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House of Representatives

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS—Continued

□ 1545

Now, undoubtedly, supersized trucks mean growing safety risks for highway drivers and pedestrians on narrow roads. According to the U.S. Department of Transportation, an estimated 5,000 Americans die each year in accidents involving large trucks, and an additional 130,000 drivers and passengers are injured. New Jersey has a proportionate number of deaths and injuries.

This amendment is not anti-truck. Of course we need trucks for our commerce. The amendment simply ensures that a State can see to it that the trucks travel on roads that are capable of handling that traffic safely.

The resulting costs from trucks must be borne by State and local taxpayers; and at a time when there already exists a huge backlog of highway and bridge maintenance projects and many States are facing their worse budget crises since before the Second World War, we must take that into consideration.

States are really in the best position to make the determination of how the roads within those States should be used. New Jersey did that 5 years ago with the authorization of the U.S. Department of Transportation. That limitation that New Jersey placed on these trucks 5 years ago has worked very well. It has resulted in, we believe, a reduction of accidents and better safety record and a better record of wear and tear on the small, generally two-lane, roads.

So my amendment simply maintains current practice. It does not make sense to enable large trucks to make a bad situation worse, to compel cash-strapped States, counties and municipalities to spend more of their limited resources on bridge and road repairs that are damaged by the supersized trucks. My amendment would address that.

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

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

I will say, though, I am usually in favor of what occurs by State action, but what this amendment does, it allows the State of New Jersey to limit large trucks and twin-trailer combination trucks to the interstate system, not intrastate, the New Jersey Turnpike and the Atlantic City Expressway, except when making local deliveries. It is amazing when you need your donors you allow a twin-trailer truck to arrive at the door but nobody else.

In 1999, the New Jersey DOT actually allowed New Jersey to ban, that is DOT of New Jersey, large trucks from certain roads. However, that was challenged in court by the trucking industry; and if I am correct, just recently, last week of this year, the U.S. District Court from New Jersey ruled that the New Jersey truck highway access regulatory system discriminated against interstate commerce and violated the commerce clause of the U.S. Constitution.

This amendment would reverse that decision; and, again, I would suggest that New Jersey use all the recourse through the law. Because to take now a case that has been won by one side of the argument in the court and now us, as a Congress, to reverse that——

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

Mr. YOUNG of Alaska. I yield to the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, the purpose of the amendment, in fact, is to maintain current law and current policy, to make sure that this new law, should it take effect, would not change anything.

New Jersey will continue and has declared its intention of arguing this in court; and we, the State of New Jersey, expect to win in court. We just do not want to change the policy with this new legislation. So this was not to side-step the courts but, rather, to keep the law the same.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, but the industry or the plaintiff that filed the suit is now being precluded from going forth. If my colleague wants to do that, have the court or New Jersey file an injunction against the court's decision. Do not ask us to undo what a court has ruled.

Mr. HOLT. Mr. Chairman, if the gentleman will continue to yield, this would not preclude the truckers from continuing their suit or the State.

Mr. YOUNG of Alaska. Reclaiming my time, they can continue their suit, but they are not the ones now that have to pursue the suit. They are the ones that won the case, and they can drive their trucks on interstate commerce because of the clause in the interstate commerce clause under the Constitution. What the gentleman is asking us to do in the Congress is to undo what the court has ruled.

I am not a lawyer. Thank God for that. We have got enough of those around here. But I am a little concerned that what we are doing here is really not fair to the persons that filed the suit to begin with. We are saying you cannot do it. You can go back to court. As we go back to court, well, you cannot use the truck. Under the interstate clause, that is against the Constitution, as the court has ruled.

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

Mr. OBERSTAR. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentleman from Alaska (Mr. YOUNG) has 1½ minutes remaining. The gentleman from New Jersey (Mr. HOLT) has 1½ minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR).

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Mr. OBERSTAR. Mr. Chairman, this language is not well-drafted, I must say to the gentleman. He has a very good purpose but very unclear and unsure language; and as I read the language approved under unanimous consent, it makes the authority even broader.

It says trucks that are specifically allowed by Federal law to travel on the national network now can be disapproved by New Jersey. We cannot have one rule for local trucks and a different rule for through trucks.

Mr. HOLT. Mr. Chairman, I yield myself the balance of the time, and I will address those points.

The amendment simply allows the States to have the authority that the Department of Transportation determined 5 years ago that they had under that existing transportation law. We just want to make sure that in the legislation we are considering today we do not change that. If it is determined that that is in violation of the Constitution, certainly they will be the governing decision, but if it is not determined, we do not want anything in this law to preclude those States' rights.

With that, I ask support for my amendment.

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

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

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from New Jersey (Mr. HOLT).

The amendment, as modified, was rejected.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 12 printed in House report 108–456.

AMENDMENT NO. 12 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Ms. WATERS:

At the end of subtitle H of title I, add the following (and conform the table of contents of the bill accordingly):

SEC. 1819. LIMITATION ON PROJECTS AT LOS ANGELES INTERNATIONAL AIRPORT.

No funds may be provided for surface transportation projects that are planned or required to implement Alternative D of the Master Plan for Los Angeles International Airport or any other proposal to build a remote passenger check-in facility at Los Angeles International Airport.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

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

Ms. WATERS. Mr. Chairman, I yield to myself such time as I may consume.

My amendment would prohibit the use of funds for surface transportation projects that are planned or required to implement Alternative D of the Master Plan for Los Angeles International Airport or any other proposal to build a remote passenger check-in facility at LAX.

Mr. Chairman, this proposed project is mired in scandal and pay-to-play contracting schemes. The FBI and the DA are now investigating all of the alleged corruption.

Los Angeles International Airport, which is located in my congressional district, is already the third largest airport in the United States, with a capacity to serve 78 million air passengers every year. Alternative D is the latest of several proposals to make LAX even bigger, not safer.

Alternative D is a $9 billion scheme that would demolish homes, disrupt the communities of Manchester Square, Inglewood, Hawthorne, El Segundo and other communities near LAX in order to construct a remote passenger check-in facility at Manchester Square, which is several blocks away from the airport terminals.

There is a broad coalition that have already agreed that we need a regional response, that this area is landlocked, and it does not make good sense to try to expand LAX this way. The regional response to growth would be a good response. This is an ill-conceived project.

The highly respected Rand Corporation evaluated this project, and they concluded that it does not make good sense, and in the event of a terrorist attack, passengers would be at great risk because they would all be concentrated in this so-called remote facility.

Alternative D would be inconvenient for airport passengers and their families. Local families could no longer drive to the central terminals in order to drop off passengers. Instead, airport employees and passengers would have to go to this so-called remote passenger check-in facility and ride an automated people mover to the airport terminals carrying their carry-on baggage with them. This would be extremely inconvenient for most passengers, and it would present special hardships for the elderly, the handicapped, and families traveling with small children.

Alternative D would displace thousands of Manchester Square residents. In order to construct this remote passenger check-in facility, the City of Los Angeles would have to acquire and demolish 38 houses, 179 apartment buildings and a 52-year-old elementary school, in addition to the 263 structures it has already acquired. It would also have to relocate about 6,200 people, some of whom have federally subsidized housing vouchers. I strongly oppose the forced relocation of any of these residents.

Alternative D would increase traffic congestion in communities near LAX. The proposal would concentrate airport traffic on the east side of the airport near the proposed remote passenger check-in facility, causing a shift in airport traffic to the I–405 freeway near the Arbor Vitae/Manchester Avenue exits. This could cause a tremendous increase in traffic congestion which already has heavily congested this area. It also would increase traffic congestion in the surrounding communities as airport passengers and other drivers seek alternative routes to get to and from and around the airport.

Mr. Chairman, these funds are intended for surface transportation projects that will benefit local communities and alleviate traffic congestion. If we permit the funding of any projects that enable the implementation of Alternative D, the results will be a tremendous inconvenience for passengers, huge increases in traffic congestion, and massive disruptions of local communities surrounding LAX. My amendment would ensure that no funds are provided for surface transportation projects that are planned or required to implement this destructive airport expansion project.

I urge my colleagues to support this amendment.

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

The CHAIRMAN pro tempore. Who claims the time in opposition to the amendment?

Mr. YOUNG of Alaska. I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR) who wishes to speak on the amendment.

Mr. OBERSTAR. Mr. Chairman, I thank the Chair for yielding me the time, and I reluctantly oppose the amendment of the gentlewoman from California with whom I am in accord on most issues, and I think she makes a very good point about this remote security facility.

I raised such concerns many years ago in Paris when Charles de Gaulle Airport said, for American check-in passengers, we are going to have a separate little place called the hutch. I went over to inspect it, and I said, my goodness, this is terrific, you collect all the Americans in one place so a terrorist can throw a bomb and kill them all at once. Of course, I said it in French; and they said, oh, we had not thought about that. They backed away and said, well, we will not make Americans do that.

So the gentlewoman makes a good point, but it is the point that is part of a larger process and that is to stop the expansion of the Los Angeles Airport. The Metropolitan Planning Organization is the agency in an urbanized area with the responsibility to determine the needs for projects to be advanced to meet transportation needs for the area. We really should not be inserting ourselves into that debate, certainly not at this time; and, reluctantly, I oppose the gentlewoman's well-intentioned

amendment and well-expressed amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I reserve my time.

Ms. WATERS. Mr. Chairman, I yield myself the balance of my time.

It is unfortunate that there seems to be some agreement between my friends on the opposite side of the aisle and my own caucus in opposing my project. It is very important to my district and all of the areas in the surrounding communities that has formed a coalition, and this is simply a request to say let us not use any of this money for any selfish projects.

This has nothing to do with the building of the facility itself; and, unfortunately, since there has been an agreement, I know that it will be voted down, but I am not at all happy about it.

□ 1600

The CHAIRMAN pro tempore (Mr. SIMPSON). The gentlewoman's time has expired.

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

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was rejected.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 13 printed in House Report 108–486.

AMENDMENT NO. 13 OFFERED BY MR. LOBIONDO

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. LOBIONDO:

At the end of the matter proposed to be added by section 2003(b)(6) of the bill, strike the closing quotation marks and the final period and insert the following:

''(J) PROGRAM FOR IMPOUNDMENT OF VEHICLES.—A program to impound a vehicle operated by a person who is arrested for operating the vehicle while under the influence of alcohol.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from New Jersey (Mr. LOBIONDO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. LOBIONDO).

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

Mr. Chairman, my amendment would make States eligible to receive section 410, Alcohol-Impaired Countermeasures grant funding to cover the cost of DWI vehicle impoundment programs.

The motivation for my amendment is the result of a very tragic death of one of my constituents. U.S. Navy Ensign John Elliott, who had just received his commission from the naval flight school in Pensacola, Florida, was struck and killed by a drunk driver on July 22 of the year 2000. The accident instantly killed Ensign Elliott and seriously injured his passenger, Kristen Hoinwarter.

Sadly, it was later discovered, and it was very sad, that the driver responsible for Ensign Elliott's death had been arrested for drunken driving earlier in the evening. He was released from custody, obviously while still being intoxicated, and returned to his car. Elliott was on his way home for his mother's birthday party when he crossed paths with the intoxicated driver.

Nearly 3 years after that tragic accident, his parents, Bill and Muriel Elliott, continue the fight to save other families from the grief they have endured. Lobbying the New Jersey State legislature, the Elliotts saw to fruition the drafting, passage, and ultimate enactment of John's Law. The law ensures that individuals who pick up an arrested driver sign a document accepting custody. Additionally, it gives State Police the authorization to impound the automobile of an arrested driver for up to 12 hours.

My amendment will encourage States to establish DWI impoundment programs for making them eligible for an existing grant program, helping them to defray costs. My amendment does not, I repeat, does not require States to enact impoundment programs, nor does it stipulate the terms of their programs, nor does it penalize States for not enacting such programs. And since funds come from an existing grant program, it will not cost the Federal Government a single penny.

We are making important strides to eliminate the senseless deaths caused by the lethal mix of alcohol and automobiles. Annual deaths from drinking and driving have decreased. However, much work remains to be done. Each death is a preventable one, and this amendment will go a long way to ensuring deaths like Elliott's are prevented, and families are saved from the pain that the Elliotts have experienced and other families have experienced across the Nation.

Mr. Chairman, I urge all Members to support my amendment.

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

Mr. OBERSTAR. Mr. Chairman, I claim the time in opposition, and I yield myself such time as I may consume.

Mr. Chairman, I believe, with further discussion, we can find a way to come to a resolution.

Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I rise in support of the concept that is being advanced by my friend from New Jersey. One of the things that I had worked on prior to coming to Congress dealt with taking away the cars of repeat drunk drivers.

I listened to the story of Ensign Elliott and, sadly, this is a pattern that is repeated time after time after time. People who commit carnage on our highways, repeat drunk drivers, too often there is a far too long history. If we had an effective program of impoundment or vehicle confiscation, I think we would make a dramatic statement towards the people who are serial abusers.

It is something that I think makes clear that the license to drive is not a license to kill; that if we had a more aggressive program to disarm people who have shown that they are repeatedly dangerous drivers, we can find some common ground.

Too often we have had people who are, for example, in the restaurant and beverage industry that are concerned about how low the blood alcohol level is going to fall. We have had concerns from our friends with the Mothers Against Drunk Driving who want to move forward. Well, this is one people can unite behind.

I appreciate the gentleman bringing it forward. I hope that we can put something in this legislation before we are through that speaks to vehicle impoundment, that encourages States to have vehicle forfeiture, and that we can take a dramatic step towards eliminating the tiny fraction of people who are repeat drunk drivers who inflict such damage on the highways.

Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman for his very cogent statement.

Section 410 of existing law gives States eligibility to receive funds for alcohol-impaired driving countermeasures. It is a good program, a good provision. New Jersey is the first and only State to enact a law to impound a vehicle operated by a person who was arrested for drunk driving.

Now, section 410 requires that States meet six of nine criteria to qualify for a grant. If the gentleman's amendment is accepted, it would expand that number to seven. If the gentleman from New Jersey, as I understand from previous discussion on this amendment, would agree that as we move further into conference, that the number of criteria necessary to qualify for a grant should be reduced to six, so we not expand the number and make it easier to evade, then I would concur in this amendment.

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

Mr. OBERSTAR. I yield to the gentleman from New Jersey.

Mr. LOBIONDO. Mr. Chairman, I thank the gentleman for yielding, and I would answer, absolutely yes, that is a commonsense approach, and I would agree to that.

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, I thank the gentleman.

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

Mr. OBERSTAR. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I simply wanted to compliment

the gentleman and the gentleman from Oregon for their presentations. As I told the gentleman from New Jersey, I did support the concept of this amendment.

I also agree with my ranking member that, as we go through it, we will do it the right way and do it correctly so we can actually solve a serious problem. His story is a very telling story.

So with that, I guess we will have a voice vote; is that correct?

Mr. OBERSTAR. Mr. Chairman, reclaiming my time, yes, we are; and I thank the chairman and the gentleman from New Jersey for a very thoughtful constructive matter that now has been resolved in, I think, a very positive way.

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

Mr. LOBIONDO. Mr. Chairman, I yield myself such time as I may consume for a few closing remarks.

I would just again like to thank the gentleman from Alaska (Mr. YOUNG), the chairman of the committee. And to the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), I thank you. I know we have had extensive discussions over this issue.

I want to also thank the gentleman from Oregon (Mr. BLUMENAUER), who came to me when he first heard of my story, and he told me about situations that he had experienced and the work he had done on this. And I think he is absolutely correct, we have to find a common ground in these areas where we can avoid these senseless tragedies for families like that of Ensign Elliott. This is a commonsense measure that can move us forward.

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

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 14 printed in House Report 108–456.

AMENDMENT NO. 14 OFFERED BY MR. WU

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. WU:

In the matter proposed to be inserted as section 5309(e) of title 49, United States Code, by section 3010(d) of the bill after ''or entered into a full funding grant agreement'' insert the following:

or received an application for final design

MODIFICATION TO AMENDMENT NO. 14 OFFERED BY MR. WU

Mr. WU. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form at the desk.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 14 offered by Mr. WU:

Insert the following in lieu of Amendment 14:

In the matter proposed to be inserted as section 5309(e) of title 49, United States Code, by section 3010(d) of the bill insert the following:

Subsection (d) does not apply to projects for which the Secretary has received an application for final design.

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Oregon (Mr. WU)?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from Oregon (Mr. WU) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. WU).

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

Mr. Chairman, there are projects that have undergone all aspects of FTA New Starts review and have, in fact, received recommended ratings in the FTA 2005 New Starts Report, and they are simply awaiting approval to enter final design. These projects have been through financial review, environmental review, project management review, and have fulfilled all of the prerequisites for entering into final design.

However, under our subject legislation, only projects with a full funding grant agreement or letter of intent before enactment of this bill are exempt from the provisions for major projects and small starts. This is a serious problem for smaller projects like a commuter rail project in my congressional district, which are in final design or in the process of having final design approved. I might add this also affects a rail project in the San Diego metropolitan area.

These projects will essentially have to start all over again under the small starts program and, furthermore, such projects will have to await the promulgation of small starts rules before proceeding. This process will result in a year-long delay for projects that are near the end of an already lengthy Federal approval process.

In the case of the commuter rail project in my congressional district, this long delay will seriously endanger State funding and agreed-to rail agreements.

Mr. Chairman, my amendment will exempt projects for which the Secretary of Transportation has received an application for final design from the small starts provisions of the bill. This fair and balanced amendment will allow recommended new starts which have applied for final design to move forward on their original time line and avoid unnecessary delay.

This is expressly limited to subsection (d), small start projects only. My amendment will only affect two recommended small start transit projects in the entire country, but it will save unnecessary administrative delay and also improve the commuting lives of millions of citizens in Oregon and in the San Diego metropolitan area.

Mr. Chairman, I urge adoption of the amendment.

