAUGHTER and Mr. SANDERS.
H. Con. Res. 119: Ms. BERKLEY.
H. Con. Res. 332: Mr. LANGEVIN, Mr. CRANE, Mr. JACKSON of Illinois, Ms. PELOSI, and Mr. SHERWOOD.
H. Con. Res. 364: Mrs. MILLER of Michigan and Mr. REHBERG.
H. Con. Res. 371: Mr. FORBES, Mr. ANDREWS, and Mr. BRADLEY of New Hampshire.
H. Con. Res. 372: Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. WYNN, Mr. WEXLER, and Mrs. JONES of Ohio.
H. Con. Res. 374: Mr. HAYES, Mr. SNYDER, Mr. BARTLETT of Maryland, Mr. BRADLEY of New Hampshire, Mr. GUTKNECHT, Mr. GOODE, Mr. HOSTETTLER, Mrs. MYRICK, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, and Mr. GINGREY.
H. Con. Res. 375: Mr. SHERWOOD and Mr. DAVIS of Tennessee.
H. Res. 402: Mr. RYUN of Kansas and Mr. MORAN of Kansas.
H. Res. 516: Mr. GREEN of Wisconsin and Mr. SHERWOOD.
H. Res. 528: Mr. SHIMKUS, Mr. BELL, Mr. NEY, Mr. STARK, Mr. MEEKS of New York, Mr. TOWNS, Mr. CROWLEY, Mr. EVANS, Ms. JACKSON-LEE of Texas, Mr. PASTOR, Mr. ABERCROMBIE, Ms. LEE, Mr. ROHRBACHER, Mr. PAYNE, and Mr. CARDOZA.
H. Res. 543: Ms. ROYBAL-ALLARD, Mr. BERMAN, Mr. TANNER, Mr. LAMPSON, and Mr. GORDON.

DISCHARGE PETITIONS—
ADDITIONS OR DELETIONS

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

Petition 2, by Mr. JIM MARSHALL on House Resolution 251: Ben Chandler.