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

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

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

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

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding. The language of the amendment of the gentleman from Oregon as originally drawn was way beyond the scope of what he intended, and we greatly appreciate the cooperation of the majority giving the gentleman the opportunity to have unanimous consent to correct the language to reflect exactly what he wants to do, to limit this amendment to small starts, which it does; and I think that relieves the concerns on both sides of the aisle.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, we are going to support the amendment as intended. However, there is a slight, as I think the gentleman from Minnesota mentioned, drafting error, the section that applies to both the current new starts and the new small starts process. We will take the amendment at this time with the gentleman's understanding we want to correct the language in conference so that the exemption applies only to the new small starts process.

Does the gentleman understand that?

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

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I believe under the unanimous consent agreement, the gentleman has already made that correction in the language pending.

Mr. YOUNG of Alaska. Reclaiming my time once again, Mr. Chairman, if he has done that, I apologize. I was talking to my staff and they did not advise me of that. If that has already been done, we do not have to worry about that.

Mr. OBERSTAR. If the gentleman will continue to yield, I would just add that the principle remains.

Mr. WU. Mr. Chairman, I yield myself such time as I may consume to assure the chairman and ranking member that as originally drafted it applied to both subsection (d) and (e), major starts and small starts. As redrafted in the modified language, this amendment applies only to subsection (d), the small starts provision.

So I want to assure the chairman and ranking member that it does only apply to small starts, what would otherwise be small starts.

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

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Oregon (Mr. WU).

The amendment, as modified, was agreed to.

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The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). It is now in order to consider amendment No. 15 printed in House Report 108–456.

AMENDMENT NO. 15 OFFERED BY MR. LATOURETTE

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. LATOURETTE:

In section 3023(g) of the bill, redesignate paragraphs (1) through (4) as paragraphs (2) through (5), respectively, and insert before paragraph (2) (as so redesignated) the following:

(1) IN GENERAL.—Section 5323(j) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) IN GENERAL.—Funds made available to carry out this chapter may only be used if—

''(A) in the case of a construction project—

''(i) the steel or iron used shall be of United States origin;

''(ii) more than 60 percent of the cost of the components and subcomponents, in the aggregate, of all manufactured products shall be of United States origin; and

''(iii) labor costs related to on-site construction shall not be included in calculating the costs under clause (ii);

''(B) in the case of a system acquisition—

''(i) more than 60 percent of the cost of the components and subcomponents, in the aggregate, of all manufactured products shall be of United States origin; and

''(ii) labor costs related to installation and testing shall not be included in calculating the costs under clause (i);

''(C) in the case of a manufactured product—

''(i) more than 60 percent of the components and subcomponents shall be of United States origin;

''(ii) final assembly shall occur in the United States; and

''(iii) labor costs related to final assembly shall not be included in calculating the costs under clause (ii).

''(2) REGULATIONS.—The Secretary shall issue regulations to carry out this section.''.

In section 3023(g)(2) (as so redesignated), strike ''is amended'' and all that follows through ''following:'' and insert ''is amended by inserting after paragraph (2) the following:''.

In section 3023(g)(3) (as so redesignated), strike ''5323(j)(6) (as so redesignated)'' and insert ''5323(j)(5)''.

In section 3023(g)(4) (as so redesignated), redesignate the quoted paragraph (9) as paragraph (8).

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from Ohio (Mr. LATOURETTE) and a Member opposed each will control 5 minutes.

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

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

I am proud to offer this amendment with the gentlewoman from Michigan (Ms. KILPATRICK). I offered a similar amendment in committee, and the chairman and the ranking member have been kind enough to work with us to incorporate as much as possible into the manager's amendment today.

Mr. Chairman, as Members know, we have a manufacturing crisis in this country. We have lost an estimated 3 million manufacturing jobs. While many of us may hold different views on how that came about, I think we can all agree that the Federal Government should be part of the solution to the crisis.

The problem here is that there is too much confusion currently as to what a manufactured good is. The gentleman from Washington (Mr. BAIRD) had a sense of Congress on the floor a little earlier that addressed this issue. Today, Buy America requires that a manufactured good must be made with components assembled in the United States. Subcomponents, however, do not have to be American made. This has caused a good deal of confusion.

This amendment that the gentlewoman from Michigan and I are offering will correct the problem. The amendment is a modified version of H.R. 3682, the Protecting American Manufacturing Jobs Act, which was introduced by the gentlewoman from Michigan. We were able to work this out with input from the Federal Transit Administration so they can implement it.

Under this amendment, we clarify that 60 percent of the components and subcomponents in a manufactured product must be American made. For construction projects and system acquisition, the amendment requires that 60 percent of the total cost of components and subcomponents in manufactured products must be American made. We also required that final assembly of any manufactured product must happen in the United States. By making these changes we will make sure that Federal dollars support American jobs.

This is, in my opinion, a good amendment. It helps take care of our own manufacturing jobs in this country. I urge support.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Virginia (Mr. TOM DAVIS) is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the LaTourette amendment.

First, let me say to my friend from Ohio, the domestic steel industry has no stronger advocate in the Congress than the gentleman from Ohio. He has been a leader in this area, but on this particular amendment I take issue with it and disagree.

This amendment would require that more than 60 percent of the components and subcomponents of manufactured products used for construction projects be of United States origin. Of course, this means that, instead of going to the lowest bidder, the taxpayers getting their best bang for the buck, it could raise costs conceivably as much as 15 percent on a project with its components. That means that there is less money to build more roads with, to buy additional rail cars, to build intersections that are needed, and it means fewer people can become employed because we may be paying more money just to buy domestically. This would constitute a radical and in my judgment harmful expansion of the current law.

There is already in my judgment a very wrongheaded 50 percent ceiling on non-U.S. components. I have serious concerns about raising it another 10 percent. I think we ought to be going in the other direction, and I think that this amendment makes bad policy even worse.

We need to beware the law of unintended consequences. Domestic source restrictions such as this one may indeed be well intentioned, but they only serve to increase the cost of our critical transportation projects by reducing competition available for Federal contracts and raising the cost to the taxpayers. These restrictions are often self-defeating as they can well lead to reprisals from overseas trading partners. We often lose much more business than we gain.

Restrictions such as those proposed here could possibly provide some immediate short-term benefits to some American companies, but in the long run, in my judgment, they hurt the overall economy. We cannot maintain our global leadership in manufacturing by artificially propping up industries that are not able to compete in the global marketplace.

Mr. Chairman, we are here today touting the job creation potential of this reauthorization bill, so I have to ask this question: Have we considered the counterproductive, anticompetitive consequences of restrictionist amendments like this one? How many jobs could be created with the dollars firms will have to spend to comply with these government-unique restrictions? Our goal should be to ensure that we have access to open world markets so that we can get the best deal on the best goods available, regardless of their location. The American taxpayer deserves nothing less. This again allows us to spend more money from this transportation bill on transportation products, which means we can employ more people than these restrictions would otherwise give us.

I cannot overstate the potential harm posed by such economic isolationist restrictions, harm to our critical transportation infrastructure, because by paying more we end up being able to do less; harm to our Nation's

place in the global economy; and harm to our job creation agenda.

We have to remember a couple of things.

First of all, the details of the certification contained in this bill in my judgment means that if there is not availability of U.S. parts then we are going to need waivers. Waivers are going to have to be obtained. In these waivers, of course, it takes more time, which delays transportation projects.

Secondly, it could have the unintended consequences of allowing by these waivers more foreign products in the U.S. than you may get otherwise in some instances.

Thirdly, and most important, this can invite retaliation from foreign countries who, as we restrict the ability of their goods to get into markets, they retaliate against us.

What does this mean? It could be retaliation against agricultural products, information technology, even other manufactured products. It is anticompetitive, and it is antijobs, in my opinion, as it is currently constructed. I rise in opposition.

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

MODIFICATION TO AMENDMENT NO. 15 OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Chairman, I ask unanimous consent to modify the amendment with the text which I have placed at the desk.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 15 offered by Mr. LATOURETTE:

In the table contained in section 1702 of the bill, as amended—

(1) strike ''Conduct a project study to examine an interchange at State Route 165 and Bradbury Road, Merced County.'' in item 1544 and insert ''Conduct a Project Study Report for new Highway 99 interchange between State Route 165 and Bradbury Road, serving Turlock/Hilmar region''; and

(2) strike ''$500,000.00'' in item 2844 (relating to construction of roads in Rockdale Veterans Memorial Park, Georgia) and insert ''$1,000,000.00''.

In item 13 of the table contained in section 3038 of the bill, as amended (relating to Burlington County, New Jersey), strike ''Transit'' and insert ''transit''.

At the end of such table after item 358, insert the following:

Project	FY 05	FY 06	FY 07
359. State of Wisconsin buses and bus facilities	$9,600,000.00	$9,900,000.00	$10,500,000.00

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

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, reserving the right to object, could I just ask what the purpose of the modification is?

Mr. LATOURETTE. If the gentleman will yield, the committee, both minority and majority, have asked me to use this amendment as a vehicle to make technical corrections in the bill.

Mr. TOM DAVIS of Virginia. This makes a bad amendment better.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN pro tempore. Without objection, the modification is agreed to.

There was no objection.

Mr. LATOURETTE. Mr. Chairman, it is my pleasure to yield 2 minutes to the distinguished gentlewoman from Michigan (Ms. KILPATRICK), who, as I indicated in my other remarks, is the sponsor of the original legislation and the coauthor of this amendment.

Ms. KILPATRICK. Mr. Chairman, let me thank the gentleman from Ohio for his leadership in continuing the provision to buy America. We are in a downturn in our country. Many manufacturing jobs have been lost. This Congress has always supported Buy America in earlier years and in times past. We hope they will come together today to support our amendment.

It is important that we make sure, and a previous speaker said that we may not get the best price. We believe that American workers will have the best price, will have the best manufactured goods and that in this $275 billion bill, much of it should be spent with American manufacturers.

I was just visited by a group of bus manufacturers in my office just last week. They were complaining about how much business they are losing and how many jobs they are losing. I think it is imperative that we adopt the LaTourette-Kilpatrick amendment.

Buy America keeps Americans working, keeps families together and additionally offers revenues for cities across America. I would hope that we would support the LaTourette-Kilpatrick amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

Let me just say on this amendment, this may expand the Buy America for steel, but it shrinks Buy America in other areas, other manufactured areas, perhaps agriculture, perhaps information technology, because of this kind of action that basically invites retaliation from foreign countries.

America is only 5 percent of the world's consumers. If we want to succeed from a manufacturing standpoint and economically around the world, we need to expand those markets. This goes in the opposite way. We ought to be reducing the Buy America requirements, reducing the certification process that does nothing but invite waivers which delays transportation projects; and we ought to put our transportation dollars into getting as much road money, as much money to buy rail cars, to lay track and move America as we can. This raises the cost of doing that with this legislation. It is for that reason that I oppose this and urge opposition to this amendment.

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

Mr. LATOURETTE. Mr. Chairman, it is my pleasure to yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the distinguished ranking member of the committee.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding time and thank the gentleman and the gentlewoman for bringing this amendment forward.

In the 1980s, as the Chair of the Subcommittee on Investigations and Oversight, I held extensive hearings on the status of manufacturing in light rail, passenger vehicles and buses during which we demonstrated the loss of tens of thousands of jobs in America to underbid products coming in from overseas. We shipped overseas tens of thousands of jobs in the light rail, passenger rail and bus sector of our economy.

Now it is coming back. Now we are recapturing those jobs. We now are putting in the next 6 years $51.5 billion into transit systems in America. We ought to have those jobs in America as well and reclaim the technology and the jobs that go with them for America. That is what this amendment will do.

Mr. LATOURETTE. Mr. Chairman, I yield myself the balance of my time.

I want to make this observation. The Federal Government in the procurement process has no greater champion in this Congress than the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the Committee on Government Reform. The hearings that he has conducted have literally saved the country and the taxpayers billions of dollars.

This issue, however, while I appreciate every argument that he has made, it is time, not by being protectionist but it is time in the manufacturing sector that we take care of our own in the United States. It is not unreasonable to require that 60 percent, we are not asking for 100 percent, but 60 percent of these goods and projects be manufactured in the United States and there not be some shell game where they simply have to be assembled in the United States. You could have a machine with 150 parts and today's requirement is they could all be made overseas as long as we had a shop that assembled them here in this country. It is wrong, and I ask for support of the amendment.

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Ohio (Mr. LATOURETTE).

The amendment, as modified, was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 16 printed in House Report 108–456.

AMENDMENT NO. 16 OFFERED BY MR. CROWLEY

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. CROWLEY:

At the end of title III, add the following (and conform the table of contents accordingly):

SEC. 3045. AIRPORT BUS REPLACEMENT AND FLEET EXPANSION PILOT PROGRAMS.

(a) ESTABLISHMENT.—The Secretary shall establish a pilot program for awarding grants on a competitive basis to eligible entities for facilitating the use of natural gas buses at public airports through airport bus replacement and fleet expansion programs under this section.

(b) REQUIREMENTS.—Not later than 3 months after the date of enactment of this Act, the Secretary shall establish and publish in the Federal Register grant requirements on eligibility for assistance, and on management, transfer, and ultimate disposition of buses, including certification requirements to ensure compliance with this section.

(c) SOLICITATION.—Not later than 6 months after the date of enactment of this Act, the Secretary shall solicit proposals for grants under this section.

(d) ELIGIBLE RECIPIENTS.—A grant shall be awarded under this section only to a public agency responsible for bus service at a public airport.

(e) TYPES OF GRANTS.—

(1) IN GENERAL.—Grants under this section may be for the purposes described in paragraph (2), paragraph (3), or both.

(2) REPLACEMENT BUS GRANTS.—A grant under this section may be used for the acquisition of replacement buses pursuant to subsection (f).

(3) FLEET EXPANSION BUS GRANTS.—A grant under this section may be used for the acquisition of not more than 10 buses to expand a fleet of airport buses at any single airport.

(f) REPLACEMENT BUS GRANTS.—

(1) REPLACEMENT.—For each bus acquired under a replacement bus grant, 1 older model year bus shall be retired from active service and crushed as provided in paragraph (2).

(2) BUS ACQUISITION.—Buses acquired under a replacement bus grant shall be acquired in the following order:

(A) First, new buses will replace buses manufactured before model year 1977, and the older buses replaced shall be crushed.

(B) If all buses manufactured before model year 1977 owned or operated by the grant recipient have been replaced, additional new buses will replace diesel-powered buses manufactured before model year 1991, which shall either—

(i) be crushed; or

(ii) be exchanged by the grant recipient for buses manufactured before model year 1977 from another bus fleet, with that bus then being crushed.

Exchanges made under subparagraph (B)(ii) shall be made without profit or other economic benefit to the grant recipient.

(3) PRIORITY OF GRANT APPLICATIONS.—The Secretary shall give priority to awarding grants to applicants emphasizing the replacement of buses manufactured before model year 1977.

(g) CONDITIONS OF GRANT.—A grant provided under this section shall include the following conditions:

(1) All buses acquired with funds provided under the grant shall be operated as part of the airport bus fleet for which the grant was made for a minimum of 5 years.

(2) Funds provided under the grant may only be used—

(A) to pay the cost, except as provided in paragraph (3), of new natural gas airport buses, including State taxes and contract fees; and

(B) to provide—

(i) up to 10 percent of the price of the natural gas buses acquired, for necessary natural gas infrastructure if the infrastructure will only be available to the grant recipient; and

(ii) up to 15 percent of the price of the natural gas buses acquired, for necessary natural gas infrastructure if the infrastructure will be available to the grant recipient and to other bus fleets.

(3) The grant recipient shall be required to provide—

(A) in the case of a replacement bus acquired as described in subsection (f)(2)(A) to replace a bus manufactured before model year 1977, 10 percent of the total cost of the bus, but not more than $10,000;

(B) in the case of a replacement bus acquired as described in subsection (f)(2)(B)(ii) to replace a diesel-powered bus manufactured before model year 1991 for exchange for a bus manufactured before model year 1977, 10 percent of the total cost of the bus, but not more than $10,000; and

(C) in the case of a replacement bus acquired as described in subsection (f)(2)(B)(i) to replace a diesel-powered bus manufactured before model year 1991, 25 percent of the total cost of the bus, but not more than $25,000.

(h) BUSES.—Funding under a grant made under this section may be used to acquire only new airport buses—

(1) with a gross vehicle weight of greater than 14,000 pounds;

(2) that are powered by a heavy duty engine;

(3) that emit not more than—

(A) for buses manufactured in model years 2001 and 2002, 2.5 grams per brake horsepower-hour of nonmethane hydrocarbons and oxides of nitrogen and .01 grams per brake horsepower-hour of particulate matter; and

(B) for buses manufactured in model years 2003 through 2006, 1.8 grams per brake horsepower-hour of nonmethane hydrocarbons and oxides of nitrogen and .01 grams per brake horsepower-hour of particulate matter; and

(4) that are powered substantially by electricity (including electricity supplied by a fuel cell), or by liquefied natural gas, compressed natural gas, liquefied petroleum gas, hydrogen, propane, or methanol or ethanol at no less than 85 percent by volume.

(i) DEPLOYMENT AND DISTRIBUTION.—The Secretary shall seek to the maximum extent practicable to achieve nationwide deployment of natural gas airport buses through the program under this section, and shall ensure a broad geographic distribution of grant awards, with a goal of no State receiving more than 10 percent of the grant funding made available under this section for a fiscal year.

(j) DEFINITIONS.—In this section, the following definitions apply:

(1) AIRPORT BUS.—The term ''airport bus'' means a bus operated by a public agency to provide transportation between the facilities of a public airport.

(2) ELIGIBLE ENTITIES.—The term ''eligible entities'' means the owners and operators of the 25 public airports in the United States with the most passenger boardings in the prior calendar year.

(3) PUBLIC AIRPORT.—The term ''public airport'' has the meaning such term has under section 47102 of title 49, United States Code.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary for carrying out this section—

(1) $40,000,000 for fiscal year 2004;

(2) $50,000,000 for fiscal year 2005;

(3) $60,000,000 for fiscal year 2006;

(4) $70,000,000 for fiscal year 2007; and

(5) $80,000,000 for each of fiscal years 2008 and 2009.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from New York (Mr. CROWLEY) and a Member opposed each will control 5 minutes.

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

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

Let me state first my admiration for both the chair and the ranking member of the Committee on Transportation and Infrastructure for the work that they have put into creating this bill before us today. I do not pretend to know all the difficulties that they have been through in trying to craft this legislation, not being a member of the committee, but having done a good bit of extensive reading through the papers have come to understand that this has not been an easy process for them. I do extend to them my congratulations on coming this far.

Mr. Chairman, I do have an amendment at the desk that I believe will enhance this bill and make it a better bill. So many of us who represent airports know the economic benefits airports bring to our communities, but we also, unfortunately, know the environmental damage that airports can cause the surrounding communities. While everyone thinks it is the airplanes themselves which bring elevated levels of pollution and ill health effects to surrounding communities, studies have shown that the more pressing concern is the emissions of shuttle buses, private cars and taxis, tarmac equipment and other vehicles which elevate local pollution levels, causing complaints and health concerns for many of our constituents.

A study in 2002 showed the emission reduction performance of natural gas transit buses versus conventional diesel counterparts, that the natural gas buses had a 53 percent lower oxides of nitrogen, 85 percent lower total particulate matter, and 89 percent lower carbon monoxide emissions. In fact, right here in Washington, D.C., officials developed a plan in 2001 to convert much of the Washington Metropolitan Area Transit Authority bus fleet from diesel to clean natural gas.

My amendment will create a pilot program that facilitates the use of natural gas buses at our Nation's top 25

busiest airports, New York's three airports, Chicago O'Hare, Los Angeles, Atlanta, Miami and others that handle millions of passengers, employees and visitors a day.

My amendment would entail buses not only shuttling passengers connecting to terminals but also buses taking passengers from the airport to the public airport parking lots and employees to and from employee parking lots. This would be done by awarding grants on a competitive basis for the use of natural gas buses at public airports through airport bus replacement and fleet expansion programs.

My amendment makes sure that the priority is given to those public airports running the oldest buses. We have to get these old polluting buses out of service and ensure we can start to reduce air pollution. As most of us know, natural gas buses are not something new. This amendment will help clean up the air around America's busiest airports by improving health and quality of life at the same time.

□ 1630

Mr. Chairman, my amendment is supported by the Natural Gas Vehicle Coalition, and I encourage all my colleagues to support this amendment.

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

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The gentleman from Alaska (Mr. YOUNG) is recognized for 5 minutes.

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

Although it is well merited, the Federal Public Transportation program does not provide programs for airport-based services. In addition, we understand that this amendment, according to our figures, adds $300 million to the cost of the bill, and that concerns me a great deal.

And, lastly, may I suggest respectfully, as important as natural gas is, we have some real problems getting natural gas to the United States, and we had better start looking at that problem very quickly; and under the energy bill we can do that. We have not passed the energy bill, but it is crucially important for this Nation to have a new supply of natural gas.

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

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I thank the chairman for yielding.

I too support the spirit of the gentleman's amendment, but not the language and not the approach and certainly not the additional cost without offsets. I do want to point out that under FAA's Airport Improvement Program and with the use of passenger facility charges, airports can accomplish this purpose. In fact, provided that the vehicle is owned by the Airport Authority, operated solely on airport property, the funds from passenger facility charges can be used to purchase such vehicles.

Where a vehicle is not AIP eligible, FAA would pay for the difference in cost between low emissions and a regular vehicle. We have addressed this matter already in the appropriate context in the FAA reauthorization bill. So there is a way of accomplishing it.

Under Congestion Mitigation and Air Quality Improvement, funds are apportioned to the States to improve their air quality in nonattainment areas. The pilot program, unfortunately, does not address nonattainment areas within States. So just as we opposed taking FAA money off airports, we are in the position of taking CMAQ money and putting it into airports. So the purpose of the gentleman is at cross purposes with public policy already in place, and reluctantly we must oppose the amendment. But we will work with the gentleman and find a way that we can accomplish this purpose.

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

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

I appreciate the comments of both gentlemen whom I respect very much on those issues. I would say that it is not an attempt on my part to take from Peter to pay Paul or vice versa. I was really trying to find a solution to the problem of congested airports and the pollution that they emit to surrounding communities. And I look forward to working with the gentleman from Minnesota (Mr. OBERSTAR), ranking member, in the future to further address this issue.

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

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

The amendment was rejected.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 17 printed in House Report No. 108–456.

AMENDMENT NO. 17 OFFERED BY MR. BACHUS

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

The Chairman pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. BACHUS:

After section 4131, insert the following (and redesignate the subsequent section of subtitle A of title IV, and conform the table of contents, accordingly):

SEC. 4132. HOURS OF SERVICE RULES FOR OPERATORS PROVIDING TRANSPORTATION TO MOVIE PRODUCTION SITES.

Notwithstanding sections 31136 and 31502 of title 49, United States Code, and any other provision of law, the maximum daily hours of service for an operator of a commercial motor vehicle providing transportation of property or passengers to or from a theatrical or television motion picture production site located within a 100 air mile radius of the work reporting location of such operator shall be those in effect under the regulations in effect under such sections on April 27, 2003.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from Alabama (Mr. BACHUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the U.S. motion picture and TV industry makes movies that are seen around the world. But, unfortunately, foreign countries are offering tax incentives to attract that production overseas, and I think most of us have seen movies lately that were set here, but filmed in Canada or Mexico.

This amendment would help stop that, and it simply will allow the motion picture industry, the TV industry, to operate under the current Hours of Service regulations. Not only the motion picture industry and the TV industry which asked me to bring this amendment, but the Teamsters Union have endorsed this amendment. It will simply allow those drivers who drive out to the location for an hour or 2 hours, then have 9 hours of rest and then have 2 hours in the evening to continue those hours of service. They have an excellent and exemplary safety record.

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Minnesota (Mr. OBERSTAR) is recognized for 5 minutes.

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

Mr. Chairman, I rise not only in opposition to this amendment, but to the many assaults upon the Federal Motor Carrier Safety Administration's hours of service rule announced just recently. But this one in particular, the FMCSA revised the hours of service pursuant to legislation that we enacted that moved out of our committee, through this body, through conference, signed into law. It has taken years for them to get this rulemaking after many hours of public discussion, debate, publishing in the Federal Register; and now people who are unhappy with the outcome are coming to the Congress to overturn a rulemaking. They have another procedure to do that. We should not by law go in and just be a congressional wrecking crew for safety.

Major change in the rules was to lengthen the required rest time after a long day on duty from 8 hours to 10 hours. An 8-hour rest is not enough. They barely get time to get home from their job, maybe get a shower, have something to eat, go to bed, and then they are going to be on duty again. A 10-hour off-duty period allows a driver reasonable time to get home, be with

family, have dinner or lunch or whatever his shift allows, and then get that 7 to 8 hours of sleep.

I have heard this said many times, including the President of the Motion Picture Association say they start at seven o'clock and they may finish at eight or nine o'clock at night, and they are not doing anything all this time. I say those who only stand and wait also serve.

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

Mr. BACHUS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of the Bachus-Tauscher amendment to clarify the hours of service rule for drivers in the motion picture and television industry.

This industry is vital to California and the Nation, and these new rules inadvertently impact their business model and encourage offshore production. The Teamsters strongly support this amendment because it will save jobs for their members who contribute so much to our economy.

I have tremendous respect for the ranking member of the committee and chairman of the committee, but the facts are that the rulemaking is about long-haul drivers, drivers who are driving many consecutive, consistent hours. This is not the situation here. This industry and the Teamsters have an unblemished record. They have a tremendous safety record. They are not driving for long hours. They are actually driving for less than 100 miles, waiting until the production is done, and then driving back.

We are all for safety, but we also want to keep jobs in this country. This is vital to California. I urge my colleagues to support the Bachus-Tauscher amendment.

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

Mr. BACHUS. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. COBLE), who is one of 38 Committee on Transportation and Infrastructure members who have signed a letter in support of this amendment.

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

Mr. Chairman, this is a good amendment. Outside of industry centers such as New York and California, North Carolina, my State, leads the country in attracting film and television production to our State. This hours of service amendment would allow the motion picture industry to operate under the old hours of service rules under which they have an excellent safety record, but this will also afford them to keep production costs down.

It is imperative, Mr. Chairman, that my State and other States be able to compete for this business. Too much of it is lost to Canada and other countries. As my friend from Alabama just said and gentlewoman from California mentioned, it is a good amendment. The Teamsters support this amendment. I support this amendment. I urge my colleagues to do likewise.

Mr. BACHUS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. FOLEY) in support of this amendment.

Mr. FOLEY. Mr. Chairman, I appreciate what the ranking member and the chairman are trying to do relative to truck safety, but this is a very unique issue. As chairman of the House Entertainment Task Force, we have been working consistently to try to keep jobs in America. We are talking about jobs not only about movie stars, but for the grips, the caterers, the production folks. This is a totally different issue.

The truck arrives on the set of a production in the morning, having driven maybe 50, 75 miles, and remains on the set for the remainder of the day before it moves back to its location. This is not long-haul shipping.

Mr. Chairman, we have had enough runaway productions leaving to Canada and other locales. This is one more impediment to keeping film production in the United States. It is a jobs opportunity provision. The gentleman from Alabama (Mr. BACHUS), the gentlewoman from California (Ms. TAUSCHER), and the gentleman from North Carolina (Mr. COBLE), I appreciate their sentiments on this. So, please, as we get ready to vote for this amendment, this is not contrary nor trying to be argumentative with our great chairman and ranking member on safety. We all join in the safety of our streets and highways. But we have to be very careful and make this unique distinction to protect jobs.

Mr. BACHUS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like to include in the RECORD a letter from the Teamsters in support of this amendment, and these are the very drivers that are driving these trucks. And as the gentleman from Florida said, these drivers drive and our amendment limits them to 100 miles. They drive out in the morning. They drive back at night, and that is their responsibility, and they do have 9 hours of rest. This does not include overnight. They go with the film crews. They go with the actresses. They go with the actors. They go with the camera people. And they are all out there from sunup to sundown. And the Teamsters, if the Members look at the letter that I am introducing, they will tell them that they are afraid they will either lose their job because they will continue to go out of country or they will turn these jobs into 2- or 3-hour part-time jobs and hire two crews. And instead of having a good-paying job, they will have no job.

STUDIO TRANSPORTATION DRIVERS,
TEAMSTERS LOCAL UNION NO. 399,
North Hollywood, CA, July 16, 2003.

Re: support for exemption from new hours of service regulations.

Hon. ERNEST ISTOOK, Jr.,
Chairman,
Hon. JOHN W. OLVER,
Ranking Member,
House Appropriations Subcommittee on Transportation, Treasury, and Independent Agencies, Washington, DC.

GENTLEMEN: I understand that your committee is considering amendments that would provide relief to certain industries from aspects of the new hours of service (''HOS'') regulations published by the Federal Motor Carrier Safety Administration. On behalf of the Studio Transportation Drivers of the International Brotherhood of Teamsters, Local 399, I wish to express our support for a proposal to permit commercial drivers to continue to comply with current HOS regulations concerning daily, on-duty time when operating to and from a motion picture or television production site located within a 100 air-mile radius of their work reporting location.

Existing HOS duty time regulations are better suited to the unique schedules of studio transportation drivers than th new regulations that will take effect January 4, 2004. Drivers assigned to productions drive only a few hours each day; these are short haul assignments. These drivers have had an excellent safety record, and their schedules meet the current HOS limitation. To comply with the new regulations, the industry will not be able to use the same drivers for an entire production day. Thus, each driver will receive significantly less compensation than under the current system. Given our excellent safety record, and that new HOS regulations largely were designed to address the fatigue of long-haul drivers, application of new duty-time limits to our drivers will increase operating costs without a corresponding safety benefit.

I hope that you will support retaining current hours of service regulations for studio transportation drivers.

Sincerely,

LEO T. REED,
Secretary-Treasurer/Principal Officer.

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

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. LIPINSKI).

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

There are at least three other, and perhaps four other, industries in this country that have come to me asking for an exemption from this hours of service rule, and we have looked at it very closely, and we feel very strongly that these exemptions should not be granted.

I am a long-time supporter of the Teamsters. I do not think there is an issue that has come before this House that I have not been on their side, but there are some times that we have to protect people from themselves. Consequently, I have to strongly oppose this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute.

I thank the gentleman for his statement.

If I may have the attention of the gentleman from Alabama, he has twice

referenced that drivers have 9 hours off during the day. If he would be willing to limit his amendment to those cases where they have 9 hours off during the day, I think we could accept that.

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

Mr. OBERSTAR. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Chairman, as the gentleman knows, this amendment was first proposed last October and we have tried to work in committee. We tried to work on this issue. What we are talking about is we have restricted it to 200 miles: 100 miles in the morning, 100 miles at night. To me it is almost a joke to say that that would fatigue these drivers. The very drivers that are driving, they have been operating under these rules for years and years and years and have an exemplary safety record.

□ 1645

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

Mr. Speaker, under the language provided for us here in this amendment, a driver could start work at 8 o'clock in the morning, work until midnight with 2 hours off during the day, and be expected back at work at 8 o'clock the following morning. I do not think it is right to put drivers on the road with so little rest, so much fatigue and so great potential for fatalities.

Now, the industry argues, well, we have not had any fatalities. But I have been involved in this fatigue issue in aviation, railroading, maritime and over-the-road truck driving for 25 years, and I know that the next fatality is just around the corner from the next weakening of safety regulations.

It is inappropriate to make the change in the way in which it is proposed here. This is not the right venue, it is not the right approach, it will endanger worker safety, and we ought to oppose this amendment.

Mr. BOOZMAN. Mr. Chairman, I rise in support of the Bachus amendment. I understand the effects that the new hours of service rule is having on the trucking industry and I also understand the unique operation of the motion picture drivers.

There are a number of groups who are seeking a modification to the hours of service rule and its for a simple reason—one size doesn't fit all.

The modifications sought by individual groups are understandable and I do support the motion picture industry's efforts. However, I also want to mention that I am also a strong supporter of taking a broader approach to assist all drivers, including short-haul operators in dealing with the new rule.

Options such as providing another 16-hour day to the short-haul drivers and providing all drivers with a defined two-hour rest period are viable options. I plan to continue working on this issue because there are several matters that deserve consideration.

Again, I support the Bereuter amendment and I thank the gentleman for yielding.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). All time has expired.

The question is on the amendment offered by the gentleman from Alabama (Mr. BACHUS).

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

Mr. OBERSTAR. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama (Mr. BACHUS) will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider Amendment No. 18 printed in House Report number 108–456.

AMENDMENT NO. 18 OFFERED BY MR. BEREUTER

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. BEREUTER:

At the end of title IV, add the following (and conform the table of contents accordingly):

SEC. 4133. OPERATORS OF VEHICLES TRANSPORTING AGRICULTURAL COMMODITIES AND FARM SUPPLIES.

(a) AGRICULTURAL EXEMPTION.—Sec. 345(a)(1) of the National Highway System Designation Act of 1995 (49 U.S.C. 31136 note; 109 Stat. 613) is amended to read as follows:

''(1) TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.—Regulations prescribed by the Secretary under sections 31136 and 31502 of title 49, United States Code, regarding maximum driving and on-duty time for drivers used by motor carriers shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes in a State if such transportation is limited to an area within a 100 air mile radius from the source of the commodities or the distribution point for the farm supplies.''.

(b) DEFINITIONS.—Section 345(e) of such Act of 1995 (109 Stat. 614) is amended by adding at the end the following:

''(7) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' means products grown on and harvested from the land during the planting and harvesting seasons within each State, as determined by the State.

''(8) FARM SUPPLIES FOR AGRICULTURAL PURPOSES.—The term 'farm supplies for agricultural purposes' means products directly related to the growing or harvesting of agricultural commodities during the planting and harvesting seasons within each State, as determined by the State, and livestock feed at any time of the year.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from Nebraska (Mr. BEREUTER) and a Member opposed will be recognized for 5 minutes each.

The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER).

MODIFICATION TO AMENDMENT NO. 18 OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent that the amendment be modified in the form at the desk.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to Amendment No. 18 offered by Mr. BEREUTER:

On page 1, line 13, after the word ''apply'' insert the phrase ''during planting and harvest periods, as determined by each state''.

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Nebraska?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Nebraska (Mr. BEREUTER) for 5 minutes.

Mr. BEREUTER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, first, I want to thank the leadership of the committee for accepting the perfecting amendment. It does track the existing regulations.

This amendment, based upon H.R. 871, which this Member offered last year, would assure that agriculture transporters would continue, that is the important part, would continue to be exempt from hours of service requirements when operating within a 100-mile radius of their point of origin during the very busy and at times short, weather-restrained planting and harvesting seasons of the year.

This is a matter of great importance to the transporters of agriculture commodities and supplies as well as consumers. However, this amendment narrows the definition of commodities and farm supplies, and I think it is appropriate.

The business of farming is driven largely by the weather and the significant demands of spring planting and fall harvest, and farmer's yields and the qualities of their crops depend, to a major extent, on timing. Planting, fertilizing, application of crop protection products and harvest all must be done at the right time, fitted in and around the ups and downs of weather.

During the 1995 National Highway System Designation Act, this Member's initiative led to regulations creating the current exemption. This relief has been threatened by proposed changes to hours of service rules. The provisions to include this amendment are needed to safeguard the continuation of this necessary exemption and to provide a clearer definition and a more restricted definition of agriculture commodities and farm supplies.

It is for this reason that I offer the amendment today. The legislation is supported by 40 cosponsors on a bipartisan basis. The chairman and the ranking member of the committee have received letters from about 35 organizations supporting the amendment.

I ask for its approval.

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

Mr. BEREUTER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I will not have to claim time in opposition. The unanimous consent request includes restoring the language ''during planting and harvest periods as determined by each State'' is restoration

of current law and is not an expansion thereof.

Mr. BEREUTER. Mr. Chairman, that is correct.

Mr. OBERSTAR. With that understanding, we can accept the amendment on this side.

Mr. BEREUTER. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Mr. Chairman, I yield such time as he may consume to the cosponsor of the legislation, the distinguished gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Chairman, I thank my friend from Nebraska for yielding me time. I also thank the ranking member for his acceptance of this amendment and also the chairman of the committee.

Mr. Chairman, this is a very important amendment for agriculture, the agriculture exemption for truck drivers. Without this exemption, drivers employed by agriculture retailers and farmers during the busy planting and growing season would have to comply with the same stringent rules that apply to long-haul drivers.

U.S. agriculture depends heavily on this limited relief. We have a great opportunity with this amendment to develop a uniform set of regulations that haulers of agriculture commodities will use.

Mr. BEREUTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG), the distinguished chairman of the committee.

Mr. YOUNG of Alaska. Mr. Chairman, I thank the gentleman for yielding me time and especially thank the gentleman for his perseverance and the work he has done, as well as the ranking member for accepting the amendment to the amendment.

Mr. Chairman, I think what I have said before is it is a way to have a little logic in this body. I do compliment the gentleman for bringing this amendment to the floor.

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

Mr. Chairman, I thank the gentleman for his support and appreciate the assistance of the staff on both sides of the aisle as we moved in this direction.

Mr. BOOZMAN. Mr. Chairman, I rise in support of the Bereuter amendment. I understand the effects that the new hours of service rule is having on the trucking industry and I also understand the unique operation of the drivers of agriculture commodities.

There are a number of groups who are seeking a modification to the hours of service rule and it's for a simple reason—one size doesn't fit all.

The modifications sought by individual groups are understandable and I do support the agriculture modification. However, I also want to mention that I am also a strong supporter of taking a broader approach to assist all drivers, including short-haul operators, in dealing with the new rule.

Options such as providing another 16-hour day to the short-haul drivers and providing all drivers with a defined 2-hour rest period are viable options. I plan to continue working on this issue because there are several matters that deserve consideration.

Again, I support the Bereuter amendment and I thank the gentleman for yielding.

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

The CHAIRMAN pro tempore. The question is on the amendment, as modified, offered by the gentleman from Nebraska (Mr. BEREUTER).

The amendment, as modified, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 3 offered by Mr. FLAKE of Arizona, Amendment No. 4 offered by Ms. JACKSON-LEE of Texas, Amendment No. 9 offered by Mr. CHOCOLA of Indiana and Amendment No. 17 offered by Mr. BACHUS of Alabama.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 3 OFFERED BY MR. FLAKE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on Amendment No. 3 offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 60, noes 367, not voting 6, as follows:

[Roll No. 106]

AYES—60

Akin
Barrett (SC)
Bartlett (MD)
Bass
Bishop (UT)
Boehner
Bradley (NH)
Brady (TX)
Cantor
Carter
Chabot
Collins
Cox
Davis (FL)
Deal (GA)
Everett
Feeney
Flake
Franks (AZ)
Garrett (NJ)
Gingrey
Gutknecht
Harman
Harris
Hastings (WA)
Hayworth
Hensarling
Hunter
Isakson
Kennedy (MN)
King (IA)
Kingston
Kline
Kolbe
Linder
Lofgren
Majette
Miller (FL)
Musgrave
Myrick
Norwood
Otter
Paul
Pence
Putnam
Ramstad
Renzi
Rohrabacher
Royce
Rush
Sensenbrenner
Shadegg
Simpson
Smith (MI)
Stearns
Sullivan
Tancredo
Thornberry
Weldon (FL)
Wilson (SC)

NOES—367

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barton (TX)
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Conyers
Cooper
Costello
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Hall
Hart
Hastings (FL)
Hayes
Hefley
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Kleczka
Knollenberg
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)

Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

DeMint
Gephardt
Hulshof
Tanner
Tauzin
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1718

Messrs. STRICKLAND, HASTINGS of Florida, SPRATT, HOYER, ACKERMAN, and Ms. KILPATRICK, Ms. BROWN-WAITE of Florida, and Mrs. JO ANN DAVIS of Virginia changed their vote from ''aye'' to ''no.''

Messrs. SIMPSON, ROHRABACHER, HAYWORTH, COLLINS, and EVERETT changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1720

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). Pursuant to clause 6 of rule XVIII, the remaining votes of this series will be conducted as 5-minute votes.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 50, noes 376, not voting 7, as follows:

[Roll No. 107]

AYES—50

Ballance
Bell
Bonilla
Brady (TX)
Burgess
Carson (IN)
Carter
Conyers
Culberson
Cummings
Davis (AL)
Davis, Tom
DeLay
Doggett
Flake
Foley
Fossella
Frost
Gonzalez
Granger
Green (TX)
Hall
Hastings (FL)
Hensarling
Hinojosa
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Johnson, Sam
Lampson
Neugebauer
Otter
Paul
Pence
Pitts
Sandlin
Scott (VA)
Sessions
Shadegg
Stearns
Stenholm
Thornberry
Toomey
Turner (TX)
Udall (CO)
Vitter
Walden (OR)
Watson
Weldon (FL)
Wynn

NOES—376

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

NOT VOTING—7

DeMint
Gephardt
Hulshof
Lewis (KY)
Tanner
Tauzin
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1726

Ms. MAJETTE changed her vote from ''aye'' to ''no.''

Messrs. DOGGETT, SHADEGG, OTTER, and FROST changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. CHOCOLA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. CHOCOLA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 228, not voting 7, as follows:

[Roll No. 108]

AYES—198

Aderholt
Akin
Bachus
Baird
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bishop (UT)
Blunt
Boehlert
Boehner

Bonilla
Bonner
Bono
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burns
Burr
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Cardoza
Carson (IN)
Carter
Chabot
Chocola
Coble
Cole
Collins
Cox
Cramer
Crane
Crenshaw
Culberson
Cunningham
Davis, Jo Ann
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Ehlers
Feeney
Ferguson
Flake
Forbes
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hobson
Hoekstra
Hostettler
Hunter
Isakson
Issa
John
Johnson (CT)
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Majette
Manzullo
Marshall
McCotter
McCrery
McHugh
McInnis
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spratt
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)

NOES—228

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baker
Baldwin
Ballance
Ballenger
Becerra
Bell
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boozman
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Burgess
Camp
Capps
Capuano
Cardin
Carson (OK)
Case
Castle
Chandler
Clay
Clyburn
Conyers
Cooper
Costello
Crowley
Cubin
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Duncan
Edwards
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Gillmor
Gonzalez
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Houghton
Hoyer
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Platts
Pomeroy
Price (NC)
Radanovich
Rahall
Reyes
Rodriguez
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Snyder
Solis
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wamp
Waters
Watson
Watt
Weiner
Weldon (FL)
Wexler
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—7

DeMint
Gephardt
Hulshof
Tanner
Tauzin
Waxman
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1736

Ms. DeGETTE changed her vote from ''aye'' to ''no.''

Messrs. SMITH of Texas, OTTER, McINNIS and FORBES changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. BACHUS

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BACHUS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 365, noes 62, not voting 6, as follows:

[Roll No. 109]

AYES—365

Abercrombie
Ackerman
Aderholt
Akin
Allen
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
Deal (GA)
DeGette
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley (OR)
Houghton
Hoyer
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Olver
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)

Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stenholm
Strickland
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Toomey
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Vitter
Walden (OR)
Wamp
Waters
Watson
Watt
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wynn
Young (FL)

NOES—62

Alexander
Andrews
Berry
Bonilla
Capuano
Carter
Case
Collins
Conyers
Costello
Crowley
Davis, Jo Ann
DeFazio
Delahunt
Dicks
Dingell
Filner
Frank (MA)
Gonzalez
Gutierrez
Hastings (FL)
Holt
Hostettler
Inslee
Jackson (IL)
Johnson, Sam
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
Langevin
Levin
Lipinski
Markey
McCollum
Mollohan
Oberstar
Obey
Ortiz
Owens
Pallone
Petri
Radanovich
Rahall
Ryan (OH)
Sabo
Scott (VA)
Sherwood
Skelton
Snyder
Stark
Stearns
Stupak
Thornberry
Tierney
Visclosky
Walsh
Weldon (FL)
Wolf
Wu
Young (AK)

NOT VOTING—6

DeMint
Gephardt
Hulshof
Tanner
Tauzin
Waxman

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1744

Mr. RANGEL and Mr. RUSH changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. YOUNG of Alaska. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. SIMPSON, Chairman pro tempore 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. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON SCIENCE TO HAVE UNTIL 5:00 P.M., WEDNESDAY, APRIL 14, 2004, TO FILE LEGISLATIVE REPORTS ON H.R. 3970 AND H.R. 4030

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that the Committee on Science have until Wednesday, April 14, 2004, at 5 p.m. to file legislative reports on the following measures:

H.R. 3970, Green Chemistry Research and Development Act of 2004; and

H.R. 4030, Congressional Medal for Outstanding Contributions in Math and Science Education Act of 2004.

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

There was no objection.

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

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

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

There was no objection.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The SPEAKER pro tempore. Pursuant to House Resolution 593 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3550.

□ 1745

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with Mr. SIMPSON (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, the amendment numbered 17 printed in part B of House Report 108–456, offered by the gentleman from Alabama (Mr. BACHUS), had been disposed of.

It is now in order to consider amendment No. 20 printed in House Report 108–456.

AMENDMENT NO. 20 OFFERED BY MR. BRADLEY OF NEW HAMPSHIRE

Mr. BRADLEY of New Hampshire. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. BRADLEY of New Hampshire:

Add at the end the following new section:

SECTION 1. VEHICLE WEIGHT LIMITATIONS.

(a) The next to the last sentence of section 127(a) of title 23, United States Code, is amended by striking ''Interstate Route 95'' and inserting ''Interstate Routes 89, 93, and 95''.

(b)(1) IN GENERAL.—In consultation with the Secretary of Transportation, the State of New Hampshire shall conduct a study analyzing the economic, safety, and infrastructure impacts of the exemption provided by the amendment made by subsection (a), including the impact of not having such an exemption. In preparing the study, the State shall provide adequate opportunity for public comment.

(2) FUNDING.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) $250,000 for fiscal year 2004 to carry out the study.

(3) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized by this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code; except that such funds shall remain available until expended.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from New Hampshire (Mr. BRADLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I propose this amendment for consideration by the Congress so that it can strictly apply to the State of New Hampshire, raising the weight limits on trucks that travel on Interstate 89 and Interstate 93. Currently, right now, Mr. Chairman, we have trucks avoiding our main highways and driving through some of the most populated towns in our State in order to avoid the weight limit.

Mr. Chairman, when I proposed this amendment to the Committee on Rules, I submitted for the record letters from many public safety people throughout our State, including the Department of Safety, the Department of Transportation, local police chiefs, as well as town councilors, and others supporting this amendment.

The reason people in New Hampshire support this amendment, Mr. Chairman, is that our trucks are riding on roads where there is no weight limit up to 99,000 pounds, presenting significant public safety issues, going by schools and other places of assembly. We need to get these trucks on our highways where they are safer and where they are designed to be operated.

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

Mr. OBERSTAR. Mr. Chairman, I claim the time in opposition, and I yield myself 1 minute.

Mr. Chairman, Congress, some years ago, granted New Hampshire limited exemptions from the Federal truck size and weight limits. We required that the State complete the study of the impacts upon the State's infrastructure, and even allocated $250,000 to undertake the study. The State has not completed its study. DOT, U.S. Federal

DOT says that 80,000-pound six-axle trucks pay only 90 percent of their infrastructure damage through fuel taxes. Six-axle trucks operating 100,000 pounds pay only 40 percent of their costs.

These trucks have a huge adverse impact on our highways and bridges, especially our bridge infrastructure. I will return to that subject later.

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

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself such time as I may consume to respond that perhaps my esteemed colleague is not aware of the fact that New Hampshire requested this exact type of study to be done in the last transportation authorization on Route 95, which is the north-south route that goes all through New England. When a study was done by the Maine Department of Transportation, while it has not been published, all indicators are that there have been no safety impacts and negligible costs to the infrastructure from raising the weight limits from 80,000 pounds gross vehicle weight to 99,000 pounds, exactly what we are asking for Route 93 and Route 89.

So, Mr. Chairman, the money has already been appropriated in the last transportation appropriations bill. There is no impact on the budget. We will not permanently raise the weight limit in the absence of this study. We are asking for the authorization to go ahead with the weight limit increase while the study is being performed.

And as I said, all of the public safety officials in my State are supportive of this weight limit increase. Because currently, right now, we have large trucks avoiding the weight limitation station and driving through two of the most populous communities in the State, where there are schools and where there are many kids on bicycles. We need to get these trucks on the highway.

As I said, the study that was done on Route 95 will show no negligible safety or infrastructure effect.

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

Mr. OBERSTAR. Mr. Chairman, I yield myself 15 seconds.

The gentleman referred to a study, but he is referring only to preliminary results. The study results are not final.

Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I thank the gentleman for yielding me this time, and with all due respect to my colleague from New Hampshire, I rise in opposition to this amendment.

This amendment is about opening the door to allow bigger and bigger trucks on our interstate highway system. And although this amendment is drafted in a form that appears to apply only to the State of New Hampshire, its impact will reach all States, all taxpayers, and all motorists.

Allowing these superheavy trucks on the interstates in New Hampshire would cause substantial bridge damage, cost the taxpayers money, and threaten the safety of motorists, and not just impacting the people of New Hampshire but people all across this country.

Let me explain. Operating 99,000-pound trucks on New Hampshire's interstates would require replacing and strengthening interstate bridges, at a huge cost to taxpayers all over this country. Heavier single tractor trailer trucks do not pay for all the damage they do to roadways. According to the U.S. Department of Transportation, a 100,000-pound six-axle single tractor-trailer truck pays only 40 percent. Taxpayers pay the rest. Not just taxpayers in New Hampshire, but all across this country.

Heavier singles pose numerous safety risks. As weights go from 65,000 to 80,000 pounds, the risk of an accident involving a fatality goes up 50 percent. In addition, these superheavy trucks will have added braking and steering problems and the risk for rollover will increase.

Now, I believe that 80,000 pounds is enough on the interstate, on urban connectors, and all roads. So there are consequences here that go far beyond what the gentleman has outlined. So while I have great respect for him, and I understand his concern about safety, I think the debate should be about the fact that these trucks get bigger and bigger and bigger. I think that is what poses the safety risks to the people of New Hampshire and people all over the country.

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

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself such time as I may consume to respond to the criticisms of my esteemed colleague from Massachusetts, and remind my colleague from Massachusetts that I, from New Hampshire, ask only the same consideration and the same laws with regard to truck weight limit that now apply in his State of Massachusetts, which on all highways, to the best of my knowledge, allow at least 99,000 pounds gross vehicle weight, and in some instances, with a waiver, up to 120,000 pounds.

I would also remind my colleague that when we are talking about public safety with regard to New Hampshire, the commissioner of the Department of Safety, the commissioner of the Department of Transportation, local police chiefs, fire chiefs, town councilors, elected officials from the impacted communities where trucks are leaving the highway and going downtown, where there is traffic, where there are kids, where there are schools and churches, and where there are community centers, et cetera, et cetera, et cetera, we all want to try and get these trucks on our highways where the safety impact to people's lives and well-being will not be hurt.

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

Mr. OBERSTAR. Mr. Chairman, I would like to inquire of the Chair the time remaining on both sides.

The CHAIRMAN pro tempore. The gentleman from Minnesota (Mr. OBERSTAR) has 1¾ minutes remaining, and the gentleman from New Hampshire (Mr. BRADLEY) has 1½ minutes remaining.

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

The CHAIRMAN pro tempore. The gentleman from Minnesota (Mr. OBERSTAR) has the right to close.

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself such time as I may consume, and in closing I would ask the consideration of the body for this request.

This applies only to the State of New Hampshire. All of the public safety officials in my State are supportive of this change. It is designed to protect the lives of people in the communities where there are, as I have mentioned before, schools, traffic, downtown crossings.

I would ask the consideration of the Congress for this sensible change. There is no impact on the budget, as the money for this study was appropriated in the last transportation authorization bill.

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

Mr. OBERSTAR. Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I would say to my colleague from New Hampshire that the difference between Massachusetts and New Hampshire is that the trucks that he is referring to operate on toll roads, and the taxpayers of Massachusetts are paying for the damage that is done by these heavier trucks on these roads, not the taxpayers across the country. That is a major difference.

Again, I oppose this amendment for all the reasons that I stated, and I would simply remind my colleagues that this bill that we have before us today is underfunded. It does not meet all of what DOT says we need to have to be able to maintain the status quo in terms of maintaining our transportation infrastructure.

This, in my opinion, opens the door to bigger trucks, not only in New Hampshire but in other parts of the country as well.

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, Route 93 in New Hampshire is indeed a toll road, and we are asking for the same consideration that Massachusetts currently enjoys, which is 99,000 gross vehicle weight limit. And what is good for Massachusetts clearly should be good for New Hampshire.

The CHAIRMAN pro tempore. Time of the gentleman from New Hampshire (Mr. BRADLEY) has expired.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

It simply comes down to this: heavier trucks are more dangerous. They are more costly to the Nation's highways. As truck weights increase, fatal accident rates go up, according to the University of Michigan's transportation research study.

Heavier tractor-trailers raise the center of gravity of the vehicle and its load, increasing rollovers. Heavier vehicles mean increasing speed differentials with other traffic. Increasing truck weights result in greater brake maintenance problems. Brakes are out of adjustment, trucks take longer to stop. It is just that simple.

I have studied this issue for many years. Heavier trucks are worse on the roadway, worse still on bridges, and are involved in a highly disproportionate greater number of accidents.

Vote ''no'' on the amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BRADLEY).

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

Mr. BRADLEY of New Hampshire. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Hampshire (Mr. BRADLEY) will be postponed.

It is now in order to consider amendment No. 21 printed in House Report 108–456.

AMENDMENT NO. 21 OFFERED BY MR. KIRK

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. KIRK:

Insert the following at the appropriate place:

SEC. _____. STATE AUTHORITY.

Section 20153 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(k) STATE AUTHORITY.—

''(1) IN GENERAL.—Upon application of the Governor of a State, a State may assume responsibility for determining the circumstances under which to require the sounding of a locomotive horn when a train approaches and enters upon public highway-rail grade crossings, and for enforcing such requirements.

''(2) REVIEW.—The Secretary shall review any program established by a State pursuant to paragraph (1) every 5 years, and if the Secretary determines that the State program inadequately protects rail, vehicular, and pedestrian safety the Secretary shall, after providing the State with 24 months notice of such determination, implement regulations issued by the Secretary under this section in lieu of such State program.''.

The CHAIRMAN pro tempore. Pursuant to House Resolution 593, the gentleman from Illinois (Mr. KIRK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. KIRK).

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

Mr. Chairman, in 1994, Congress passed an unfunded mandate on most local communities in America that maintain quiet zones in their communities. When the regulations were first drafted, they would require trains entering the City of Chicago to blow their train horns on entering the city until arriving into the station. This upset the people of Chicago. It upset the Mayor of Chicago.

One university study showed that the original train whistle regulation would trigger so much noise pollution in our communities that it caused property losses to rise to $1 billion in Chicago lands alone. A redraft of this regulation offered some help, but at first glance the cost of implementing this regulation for Chicago communities rose from $4 million to at least twice that.

My amendment would not change Federal safety standards, but it would allow a State to implement this regulation.

□ 1800

Half of all quiet zones are in Illinois. This is an important issue to my constituents, to the Speaker's and to Ranking Minority Member LIPINSKI's.

Mr. Chairman, I had intended to offer this amendment today that would give governors the option of enforcing train quiet zone standards at this level. However, I will ask unanimous consent to withdraw my amendment but would ask the chairman of our subcommittee to engage me in a colloquy on this.

Mr. PETRI. If the gentleman will yield, I would be very happy to do so.

Mr. KIRK. Mr. Chairman, many of our communities have quiet zones to protect their environment from needless noise pollution by trains. The Federal Government is poised to put forward a regulation that eliminates our local community quiet zones unless new, expensive, and very complicated rules are met. Mr. Chairman, I hope we can work together to address this issue in conference so that local communities are not overburdened with unfunded Federal mandates and cumbersome Federal regulations.

Mr. PETRI. That is something that we are eager to work with the gentleman on. This is important not only in Illinois, it is important in Wisconsin, in Minnesota, and in a number of other States.

Mr. KIRK. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. LIPINSKI. I thank the gentleman for yielding. I want to say I compliment my colleague from Illinois for putting this amendment forward. It certainly is an issue that has been uppermost in my mind and in Speaker HASTERT's mind for a long period of time.

In speaking to him about this particular amendment, we came to the conclusion that it would be more prudent and wiser to work this out as we move into the conference. I am sure, based upon many conversations I have had, that we will be able to work this out satisfactorily. I simply want to give him my support.

I thank the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Illinois (Mr. KIRK) for the colloquy that they just had.

Mr. KIRK. Mr. Chairman, I renew my unanimous-consent request to withdraw the amendment.

The CHAIRMAN pro tempore (Mr. SIMPSON). Without objection, the amendment is withdrawn.

There was no objection.

Mr. PETRI. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PETRI) having assumed the chair, Mr. SIMPSON, Chairman pro tempore 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. 3550) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, had come to no resolution thereon.

COMMUNICATION FROM LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from John R. Miller, Law Revision Counsel, House of Representatives:

OFFICE OF THE LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES,
Washington, DC, March 29, 2004.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Last October, I completed 28 years of service with the Office of the Law Revision Counsel of the U.S. House of Representatives. During that time, I have had the pleasure of serving as Assistant Counsel, Deputy Counsel, and for the past seven years Law Revision Counsel. After almost 33 years of service to the Federal Government, it has been very difficult to make this decision and select a particular date, but with your approval, I will retire as Law Revision Counsel, effective May 3, 2004.

Over the past seven years, the Office has become self-reliant and greatly improved the procedures for preparing and publishing the United States Code. Self-reliance had been the goal of the Office since it was established in 1975. The Office continues to produce the most accurate version of the Code but no longer requires any outside assistance for its production of the Code. This is the result of developing an outstanding staff as well as new procedures for preparing and publishing the Code. The new procedures and computer programs that have been developed and implemented in the past few years will enable the Office to improve its efficiency while maintaining the accuracy of the Code, and eventually will increase the timeliness in which the Code becomes available. While many challenges remain for the Office in our rapidly changing environment, I am confident that the knowledge, experience, and

professionalism of the staff will enable the Office to continue its successes and progress.

Over this period, the Office also has prepared and submitted to the Committee on the Judiciary bills to enact two titles of the Code into positive law. In addition, a bill to enact a third title should be transmitted to the Committee shortly. Also, nearing completion is a bill to complete the enactment of Title 46, Shipping.

None of this could have been accomplished without the support and expertise of the dedicated staff of the Office. I am deeply grateful for their assistance and wish them every success. Finally, I gratefully acknowledge the assistance and support that I, and the Office, have received from the many House Officers and Offices, especially the Speaker, the Chairman of the Committee on the Judiciary, the Parliamentarian, and the fine staffs of those Offices and the Committee.

Respectfully yours,

JOHN R. MILLER,
Law Revision Counsel.

APPOINTMENT OF LAW REVISION COUNSEL, HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to 2 U.S.C. 285c, and the order of the House of December 8, 2003, the Chair announces the Speaker's appointment of Mr. Peter LeFevre as Law Revision Counsel for the House of Representatives, effective May 4, 2004.

COMMUNICATION FROM STAFF MEMBER OF HON. TOM LATHAM, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from James D. Carstensen, Communications Director for the Honorable TOM LATHAM, Member of Congress:

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a criminal trial subpoena for testimony issued by the District of Columai Superior Court.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JAMES D. CARSTENSEN,
Communications Director.

QUESTIONS TO ADMINISTRATION IN WAKE OF LATEST IRAQI ATROCITIES

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I do not believe any of us who believe in a civilized world and the respect for human life, respect for the rule of law and just an outright commitment, appreciation and connection to our fellow Americans could imagine the heinousness of the act yesterday in Iraq that took the lives of five of our soldiers and four civilians. We now have lost more young men and women in the United States military in postwar Iraq than we did during the declaration or the call for war by this administration.

My sympathy goes out to those families who mourn, those who mourn for their loved ones that died before yesterday and, of course, the heinous act of yesterday.

It is time now for the Bush administration to tell the American people the truth. How long and what efforts will they take to stop this reckless violence against both our troops and as well civilians, to begin to put together a collaborative effort, Mr. Speaker, so that this kind of violence is stopped and that our work is unanimous with our allies and that we can truly provide for democracy in Iraq.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 3108, PENSION FUNDING EQUITY ACT OF 2004

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider a conference report to accompany 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 for other purposes, that the conference report be considered as read, and that all points of order against the conference report and against its consideration be waived.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

OHIO COMPANIES CLOSE DOORS

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. Mr. Speaker, Secretary John Snow, the President's second top economic adviser, was in Ohio this week trying to defend the administration's economic and budget policies. Secretary Snow said outsourcing is a good thing. Outsourcing creates more efficiencies in the economy.

I wish that Secretary Snow, when trying to justify the President's economic policies, had been with me in Akron, Ohio, a couple of weeks ago. I spoke to a group of business owners, small manufacturers, the Akron machine shop, group of machine shop owners and operators. They are concerned that Ohio has lost one out of six manufacturing jobs, probably permanently. They are concerned that Ohio has lost 236,000 jobs overall. That is about 1,500 jobs a week since President Bush took office. That is about 205 jobs every day since President Bush took the oath of office on January 20, 2001.

When I was talking to these machine shop operators, one gentleman presented me with a pile of brochures about twice this size. Actually, I do not have all of them with me. These are going-out-of-business sale notices, auction notices from companies all over the country, small manufacturing companies. He receives a stack of about that many every month, he said, at his place of business, companies going out of business, selling their equipment.

Let me just share some of these. A company in Cleveland, Ohio, selling all its assets; a company in Cuyahoga Falls, Ohio, absolute auction; company in Waterville, Ohio, near Toledo, live one site, selling everything; company in Springfield, Ohio, going out of business; company in Mansfield, Ohio, where I grew up, that is going out of business, selling its real estate and all its production capacity; a company in Sydney, Ohio, major equipment manufacturer, public auction; company in Dayton, Ohio, facility closing; company in Cleveland, Ohio, assets no longer required in the continuing operations of this tube mill facility; a company in Akron, Ohio, in my district going out of business; another company in Cincinnati, Ohio, I believe, public auction, going out, precision machining facility; a company in Toledo, Ohio, going out of business, don't miss this sale, everything sold; a company in Youngstown, Ohio, going out of business; a company in Painesville, Ohio, going out of business; a company in Medina, Ohio, facility closed, all must go; Marion, Ohio, complete shop closeout auction; Tipp City, Ohio, machine tool auction, selling everything; Cleveland, Ohio.

That is just the Ohio companies here that are going out of business.

I bring this up partly because the administration does not get it. They keep talking about the economy is coming back. We are not seeing jobs created, and we are not seeing jobs created because the administration's answer to this kind of bad news is more tax cuts for the most privileged people in our country with the hope that some of those tax cuts will trickle down and maybe provide some jobs and more trade agreements that hemorrhage jobs, that ship jobs overseas.

This administration needs to do two or three things immediately. We need to extend unemployment benefits. Fifty thousand Ohioans in the next couple of months will have had their unemployment benefits expire. These

are people that want to have jobs, that are looking for work. It is 50,000 workers. It is 50,000 families that lose their benefits in communities all over my State, all over this country.

The second thing the administration needs to do is allow for trade adjustment assistance. They have opposed that, even though all those jobs that have gone to Mexico and China and all over the world, those workers need help.

And, third, the administration needs to pass the Crane-Rangel bill, bipartisan legislation that will give tax breaks to those corporations that hire people in the United States.

The President, on the other hand, wants to give more tax cuts to the wealthiest individuals and more tax cuts to the largest corporations and rewarding those companies that are outsourcing, that are sending their jobs overseas. We need to reward those companies and give incentives to those companies that are hiring American workers and build back our manufacturing base. My State has lost one out of six manufacturing jobs in the last 3 years. My State has lost 205 jobs every single day of the Bush administration. These pleas continue to fall on deaf ears. The President tries the same tired solutions. They have not worked for 3 years. It is time we changed course.

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

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

EXCHANGE OF SPECIAL ORDER

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to assume the time of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

TRADE DEFICIT AND GAS PRICES

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

Mr. DUNCAN. Mr. Speaker, I rise tonight to speak about two separate issues but both related to the economic well-being, the pocketbooks of the American people.

First, the trade deficit. The Washington Post reported on February 16 that our trade deficit reached a record $489 billion in 2003. The story said that ''while the trade report showed the robust growth in U.S. consumption, it also provided a stark reminder of problems on the economy's productive side. In particular, the lack of employment growth which is attributable in part to the loss of jobs to foreign competition.''

At a hearing before the subcommittee I chair, the Subcommittee on Water Resources and Environment, the head of the World Shipping Council said ships were coming to the U.S. full but leaving empty.

□ 1815

We cannot sustain this type of deficit for many more years. By far the largest trade imbalance is with China and will probably be around $150 billion this year. With a tiny bit less than 4 percent of the world's population, we buy 25 percent of the world's goods. This means that every other country desperately wants into our markets. We have tremendous trade leverage that we have not used as we should have. It has been used mainly to help large multinational companies which have had great influence, too much influence, in our government.

However, our trade agreements have been detrimental to the majority of American small and medium-sized businesses and to our workers. I believe other countries are probably amazed that we have not been tougher in trade negotiations.

We should tell any nation with which we have a large trade imbalance, starting with China, that we want to be friends, that we want cultural and educational exchanges, tourism, and especially trade; but we want that trade to be both free and fair. We should tell the Chinese and others to start looking for products they can buy from us because if they do not start bringing down the trade deficits within a reasonable time, we will have to renegotiate some of our trade agreements.

William Hawkins, Senior Fellow, at the U.S. Business and Industry Council, summed it up best in a recent column in the Washington Times: ''Commerce is driven by competition, making trade rivalry a part of the larger struggle of nations for independence, security, and prosperity.''

Mr. Speaker, I am sick and tired of seeing so many millions of American jobs going to other countries, and there is tremendous concern about this all across this Nation.

Secondly, Mr. Speaker, gas prices. Gas prices have risen to some of their highest levels ever, primarily for two reasons: one, we are being robbed by foreign oil producers; and, two, extreme environmentalists oppose any oil production in the U.S. The Arctic National Wildlife Refuge is a 19.8 million acre site, 35 times the size of the Great Smokey Mountains. Yet some left-wing extremists oppose drilling on some 2,000 acres in the Arctic Nation Wildlife Refuge, about 1/100 of 1 percent of the refuge, in a part that is a frozen tundra with no trees or bushes for many, many miles. We have not opened a new oil refinery since 1975, and something like 36 have been forced to close since 1980 due to too many rules and regulations. If we do not, Mr. Speaker, we will become even more vulnerable to foreign nations and damage both our economy and our national security.

These environmental extremists almost always come from very wealthy or upper-income families, and perhaps they do not realize how much they are hurting the poor and the lower-income and the working people of this country, but we need to produce more U.S. oil to bring down these gas prices.

The SPEAKER pro tempore (Mr. SIMPSON). 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.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from Oregon (Mr. DEFAZIO).

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

There was no objection.

RECOGNIZING AUGUST WILSON

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

Mr. MCDERMOTT. Mr. Speaker, today I rise in tribute to August Wilson, the leading playwright of his generation and an icon of contemporary American theatre.

For more than 20 years, August Wilson's sometimes searing, but always provocative, dramas have flung theatregoers into the lives and circumstances of black Americans. Performed throughout the country, these works have amused and disquieted us. They have deepened our understanding of our history and our society.

In recognition of the unforgettable portraits he has created, Mr. Wilson has received repeatedly virtually every award bestowed by the literary community, including two Pulitzer Prizes, and five Tony Awards. He is a fellow of the American Academy of Arts and Letters and a member of the American Academy of Arts and Sciences.

August Wilson has been a resident of Seattle since 1990. So it is quite appropriate that the Seattle's Rainier Club, one of the oldest entities in the city, has named him its laureate for 2004–2005. This occasion offers all of us a most welcome opportunity to salute Mr. Wilson for his transforming contributions to American theatre.

He joins the other laureates of Seattle, Jonathan Raban; Ernestine Anderson, the jazz artist; Dave Horsey, the Pulitzer Prize winning cartoonist. He has been a real tribute to our city

and deserves the acknowledgment of the whole city. And we look forward to many more evenings in the theatre with August Wilson, gazing at America through his eyes.

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

(Ms. ROS-LEHTINEN 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 Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

ORDER OF BUSINESS

Mr. CUMMINGS. Mr. 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 Maryland?

There was no objection.

JOBS AND THE ECONOMY

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

Mr. CUMMINGS. Mr. Speaker, just recently the economic report of the President, which was sent to Congress under the President's signature, predicted that the economy would create some 2.6 million jobs this year. Yet, Mr. Speaker, the President has yet to create a single net job since his inauguration, not one.

Meanwhile, we have lost almost 9 million people in this country that are hopelessly out of work. Many of these intelligent, educated, and able-bodied Americans have given up on looking for work because our national unemployment situation is so grim. As a result, they are unable to provide the basic necessities for their families. Instead, they are watching President Bush on television traveling the country, touting his economic record that again has yet to create a single net job.

Mr. Speaker, we have got to get the employment situation in this Nation back on track. The phrase ''jobless recovery'' is of no consolation to the nearly 9 million Americans who are unemployed and the millions who are underemployed in our country.

Mr. Speaker, zero represents the amount of money nearly 9 million people are bringing home bi-weekly instead of a paycheck. Zero represents a degree to which the tax cuts being promoted by my colleagues on the other side of the aisle have worked to achieve their goal. Zero also represents the amount of compassion American voters should give this administration in November since these numbers will not change without new leadership in Washington.

Today, Congress had an opportunity to enact legislation that is guaranteed to create jobs. The Committee on Transportation and Infrastructure Democrats proposed $37.8 billion of Federal highway/transit infrastructure investment. These funds would have created nearly 1.8 million jobs and about $235 billion of economic activity. However, our recommendations were disregarded because the President threatened to veto the bill.

Mr. Speaker, I want to make it crystal clear to the American people that the President of the United States has threatened to veto a bill that has proven to create jobs; yet he is in favor of unlimited amounts of tax cuts that have debatable job creation effects. Mr. Speaker, it has been found that transportation construction contractors hire employees within 3 weeks of obtaining a project contract. Yet nearly 3 years after passage of the President's first package of tax cuts, the economy has yet to create a single net job. Not one.

Mr. Speaker, the unemployment numbers from March will be released tomorrow. For the good of the American people, I sincerely hope that these numbers reflect a positive change in the Nation's unemployment situation. But it will not be because of anything this administration has done. It will be in spite of the obstacles to job creation that this administration continues to advocate.

Lastly, I continue to hear the President and the Republicans blame all of their economic woes on September 11, corporate scandals, and the drumbeat of the Iraq War. Let me remind my friends that every President and every administration has had to overcome challenges. How about World War II, the Cuban Missile Crisis, the Vietnam War, the Watergate scandal, the Iran hostage situation, the Cold War, and the first Persian Gulf War?

I could continue on, but my point is that every President has faced these types of challenges and still managed to create jobs, except one, since the Great Depression, and that is George W. Bush and this Republican House and Senate.

Mr. Speaker, we either need to change policies or change the leadership of this country. In the words of Tracy Chapman, ''Either we change or we live and die this way.'' I say we must, we must change.

THE STATE OF ARMENIAN/AZERBAIJAN RELATIONS

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

Mr. PALLONE. Mr. Speaker, I rise this evening to address the decline in the state of affairs between Armenia and Azerbaijan brought about by Azeri President Ilham Aliyev and the members of his ministry. Including Namik Abbasov, Minister of National Security, through their encouragement of anti-Armenian propaganda that perpetrates anti-Armenian sentiments in the region.

Mr. Speaker, a few weeks ago, I was disheartened to learn of the brutal murder of an Armenian soldier by an Azeri soldier. Both were attending a NATO Partnership for Peace English-language course in Hungary. But I am doubly concerned by additional information that has recently been reported that the Azeri government is actually providing financial awards to individuals and organizations with the ''best'' propaganda works towards Armenians.

Recent accounts report that the Azerbaijani Ministry of National Security, a successor to the Soviet-era KGB, has awarded monetary prizes up to $2,000 for the ''best'' propaganda works targeting Armenians. The Azeri Ministry, for instance, presented a prize in the books category to the Azerbaijani National Academy of Sciences' Human Rights Institute for an ''encyclopedia'' entitled ''Crimes Against Humanity Perpetrated by Armenian Terrorists and Bandit Formations,'' and the minister himself was honored for funding the publication of this book. The MNS also granted a top monetary prize to two anti-Armenian propaganda films.

I mention this because I believe it is a blatant effort by the Azeri government to undermine years of efforts undertaken to encourage a peaceful resolution to the Nagorno Karabakh conflict by me and other Members of this body as well as the Minsk group and the former U.S. administration.

Three years ago, I was encouraged by developments in the Nagorno Karabakh peace process with the announcement of the Key West Agreement, reached in April 2001 by President Kocharian and former Azeri President Aliyev. I was hopeful that this agreement would lead to a peaceful resolution of the conflict and a stabilization of peace in the region. However, it was clear that any implementation of the Key West Agreement would have to wait until after the various legislative and presidential elections in the region including Armenia, Nagorno Karabakh, and Azerbaijan and when they were complete.

However, shortly after the last of these elections when President Ilham Aliyev was elected president of Azerbaijan, the Azeri government rejected all of the advancements made by the Minsk group, the former Azeri president and President Kocharian, and flatly rejected the Key West Agreement. Furthermore, President Ilham Aliyev has noted that any negotiations on resolving the Nagorno Karabakh conflict would need to start from scratch and any advancements towards peace made in the past were invalid.

So today instead of witnessing the implementation of the Key West Agreement or even a revival of negotiations of a peaceful solution to the Nagorno Karabakh conflict, we are witnessing a regression towards the type of behavior on behalf of the Azeri government that encourages the violence we saw in the early to mid-1990s. I am discouraged by President Aliyev's blatant disregard for the autonomy of Nagorno Karabakh and his country's effort to undermine any chance at a peaceful resolution to this conflict. In fact, President Aliyev has recently said that he is not in any hurry to reach a peaceful resolution to the conflict and recently cancelled a meeting between Armenian Foreign Minister Vartan Oskanian and the Azeri Foreign Minister planned by French, Russian, and U.S. mediators that was scheduled for this past Monday; and his excuse was that the agenda was not precise enough.

I am also discouraged by the current Bush administration in its failure to actively address a peaceful resolution to the Nagorno Karabakh conflict. During a recent meeting between Deputy Secretary of State Richard Armitage and Armenian President Kocharian and Foreign Minister Oskanian, Armitage noted that ''our Turkish friends have had their hands full recently,'' as an excuse that there would be little advancement towards opening the border between Armenia and Turkey or a move towards better relations between Azerbaijan and Armenia.

Finally, Mr. Speaker, I would like to note that Armenia has been tremendously cooperative with the U.S. in its efforts in the war against terror and supportive of the stabilization of both Afghanistan and Iraq. However, rather than press President Aliyev toward considering peaceful resolutions of the Nagorno Karabakh conflict, the Bush administration perpetrates the conflict by failing to maintain military assistance parity between Armenia and Azerbaijan in its fiscal year 2005 budget request to Congress. In fact, the Bush administration proposed double the military assistance to Azerbaijan that it did to Armenia.

Today I would call on Azerbaijan President Ilham Aliyev to stop promoting propaganda against the Armenian people and make every effort to consider the peaceful resolution of the Nagorno Karabakh conflict and begin an open dialogue with Armenian President Kocharian. I also call on President Bush and the administration to maintain parity in the region and recognize that pitting these nations against each other will move us further away from long sought-after peace that is much needed in this region.

□ 1830

REVISIONS TO THE 302(a) ALLOCATIONS AND BUDGETARY AGGREGATES ESTABLISHED BY THE CONCURRENT RESOLUTIONS ON THE BUDGET FOR FISCAL YEARS 2004 AND 2008

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

Mr. NUSSLE. Mr. Speaker, in accordance with section 411 of H. Con. Res. 95, I hereby submit for printing in the CONGRESSIONAL RECORD adjustments to the section 302(a) allocation to the House Committee on Transportation, set forth in H. Rept. 108–71, to reflect $3.777 billion in additional new budget authority for the period of fiscal years 2004 through 2008.

Section 411 authorizes the chairman of the Committee on the Budget to adjust the appropriate budget aggregates and to increase the 302(a) allocation of new budget authority to the Committee on Transportation and Infrastructure for fiscal year 2004 and for the period of fiscal years 2004 through 2008 to the extent such excess is offsets by a reduction in mandatory outlays form the Highway Trust Fund or an increase in receipts appropriated to such fund for the applicable fiscal year caused by such legislation or any previously enacted legislation.

As modified by the rule, H.R. 3550 makes additional receipts available to the Highway Trust Fund. Accordingly, I am increasing the 302(a) allocation to the Committee on Transportation and Infrastructure by the above amount. With the adjustment, this bill is within the level assumed in the two periods applicable to the House; fiscal year 2004 and for the total of fiscal years 2004 through 2008 as required under section 302(f) of the Congressional Budget Act of 1974.

ANALYSIS OF HOUSE SURFACE TRANSPORTATION REAUTHORIZATION ACT (H.R. 3550)

[Mandatory BA by fiscal year in millions of dollars]

	2004	2005	2006	2007	2008	2009	2004–2008
2004 Bud Res Baseline	32,584	36,953	36,953	36,953	36,953	36,953	180,396
Bill Under Consideration	41,042	44,082	45,101	46,360	47,867	49,094	224,452
Increase in BA	8,458	7,129	8,148	9,407	10,914	12,141	44,056
Discretionary Action Available on 3–29–04[1]	9,236	5,753	6,632	8,810	9,848	10,637	40,279
Amount Over (+) or Under (−) Appropriate Level	−778	1,376	1,516	597	1,066	1,504	3,777
Adjustment	0	na	na	na	na	na	3,777
Room Under Allocation	−778	na	na	na	na	na	0

[1] Excludes impact of temporary measures, which are subsumed by the bill.

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

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

THE TIME FOR CREATION OF JOBS IS NOW

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, today we commemorate the 10 years of the tragedy of genocide in Rwanda. Before I speak to the issue that I rose to speak to, I want to, again, as I did earlier in the tragedy in Iraq, acknowledge the importance of humanity and the respect for human life.

I ask that we have just a moment of silence in commemoration of the massive loss of life in Rwanda.

Mr. Speaker, my wish for the Rwandan people is the implementing of democracy, the protection of lives, respect for human life, and as well the opportunity for economic prosperity, educational opportunity for the children, and as well for them to take their rightful place in the world family.

Mr. Speaker, I rose today to comment on an issue that is extremely prevalent in my district, and that is the loss of 3 million jobs in the United States over the last 2 years and the failure of this administration to be able to create one single job that has had a lasting impact.

Now, that sounds rather extreme, because the government is going to report shortly its job creation in the last month, and certainly they did so in the month preceding. But as they create jobs in certain areas and certain disciplines, job loss remains strong in the manufacturing industry; and there has been no effort, no, if you will, direct effort at building a long-standing opportunity for job creation by this administration. There has been no policy announced. There has been a complete, if you will, ignoring of the large numbers of industries that are leaving our shores and going overseas.

We recognize that as the world grows smaller, we will be interrelated, and trade is an important aspect of that;

and we do not discount that. But, Mr. Speaker, there is nothing more devastating than a family that has lost their source of income. First maybe the father or the spouse, and then the mother or the wife, or then an individual single parent who has lost their job.

I can assure you that no amount of patriotic statements will quash the pain of not being able to make ends meet, of providing for one's family. And those families who are on minimal income have been hurt even more, because as they have sought to lift themselves up, as they have experienced the results of welfare reform, and they have taken the jobs at the Burger Kings and McDonald'ses, how interesting it is now to compete with individuals with higher education who have lost their jobs who can find no other work than to work at Burger King, McDonald's and other fast-food establishments, which we have the greatest respect for, because they are jobs. But, frankly, when you have those at the lesser income level competing, then you know that you have a serious problem.

You have more of a serious problem when officials of the Bush administration continue to emphasize that the putting together of the hamburger is manufacturing and are completely insensitive to outsourcing that is causing more and more jobs to leave the shores of the United States of America.

So, Mr. Speaker, my thrust this evening is to again put this very crucially in the minds of this administration: it is imperative that the President give a national, a national, call to job creation, and stop the reckless giving of large tax cuts to the richest of our Nation, and begin to take those dollars and invest in this economy, to provide more job training, to provide more bridges for those who are transitioning from jobs because plants were closed, such as the plant I saw in South Carolina when traveling in that area, and the plants throughout Texas that I have seen and throughout the rest of the United States. We need a real jobs effort to secure jobs on behalf of the American people.

Mr. Speaker, it is important to note that Americans want to work, but they cannot work where there is no work. They certainly cannot work where we do not have a policy that is definitively done on behalf of job creation.

Right now we have on the floor of the House a massive job creation bill, as well as a bill to help our crumbling infrastructure. One of the issues that we have noted in homeland security, as a member of the Select Committee on Homeland Security, is we have a crumbling infrastructure.

Again, I ask the President not to veto this bill, which will help the crumbling infrastructure of this Nation and transportation needs, but also will create jobs for millions and millions of Americans.

Mr. Speaker, the time for creation of jobs is now. The President must respond to this question and to this need.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New Mexico (Mrs. WILSON) is recognized for 5 minutes.

(Mrs. WILSON of New Mexico 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 Texas (Mr. HINOJOSA) is recognized for 5 minutes.

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

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

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

CELEBRATING NATIONAL WOMEN'S HISTORY MONTH

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

Ms. WOOLSEY. Mr. Speaker, as we gather to celebrate National Women's History Month, I rise to recognize not only the contributions of all women, but most importantly, the work of my constituents that made this month possible.

Sonoma County, in my district, is the birthplace of the National Women's History Project, the nonprofit education organization that is responsible for establishing Women's History Month.

In 1978, the Education Task Force of the Sonoma County Commission on the Status of Women initiated a Women's History Week under my tutelage. I was the Chair, actually, of the commission at that time. Later, in 1987, with the help of museums, libraries, educators across the country, the National Women's History Project petitioned Congress to expand the celebration to the entire month of March. A resolution recognizing Women's History Month was quickly passed with strong bipartisan support in both the House and the Senate.

Since that time, Women's History Month has provided a perfect opportunity to discuss and honor the contributions that women have made throughout the history of our Nation, both here in our capital and in our classrooms.

There are so many remarkable accomplishments that deserve mention, from the fight for suffrage and reproductive freedom, to efforts to give women and girls equal access to education and employment opportunities. We have come so far in so very many ways; and, yet, Mr. Speaker, we seem to be losing ground on so much of the precious progress we have made.

Since we last celebrated National Women's History Month, the President has signed a bill criminalizing a safe and accepted medical procedure for the first time ever. Legislators have now inserted themselves into the difficult medical decisions that should be left to a woman, her family, and her doctor. To add insult to injury, the Justice Department is seeking permission, permission, to rifle through women's personal medical records in the State Department's attempt to uphold this intrusive law.

These violations of privacy are without precedent and are simply, simply unacceptable. Women have worked too hard. They have fought too long to be told that they are not allowed to undergo a medical procedure recommended by their doctor, and that the Justice Department and their lawyers have the right to examine women's medical records.

It is not enough to devote a month every year to celebrating the progress that women have made in the battles that we have won. If we do not stand up after these recent impositions and insist on our right to make decisions about our own bodies, when will we? How many more restrictions must be placed on us before we insist that this must stop?

Well, on April 25 of this year, this month, actually, hundreds of thousands of women, men and children will come to Washington, D.C. to do just that. We will speak out, because women deserve accurate and balanced information about their reproductive options. We will speak out, because women deserve access to contraception and prenatal care.

These services are not a luxury for women. They are truly a matter of life or death. At the march on April 25, we will clearly convey that protecting women's lives is of paramount importance for Americans from all walks of life.

I look forward to being part of this truly historic gathering and joining with my colleagues, constituents, and people from all over the world to show the United States that we care about women's lives in America.

When we gather this time next year to recognize National Women's History Month, we will be able to list the 2004 March for Women's Lives as another notable accomplishment; and even more importantly, I hope we will be able to say that we have stopped the tide of anti-choice restrictions, to say that our private medical records will remain private, and to say that we have the right to undergo medical procedures recommended by our doctors.

In honor of National Women's History Month, we must not only remember the accomplishments of the women who have come before us; we must also commit to the protection of that progress on behalf of the women who will come after us.

COMMEMORATING WOMEN'S HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, as March slips away, a number of women in the House did not want to let the year go by without commemorating Women's History Month. We recognize this is April 1. This is no April fool's joke. Women are a very serious concern of the women who will come forward this evening.

We note first the progress women around the world, our sisters in solidarity, are making; and then we compare that progress to the progress of American women who serve in the legislatures of their countries.

According to the data used internationally, women are considered to be at an acceptable threshold when they are about 30 percent of their legislatures. There are only 14 countries that qualify. The United States of America is not one of them. We are pleased at the increase in women, especially in the House and in the Senate; but we are not where we should be, particularly given the ideals that our country professes.

Interestingly, women made their greatest strides in Rwanda last year, and that may well be because there is a fixed percentage of women required in their legislature. But this should be said of Rwanda: This is one of the world's most tragic nations, which suffered from violence. Perhaps having women in the leadership will help send to that country the notion that violence, most of it perpetrated by men in that country in one of the worst cases of genocide in the 20th century, is no longer acceptable.

Mr. Speaker, just a couple nights ago Women's Policy, Incorporated, celebrated its 10th anniversary. This is a privately financed organization from which many Members of the House and Senate gather the information that they need to keep track of women's issues and where women need to go as far as legislation and other progress is concerned.

It was also the 27th anniversary of the Congressional Women's Caucus. It reminded us that it was in 1916 that the first woman came to serve in this House, the famed Jeannette Rankin. That was 4 years before women even got the right to vote. I believe that says something, Mr. Speaker, about the determination of women to exercise the vote, that before the Constitution of their country even gave them the vote, as a matter of State law they sent a representative to this body.

Today, we have grown from one in 1916 to 76 in this House and 14 in the Senate, well below the 30 percent threshold that the world acknowledges as a decent percentage. We are still struggling. We are still determined to find our rightful place in this body and in our country.

□ 1845

We certainly do not suffer, as many of our sisters do around the world. For example, in Kuwait, one of our allies, women cannot even stand for election to any office.

Mr. Speaker, I was a Member of the House when the so-called ''Year of the Woman'' was informally proclaimed. That was the year when the confirmation of Justice Clarence Thomas brought women forward, given the controversy surrounding his nomination, that a man who had been accused of sexual harassment was nevertheless put on the bench. It sent a whole bunch of women to the House and to the Senate, more than before and more than since. Some of us, Mr. Speaker, I must say, are inclined to call 2004 the ''Year of the Forgotten Woman,'' and we say so because we look for concrete evidence of where women are going in our country today. And for that, I think the best place to look is in the President's budget.

The budget document is the best evidence of the policy of the President in office. I think that the American people for whom women's rights, the progress of women and children means something would be absolutely astonished by what the President's 2005 proposed budget tells us about his priorities when it comes to women's concerns. So I want to start where the American people would start in evaluating where this President stands on matters affecting women and their children. They would start with where he puts his money. They would start with his budget.

As I look at that budget, it seems as if the President went on a search-and-destroy mission, focused heavily on the programs that affect women most. I looked, because I saw many programs that might tell us something about where an elected official stands on a given subject. I looked at signature issues for women, issues that are particularly identified with women and their children, although I am sure my good friends and colleagues in this body who are men would be quick to step forward and say that these issues mean just as much to them. It is simply that women have been at the front of the line advocating the issues that I am speaking about at the moment.

Let us take the child care and development block grant: frozen for the third year in a row. Children are not frozen. The numbers continue to come forward. They grow older. They need services. So that when we have a 3-year freeze, it means 3 years of cuts for child care and development. It, of course, means that we are leaving hundreds of thousands of women in line for child care, holding their kids' hands and wondering what in the world they are going to do, particularly if they are on TANF where the bill this House has passed says you have to work longer and have less child care.

Or let us take another signature issue: the Violence Against Women Act. These programs are cut for next year $22 million over what was in the budget for this year.

Mr. Speaker, I can only hope that these programs that I am going to go through get the attention of the Congress and the appropriators and that they come to their senses and put some of this money back.

Republicans have been grandstanding about an important issue that concerns all of us. I say ''grandstanding'' because the way to indicate that it matters to you is, of course, to put just a little money in it. I am talking about trafficking in women and children, where women and children are essentially held virtually as slaves. Well, the Bush budget simply eliminates the program altogether.

By now it is gospel that the best straight line for reducing juvenile crime is to give kids something to do after school. Well, the President's budget provides half of the promised funding for after-school programs.

What about Head Start? Here is a program that is surely not one of the favorites of the President, even though children and education has been a signature issue for him. He has begun the gutting of the Head Start program by eliminating the health and nutritional aspects that is itself a signature of the program. We bring low-income children, we combine the services they need in preschool by the time they go to school, so that they are ready to learn.

There will also be no educational services in Head Start. Just a moment. I thought this was the education President. I thought the whole point is to begin education and the most rigorous education that a child can take according to age as soon as possible, so that we meet this goal that by grade 4 every child can read. How are we going to do that if we do not begin educational services in Head Start, particularly for low-income children who, of course, are and continue to be the furthest behind?

Speaking about behind, if the President had put just a little more money in Head Start, he might have given the best and biggest boost to his own Leave No Child Behind bill. Only 60 percent of the children who are eligible for Head Start are covered by Head Start. Put all of those children in there and we will begin to see some difference for low-income children in school, and No Child Left Behind can begin to take some of the credit for it, because it will pick them up, ready to learn.

Speaking of No Child Left Behind, Mr. Speaker, once again the President has simply declined to fund the bill. This has been a huge disappointment for Democrats, because this bill was passed in a bipartisan fashion on the promise that a very difficult issue would have the prerequisite funding and, therefore, a chance to succeed. That issue is taking children who are not learning in school and somehow

making it possible for them to learn; and not only that, Mr. Speaker, but indicating that they were not going to graduate unless they learned. Well, on the basis of that promise, this became a bipartisan bill. It overcame many doubts and much skepticism.

Now the promise of funding has dropped out of the President's budget. It has caused consternation in the House and in the Senate. But if we think that is all it has caused, we need only go into our own States and hear the howls and the cries about No Child Left Behind, its broken promises and the difficulties that States are having in meeting its goals, precisely because the promise of funding has not been kept.

Moving right along, Mr. Speaker, to Even Start. Now here we have not only a woman's program but a family values Congress program. Because, essentially, what the program does is to put adult literacy and childhood education and vital parental education all in the same package and say, if you put them all together, then we will get what children need to learn. They will have parents who know how to read and who have an appreciation for learning. That is the adult literacy part. They will have childhood education, which is focusing on the child itself. And, of course, the parental education is absolutely essential, because once you know how to parent, you recognize the value of education, and the rest is likely to take care of itself.

Well, this program, Mr. Speaker, is eliminated, not cut, but eliminated in the President's budget. I do not see how we can go home and leave that zero on our record, even though the President has left it on his.

Maternal and child health block grant, if ever there is funding that gets the motherhood award of agreement of everyone, it is that grant: frozen.

Some of the freezes are just plain cruel. Why would we want to cut off hearing screening for newborns? This program was started because we learned that if you catch a newborn with hard of hearing very early, the chances of correcting it soars. Hearing screening for newborns wiped out. Can you hear us, Mr. President? This is not a program to eliminate. It is not very costly. It is very vital.

Perhaps the greatest forgotten issue of the Bush administration is health care for the uninsured. Twenty million of them are women without health insurance. What does the President have to give to them? A $1,000 tax credit for individual coverage only. I hope you have a job so the tax credit can help you out. But even this $1,000 tax credit will cover only 5 percent of the uninsured.

Women, of course, we are told in this House, particularly by our Republican good friends, are the fastest-growing small business people. Indeed, they are about half of the small business people now, they have grown so fast. Why, then, would the President want to say, well done, women. Let us cut $79 million from the Small Business Administration, the chief agency you turn to for help, assistance, and funding.

We want the President to know that there are many of us in this Congress to remind him that 3.8 million women are looking for jobs and cannot find them. Nobody even talks about women's work anymore. We assume the obvious, that women must work; and indeed, Mr. Speaker, they must. And the fact that they cannot find work has a greater effect on children than any single group who cannot find work because of the disproportionate number of these women who are heads of household.

Mr. Speaker, I have more to say about women, but I see that one of my distinguished colleagues has come to the floor and, therefore, I would like to yield to the gentlewoman from Texas (Ms. JACKSON-LEE) for her comments on this vital subject.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentlewoman from the District of Columbia for her perseverance and, as well, the rightness of her words.

Let me thank the gentlewoman from the District of Columbia (Ms. NORTON) for remembering the month of March. The gentlewoman has indicated that this is not an April Fool's joke, that we have just continued that month a little longer. In fact, what better way to commemorate than to say that the issue is so important that if April 1 becomes March 31 and-a-half, or that we begin to say that it is foolish to ignore the history of women and we do it on this day, what an important tribute, and we thank the gentlewoman.

The gentlewoman has aptly laid out, and will continue to do so I know this evening, the misery that we are facing in light of the President's budget and, of course, the need to address the concerns of child care, of health care, some of the issues that women Members of the United States Congress have had very high on their agenda, and then some of the points that the gentlewoman has made, to cut out the resources needed for hard to hear children, and she mentioned child care, as I said.

What I would like to do this evening very briefly is to add a personal note to the concerns about maternal and child health block grants that have been cut and Head Start that has been cut and, particularly, child nutrition services, which I find particularly important, inasmuch as I spent some time in my district a couple of weeks ago visiting a school and participating in their school lunch program.

□ 1900

Seeing the joy of the children participating in having a nourishing meal and the equalizing of that nourishing meal by letting all the children have it. In fact, they gave me an assignment which said that we should cut out low income and literally just give free meals to all of the children who are at the schools what are targeted because all the children are in need of good meals.

And that impacts women because it clearly impacts those women who are needing supportive services as they are seeking to educate their children. We know for a fact that we are under siege as relates to choice. And I always say the choice has no respect for age or income.

When I say that, this is not a question of child-bearing years. It is so much a question of humanity and the respect we have for the dignity of women to be able to make determinations along with their physicians and as well their spiritual advisor and their family.

Yet time after time we come to the floor of the House with constant undermining of the Roe v. Wade decision, which is a clear choice. It is not one that promotes one aspect of making a decision about an abortion or not. It does not promote an abortion, does not promote an abortion. What it does is it gives women the right to choose, the right to their own human dignity.

Why, then, do we have these constant battles regarding the partial birth abortion? As we speak, right now there are massive lawsuits across the country by physicians who have felt that their whole Hippocratic oath that they have had to take has now been challenged. And the rights of women to protect their own health has been damaged because of the legislation that was, if you will, signed into law by those who believe that they must make decisions for women and take away their individual dignity.

I hope that as we make these points we will be reminded of the historic contributions of women. And I can begin to recite certainly from the early beginnings of our history the numbers of women who engaged in this process. I remember the words of Abigail Adams who said to her husband as he went on to the Constitutional Convention, ''Do not forget the ladies.'' Unfortunately, I think in time we did.

Certainly in this country not only were women not able to vote, but certainly those of us of African American heritage know that we were two-thirds of a person receiving more than a double indignity as relates to women.

So we know what it is like to premise, if you will, our respect for this month of women's history to the fact that women have been a part of the history of this Nation for a very long time.

In doing and recognizing their history, I am going to take a moment of personal privilege just to cite some of the individuals in my community who have given of themselves. And I will start with words from Barbara Jordan: ''We want to be in control of our lives whether we are jungle fighters, craftsmen, company men, gamesmen. We want to be in control. And when the government erodes that control, we are

not comfortable.'' Those are the words of the Honorable Barbara Jordan who does not fear holding the Constitution to its most important interpretations and that is that of freedom and that of the ability to be protected by a Constitution that respects the will of the people.

And so my tribute is to Barbara Jordan who lived amongst us, served the United States Congress, one of the first to be elected from the Deep South, and, of course, the first African American since Reconstruction to serve in the Texas Senate.

Sissy Farentheld who ran for Governor in Texas more than 2 decades ago, who was a pioneering spirit and one who did not in any way diminish her fight for justice and equality.

Ninfa Laurenzo, a prominent Hispanic businesswoman who founded Ninfa's Restaurant that still bears her name, a civic leader, a philanthropist, and someone who understood the importance of women's involvement in business.

Ruby Morly. How can I speak about a community activist, 70-plus years old, I know she would not mind me saying. Whenever there is a need for a senior citizen in our community, Ruby Morly is there.

Dorothy Hubbard who works in my office, senior citizen, but takes no, if you will, denial of a senior citizen's right to Medicare and Social Security.

Ivalita Jackson, my mom, who spent most of her life as a medical professional, as a baby nurse in hospitals, who understands the importance of health care for women.

Valerie Bennett, a businesswoman and my aunt, someone who impacted my life.

Sybil Gouden, my aunt, another academic background who likewise continued to help children, young people seek education in higher education and impacted my life.

Representative Senfronia Thompson, the senior member in the State legislature in Texas who has been a champion for human rights and who helped to push into law the hate crimes legislation which is a model for this Nation.

Representative Ruth McClendon who, out of San Antonio, is a fighter for justice. And we thank her for fighting against the redistricting undermining that was going on in the Texas legislature.

Commissioner Sylvia Garcia, the first woman to be elected to the Harris County Commissioner's Court, certainly one who believes in women's rights who has been an excellence representative of the empowerment of women.

Carol Mims Galloway, council member, who has championed the rebuilding of neighborhoods.

Council Member Ada Edwards, who has fought continuously to engage young people in the political process.

Lorugene Young. What can you say about a community activist who fights not only with her words but with her actions? And she provides clothing and toys for children from Easter to Christmas to Thanksgiving. She has never taken this attitude that the holiday is for me. She has been out there in the front lines for children.

Ruby Carver, a World War II fighter, someone who was an enlisted woman in the women's division in World War II. We honored her just a week ago. I am very proud of Ruby Carver, 84 years young, very proud that she stood as a symbol of women's involvement in World War II.

Mayor pro tem Carol Alvarado, who is now serving us as the mayor pro tem in the city of Houston and someone who is not afraid of empowering Hispanics and African Americans and women and fighting also to improve the rights of working people. And we are proud of her leadership.

Dr. Edith Irby Jones, a pioneering physician, graduated from the University of Arkansas as the first African American to graduate. Has been in practice for 50 years and has never turned a patient away.

Dr. Natalie Carrol Daily, likewise a past president of the National Medical Association and someone who has fought for doctors and the support of Medicare and joined me at my Medicare hearing just a couple of weeks ago.

Dr. Wanda Mott, not only a physician but also a scientist, someone who knows and is at the cutting edge of medical procedures for women and has been one of the major doctors of the Texas Women's Hospital.

Then we cannot close without acknowledging the many, many women that get up every day to go to work and certainly those who have made our job, our education opportunities their number one priority, that is, the teachers of America, the teachers of Houston, and the teachers of Texas and the teachers represented by many of the teaching organizations. We thank them so very much.

Then as I close to be able to thank simply the workers, women who work every day in all the fields. Women who sometimes hit the glass ceiling, women who are in corporate management who have every amount of ability to be CEOs and yet have not arrived there; women who are in academia and have every reason to be tenured and yet have not arrived; women who are in the crafts and have every ability to be foremen, supervisors, but yet have not arrived; women in the United States military who we are pulling for so that their dignity can be respected and that the sexual abuse that we have heard in this past week can be corrected so that all of the military can be accepted for their talent and be respected for their talent, as we do the fine men that are serving us. And hopefully as the days go on, that they too will continue to rise in leadership responsibilities.

And all of the women that have sought political office and still intend to seek political office, might I encourage them for the special insight that they bring to leadership in government, the sensitivity, and the ability to bring peace over war and life over death.

Then finally to the international peace activists and heads of state that happen to be women. Might we encourage you, even though this month is particularly related to the history of women in America, might we encourage you to join us in this international effort of the empowerment of women so that we can join and link arms fighting for peace. Whether it is the Palestinian-Israeli conflict, whether it is in Iraq or Afghanistan, or whether it is in the conflicts of Africa, South America or Caribbean, we ask the women of the world to stand up and be counted and join us and link arms to make this place a better place.

I thank the Congresswoman for taking the time to yield to us this evening and taking the time to present to our colleagues the importance of women in the history not only of America, but of the world.

I am here tonight, joined by my colleagues in the Congressional Women's Caucus, to ask if women are indeed in control of their lives if they cannot make their own decisions regarding their bodies.

Right now we have an Administration that actively seeks to undermine a woman's right to choose. They falsely claim to be doing this in the interest of women and children, citing both the mother and child's well being as justifications for their actions. This same Administration has frozen the Title X family-planning program in each budget for the last three years. They have also cut domestic-violence prevention programs and frozen important programs for women and children, including the Maternal and Child Health Block Grant, Head Start, and child-nutrition services.

By contrast, they have proposed more than doubling funding for unproven, dangerous ''abstinence-only'' programs that censor health information from young people—and instead of supporting programs that help women who face violence, they have resorted instead to exploiting the issue for an anti-abortion political base. Just this afternoon, President Bush signed the so-called ''Unborn Victims of Violence Act.'' This legislation would, for the first time in federal law, recognize an embryo or fetus as a separate ''person'' with rights separate from, and equal to, a pregnant woman.

Raising awareness must be a high priority, America must begin to take this threat very seriously. On April 25, I will be joined by a million people who believe that our bodies deserve our choices, and that we must be in control of our lives, not the government. Marching in front of the Capitol, we will make our voices heard that our right to choose is at its most precarious point since over 31 years ago, when Roe versus Wade was decided. Our message will be clear: we will not tolerate the persistent government attacks on women's health and reproductive rights.

I am pleased that for the first time in its 95 year history, the National Association for the Advancement of Colored People (NAACP) board of directors unanimously endorsed a pro

choice march. The Black Women's Health Imperative has also signed on. These organizations are part of a growing majority that believe contraceptive education and abortion rights for black and minority women must be a priority. Unintended pregnancy rates for African American women is almost three times the rate of Caucasian women, maternal mortality is 4 times higher for African American women than Caucasians. One out of four African American women had less involvement than they would like in decisions affecting their health care, with only 73% of African American women receiving first trimester prenatal care.

By making abortion illegal, we are going to harm those who turn to back alleys and home remedies to "fix" their situation, a scenario faced disproportionately by minorities and the underprivileged. We cannot make abortion inaccessible, illegal, or shameful. We must stand up for women's rights and let them make informed choices. I hope you will join me on April 25th to speak out against these injustices.

Ms. NORTON. Mr. Speaker, I appreciate the gentlewoman from Texas (Ms. JACKSON-LEE) coming down to offer her comments on this important issue at this time, and I appreciate the quality of those comments.

I am very pleased now to be joined by the gentlewoman from Illinois (Ms. SCHAKOWSKY) for whom these issues affecting women and children have been of priority and importance since she came to Congress.

Ms. SCHAKOWSKY. Mr. Speaker, I really appreciate the opportunity to come here to speak about women's History Month and thank the gentlewoman from the District of Columbia for providing all of us with this opportunity this evening.

They do not call it ''history'' for nothing. In general, the history of our Nation and our world has been about ''his'' story, about men's story. And it is not surprising, as men have written history books and have been considered the leaders that books are written about.

And this is not meant in any way as an anti-male statement, just a fact that most of history is about the leadership of men in our world.

I wanted to just share tonight a study that was done very recently by the Center for the American Woman and Politics, about why it is that more women do not run for political office. The premise is that study after study has shown that when women run, women win in the same numbers that men do.

And, yet, if you look at this wonderful body, our august House of Representatives, we are about 14 percent women. And the same is true of the United States Senate. And so the question really is why do we not appear in greater numbers and why do more women not run since they have equal opportunity to win?

So they did this study and what they did is they created what they called an eligibility pool, 1,000 men and 1,000 women who were from the fields that produced most candidates, business, education, and law. And by definition, the thousand women and thousand men were equally qualified. These were people who were at mid- or upper-career level. They asked them a number of questions to determine the differences between them.

One of the differences that was really disturbing and chilling to me was that when asked about their own qualifications, the women in the study were twice as likely as the men to say about themselves that they were not qualified to run for office. Now, as I said, by definition these men and women were equally qualified.

And perhaps even more disturbing, that sense of being not qualified in twice the numbers as men ran across generations. The younger women were as likely to declare themselves not qualified as older women.

So clearly we have a challenge before us. What do we do to these qualified women to make them feel that they are not so?

But there was a hopeful part of that study. What it said was that the one factor that was in some ways the most responsible for someone making the decision to run for office was being asked to run for office, someone making the suggestion. And they divided those who make the suggestion into formal actors and informal actors. So, in other words, if someone is asked by a formal actor, that being an elected official, a party official or a political activist, to run for office, they are likely to think of themselves as candidates or potential candidates.

□ 1915

So to me that said, as a woman who is interested in getting more women involved in leadership positions, what we need to do is to encourage women, encourage young women and women older than that to run for office, to put that seed in their head and create really an old girl's network, if you will, that will bring women along to think of themselves as candidates.

We also need to, in this 21st century, explore what are those situations, what is the socialization process that ends up with women not feeling as qualified to run for office.

These were women who rated the activities involved in being a candidate as being something they were even more willing to do than men; and yet when it came to that final question, do you see yourself as qualified to run for office, twice as many women as men in this pool said they were not qualified.

So this is a challenge to us, to men and women alike. If we want to have the kind of diversity, if we want to have the benefit of women's leadership, then we are going to have to build in the systems that do that and the support networks that will encourage women so that we have the kind of equality as we move forward in this century.

So I wanted to share the outcome of this wonderful study. It is the Center for the American Woman and Politics. They are at Rutgers University. They are part of the Eagleton Institute, and over the years they have provided us with very useful information in moving forward to include more women in our political universe.

So I thank my colleague from the District of Columbia for focusing on this important issue and for allowing me to participate tonight.

Ms. NORTON. Mr. Speaker, may I thank the gentlewoman from Illinois for coming forward to inform the House of this intriguing study and for giving us I think some ammunition about what our responsibility is.

Women, in fact, need to be asked. It seems to me there is some asking that we all need to do; and you consider that women are increasingly better qualified, by education, to hold office because they get more education. You wonder what more do they need.

I guess it is important information for us all to have, and it is challenging information, and I thank the gentlewoman for staying this evening to come forward.

PARTIAL BIRTH ABORTION

Ms. NORTON. Mr. Speaker, a previous speaker spoke of the March for Women's Lives that is coming forward on April 25 next month. That march is being sponsored by nonpartisan organizations, tax-exempt organizations. So they come forward not under any political banner, but they do carry a banner.

They carry the banner of American women, and they fear for the right of choice that women won only in the last few decades. They fear about the Supreme Court and whether it will hold fast or whether it will overturn its own precedents quickly.

Today, Mr. Speaker, the case on the partial birth abortion ban is being argued in three separate jurisdictions at the very same time. Here we have the determination of some in the Congress and some in the country to simply go back to where we were before Roe versus Wade, and it looks like they will not stop, no matter what the Supreme Court tells them.

The Supreme Court settled this question in Stenberg versus Carhart, and when the Supreme Court speaks, we should usually respect the Supreme Court, because the Supreme Court, under the Constitution of the United States, is the final arbiter of constitutional right. That is the difference between us and many other countries, because the Constitution says you must respect certain rights even if the majority does not agree, but of course, when it comes to choice, the majority does agree.

Of course, late-term abortions are controversial, and this bill would not be controversial if it did not overstep. Under Roe versus Wade, of course, the State may regulate the third trimester, but that is not what is at issue in Stenberg versus Carhart.

This law is worded, it would seem, deliberately to trap the second trimester as well, the trimester where, of course, women are freer than they would be in the final weeks. Under the wording of this law, it is as clear as day that beginning in the 13th week procedures that are the most commonly used could not be used without risking prosecution.

The fatal flaw in the bill, of course, is that there is no health exception. So no matter how grave the risk to the health of the woman, a woman would not be allowed to have an abortion, as it turns out, under this bill, beginning with the 13th week, as it is worded and certainly not beyond.

I think that the American people are depending on a Supreme Court that will, in fact, respect the constitutional rights the Court itself has indicated are there for women. I want to quote from what the Supreme Court indeed said in the Stenberg decision to indicate why I really do not fear that the law that has just been passed, and indeed I think was signed today by the President, I do not fear that that law will be overturned by this Court. I do fear we could get a different Court, and that is something that every woman in America, when she goes to the polls in November, should bear in mind.

This Court has said the following, and I am quoting:

''Using this law some present prosecutors and future attorneys general may choose to pursue physicians who use the most commonly used method for performing previability, second trimester abortions. All those who perform abortion procedures using that method must fear prosecution, conviction and imprisonment. The result is an undue burden upon a woman's right to make an abortion decision. We must quickly find the statute unconstitutional.''

The court has spoken. Trying to overturn the Supreme Court does not work in our system. Let us hope that whatever the Court says this time is, in fact, respected.

EQUAL PAY FOR WOMEN

Ms. NORTON. Mr. Speaker, I am a former chair of the Equal Employment Opportunity Commission, so I cannot let this hour go by without saying a word about perhaps the right that most women depend upon today and recognize today and that is the right to equal pay.

This Congress has not looked at the Equal Pay Act since it was passed 40 years ago in 1963, more than 40 years ago now, and yet we are in a different world, with women with different aspirations and jobs totally different from what they were at that time.

To that effect, many women and men in this body are trying to update the Equal Pay Act with a Paycheck Fairness Act. The Paycheck Fairness Act is not a very radical piece of legislation. It would add national origin and race to the Equal Pay Act. The Equal Pay Act bars unequal pay on the basis of sex alone.

It would seem that by now everybody would agree that it is time to make sure that the typical protections involving the groups that are most likely to experience discrimination would find their way into the Equal Pay Act.

A very important part of the Act would keep a person from being punished or being fired for discussing her salary or his salary in the workplace with others. This is a favorite ruse of many employers. They do not want colleagues of one another to know what they make because, if they do, women might say, I do not know why this man is being paid more than I am.

A woman should be protected. If she goes to a man who is doing a job like hers or unlike hers and says, could I ask you what is your wage, what is your salary, there is no such protection now, and a woman could be fired for discussing or inquiring of the wage of another colleague.

Along with Senator TOM HARKIN, I have introduced the Fair Pay Act. Just as the Paycheck Fairness Act updates the Equal Pay Act, our bill would update the equal employment opportunity, Title VII of the 1964 Civil Rights Act, so that jobs that have the same skill, effort and responsibility would have to be paid the same.

Today, there are women doing work of equal value to the work of men who are being paid grossly differential salaries. For example, a man and a woman both graduate from college at the same time. He becomes a probation officer. She becomes a social worker. Guess who makes the most money? It would be very difficult to make the case that his job as a probation officer is more difficult than her job as a social worker.

The reason for the discrimination is that we still have sex segregation of jobs in our society, jobs that are essentially for women and jobs that are essentially for men, and the jobs that are for women are paid often according to gender, as opposed to the job to be done.

Women work in essentially three fields: clerical, sales and factory jobs. You will find that where women are bunched together their salaries are lower than men who do comparable jobs. As a result, the society is flailing around looking for women in the traditional women's occupations: teaching, nursing, social work. Women are fleeing those occupations, for no reason other than they are going where the money is. Nurses are becoming doctors. Social workers are becoming lawyers. Heaven knows who is going into teaching today when we most need them.

People who get educated are not going to continue to join professions that do not pay them according to what they are worth. Because women have filled very vital occupations in our society, this is dangerous indeed. One has only to go into the hospitals of America to understand what pressure we are under. We cannot get enough nurses. There are strikes at hospitals. Nurses have to work on weekends, do not enjoy holidays. It cannot go on this way forever. An easy way to right that wrong is raise the pay.

I am an attorney. I have to tell you that this profession has been overpaid since it came into existence. Pay has nothing to do with the worth of lawyers. What it does have to do with is that it has been a male profession. I joke with my friends who are lawyers that as there are more women in the legal profession we are going to drive down the wage because it will be seen as a woman's occupation.

Very seriously, the occupations that concern me most are occupations that the society perhaps most depends upon: people to teach our children, nurses who in a very real sense are more vital than doctors today because of the breadth and depth of the health care tasks they perform, social workers because there are so many parts of what the society needs that have now integrated their skills.

We are in very deep trouble when people abandon these professions. We can recruit all we want to. We can preach all we want to. The way to get men and women into these professions is to pay these professions what they are worth.

Under our bill, a person could sue if, in fact, in the same workplace somebody in a comparable job was not paid for reasons of sex the same as that person. You would have to prove it. The burden would be on you. This would not change our economic system in any way.

□ 1930

It fits right into the way in which title 7 requires that you prove discrimination, and here you would have to prove that the difference in wage is based on discrimination. Because the difference in wage can be based on any number of factors, and the burden would be on the women.

In case you think this is a far-out idea, let it be known that 20 States have already done wage studies and adjusted the wages of women State workers based on those wage studies that showed that the wages of women were out of whack because they were women. In these States all over the United States, not following any particular pattern, north, south, east, and west, the wages have been raised for women who were teachers, nurses, clerical workers, and librarians simply based on looking at the skill, effort, and responsibility of the jobs they perform.

The evidence that women are continuing to be paid less is rampant in our society. The favorite I would cite is Wal-Mart, because it is the largest corporation and the most expanding corporation in our country and women there make $1.16 per hour less than men. Is that why the prices are so low? Are they saving on what we spend on the backs of their own women workers? That is worth finding out.

Mr. Speaker, finally, I want to say a word about poor women, because there is so little discussion about women who do not work and want to work. I am very concerned about the TANF bill. About the most important thing that happens to a woman who becomes pregnant before marriage is that she wakes up and understands that there is somebody she is responsible for besides herself. It is an extraordinary awakening that occurs and maturity for such a woman. And I have seen what women are willing to do after the birth of such a child that they were not willing to do before, and one of those things is to go to school.

I cannot for the life of me understand why the TANF bill that we passed would not allow a woman to work part time and go to college part time if she had the gumption and the energy to do so. I do not know what we expect. Should she go off TANF and work at a minimum-wage job, or one close to minimum wage for the rest of her natural life? How does that help the children?

The whole point of this bill was to bring greater responsibility and to encourage people to take that responsibility or we were not going to pay for them. About the best way to take greater responsibility for yourself is to educate yourself and make sure you can support yourself decently, not just support yourself. What have we done? We have increased the work hour requirements to 40 hours per week and then limited what counts as work. It is penny-wise, pound-foolish, and cruel.

And, Mr. Speaker, one thing we are not going to let this House forget is that the Republicans in this House killed the child care credit for poor women and poor families; that those families that earn between $10,000 and $26,000 a year, including military families, cannot get that child credit. That issue is not going away. We are going to carry it to the American people. We are not going to let this House forget it until we have made good for those who most need the child care credit.

Mr. Speaker, I want to close simply by paying tribute once again to Dr. Dorothy Height and thanking the Congress of the United States for conferring on Dr. Height the Congressional Medal of Honor.

Dr. Height was for many years a resident of the State of New York. It is my great good fortune that a few years ago she moved to the District of Columbia and has become my constituent.

This is an American who richly deserved the honor she got last week. She has spent her whole life doing what many leaders have found difficult to do, fighting for a particular group while bringing people together. It is easy enough to fight for your own group. To a black woman, nothing is easier than for me to get up and talk about black women and what they need and what has been their history.

As the president emeritus of the National Council of Negro Women, that of course is what Dr. Height has done for most of her life. She is now 92 years old. Why America was justified in awarding her the Congressional Medal of Honor is she has managed to fight with great strength for African American women while preaching the message of inclusion and brotherhood and sisterhood of all people at the same time. They are not contrary messages, but there are few who have been able to bring them forward and make them believable to those they reach.

I am particularly grateful as a young woman when feminism emerged that Dr. Height was one of those feminists who made black people understand that as white women came forward and demanded their equal rights, that that took nothing from black people; that their own movement for full equality was a movement that called forth universal principles; that black women had much in common with white women; and that this was not a cause for the two to be in dispute, but rather to be in coalition.

The world does not have enough leaders like Dorothy Height. That is why we extol them when we find them: the Mandrels of this world, the Martin Luther Kings of this world, and, yes, and the Dorothy Heights of this world.

Mr. Speaker, I appreciate that we have been granted this time so that American women understand that March would not go by, for those who expected women to come forward in this House and commemorate Women's History Month, that that month would not go by entirely without us remembering that this House, this Congress must never forget its women; that we must never forget the women of the world. And one way in which we indicate that women are always on our minds is to choose a month where we talk about them.

We have been talking about women throughout this House. We have been talking about their issues. It was time to talk about women on the floor of the House of Representatives this very evening.

GENERAL LEAVE

Ms. NORTON. 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 the subject of my Special Order this evening.

The SPEAKER pro tempore (Mr. OSE). Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. PELOSI. Mr. Speaker, in March, we celebrated Women's History Month. We remembered those who have contributed to our progress, we recognized those who are changing our communities today, and we rededicated ourselves to improving the lives of women.

Women want what men want: a fair opportunity to succeed, a safe and prosperous America, good paying jobs, better access to health care, and the best possible education for our children. Women want a secure retirement, the freedom to make the most of our lives and to make our own choices, and the chance to shape the future of our Nation.

Yet in terms of policies to assist women, we are lagging behind. Half of those currently living in poverty are single mothers. More than 3.8 million women are looking for work. Women are still paid only 80 cents to a man's dollar. And the Republican controlled Congress and the Bush administration continue to wage an assault on our reproductive rights, believing they can make better choices than women and their doctors.

To open doors of opportunity for women, I am proud to support policies in Congress that promote equality such as the FAIRNESS Act, which protects workers from discrimination on the basis of race, age, disability, or gender. I have long been a strong supporter of legislation to demand equal pay for equal work. My colleagues and I support legislation to increase the minimum wage to help single mothers and working poor women provide adequately for themselves and their families.

In every field, we must and will be equal partners in determining the future. Women represent more than half the population and are among the most knowledgeable and important thinkers in every field of policy, from science to education to health care to national security.

Women in government have made great gains but still face continued challenges. When I was first elected to Congress in 1987, there were only 16 women in the entire House of Representatives and only 2 in the Senate. Today, there are 62 women in the House and 13 in the Senate.

However, of the nearly 12,000 Members who have served in Congress throughout history, only 209—less than 2 percent—have been women. From 1916, when Jeanette Rankin of Montana became the first woman elected to Congress, until I was elected Democratic Whip in 2001, no woman had ever served in the top Congressional leadership.

In March, it was my privilege as House Democratic Leader to honor three magnificent women: journalist Mary McGrory, the late Congresswoman Mary T. Norton and civil rights leader Dr. Dorothy Height.

On March 2, I hosted a reception for Mary McGrory, the pioneering reporter for the Washington Star and Washington Post who has delighted so many readers and inspired so many women. For more than 50 years, she has walked the halls of Congress, interviewing Members, covering Congressional proceedings, and providing a voice for progressive issues. First, as a reporter for the Washington Star and then with the Washington Post, she earned a reputation for her brilliant reporting and her ability to get to the heart of any debate. She also earned a Pulitzer Prize—the first to a woman for commentary—for her coverage of Watergate.

On March 18, several women Members gathered in my office to unveil a portrait of the late Congresswoman Mary Norton of New Jersey, who in 1924 became the first Democratic woman elected to the House. She was the first person in modern times to chair three major committees. A solid supporter of President Franklin Delano Roosevelt's New Deal, her finest hour may have been passage of the Fair Labor Standards Act of 1938, while Chair

of the House Labor Committee. She was instrumental in raising the minimum wage from 40 cents to 75 cents per hour.

In a marvelous ceremony in the Rotunda of the Capitol on March 24, Dr. Dorothy Height received the Congressional Gold Medal, the most distinguished award bestowed by the U.S. Congress. The struggle for equality in America in the 20th century—for civil rights, for women's rights, for voting rights, for human rights—is the story of Dr. Height's life. At age 92, she remains a beacon to her own generation and generations to follow. Countless young people have been inspired by her idealism, strengthened by her courage, and guided by her faith. She has empowered these young people to make a difference by her own passion for justice.

It is a great honor to be the first woman to lead a party in the House of Representatives. When I was first elected to that position, we made history. Now we are making progress. As we celebrate the achievements of women throughout history and work toward progress of our own, we are inspired by the words of Eleanor Roosevelt: "It's up to the women!"

Ms. SOLIS. Mr. Speaker, for over a decade, Women's History Month has celebrated the achievements and accomplishments of women nationwide. The incredible contributions women have made in politics, science, art, and activism, demonstrate some of the revolutionary advancements in American women's rights. Women today follow in the footsteps of pioneers such as Elizabeth Cady Stanton and Alice Paul, who fought for women's right to vote in 1920, or Dolores Huerta, a contemporary champion of women's rights.

We must continue to create platforms for women's voices and opinions and support a continuing momentum toward women's freedom and equality. During this month and throughout the year, women all across the United States should take a moment to recognize the gains afforded to them through their predecessors' hard work and unwavering commitment to improving the lives and rights for all women.

As a Latina, and one of 16 million Latinas nationwide, I recognize some of the unique and continuing societal obstacles for Latinas—like unequal pay, educational disadvantages, unmet health care needs, and civil rights struggles. I am certain, however, that through the work of courageous leaders in our community, our accomplishments and contributions as women of color will continue to grow well into the future.

Together, women will continue to make the difference.

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

NARCOTICS IN THE UNITED STATES

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

Mr. SOUDER. First, Mr. Speaker, let me thank tonight's Speaker pro tempore, the gentleman from California (Mr. OSE), for his leadership in Congress on the issue that I am going to address tonight, which is our narcotics problem in the United States. He has been a valuable member of this subcommittee from the time he got here, an aggressive member. We have held several hearings in California with him.

And I want to personally thank him and tell him how much he will be missed, since he has chosen to leave Congress, because we really need people of his expertise and his commitment. Thank you very much.

Mr. Speaker, there are a number of issues on narcotics I am going to talk about tonight. We have had a busy number of days here in Washington on this subject, and I want to start first with Colombia, where we have the largest investment in the narcotics effort.

Just not that many days ago, President Uribe, the President of Colombia, was here. He met with leaders on both sides of the aisle. He met with the Speaker's Drug Task Force, which I cochair; and we had the opportunity to hear what is interestingly one of our great success stories.

In the area of narcotics, it is not possible ever to totally defeat the drug problem in America because every day new people are exposed. We are dealing with fundamental human weaknesses. But we can either make progress or we can go back. We were making progress for nearly 10, 11 straight years when Ronald Reagan implemented a policy of ''just say no,'' articulated so ably by the First Lady.

We, in fact, made tremendous progress. It was not just a slogan, just say no, but that was the message communicated to young people and people across the country. There was an aggressive effort to cut the sources of supply, interdiction, law enforcement, along with efforts in communities around the country to just say no and then help those who fell into drug abuse.

As we backed off of that in the early to mid-1990s, and sent a different message of ''I didn't inhale,'' and cut back interdiction efforts, cut the drug czar's office from 120 employees down to about 30 employees, we saw such a surge in drug use in the United States and narcotics in the United States that it would take a 50 percent reduction from the 1993–94 levels, at the peak of the kind of drug revival in America to get back to where we were in the 1990–91 era.

In the latter years of the Clinton administration, and since President Bush has taken office, we have had a steady reduction in drug use in junior high, sophomore year in high school, senior year in high school; and we are making steady progress. We have also had dramatic changes in the country of Colombia.

Let me briefly refer to this map of Colombia. Colombia is a large country, the oldest democracy in South America. We often hear about its civil war, but it is a civil war with thugs. It is not a civil war in the sense of a traditional type of civil war. These are people who are violently trying to overthrow their government. Any poll will show any numbers in the group, and a number smaller than our prison population in all but a few States even, let alone our country. They are people who are thugs who have not been captured, and they provide protection and are increasingly taking over the production of cocaine.

Ninety percent of our cocaine comes from Colombia; the heroin, and most of our heroin in America comes from Colombia, and they manage a lot of the networks for the marijuana distribution as well. But that was not always the way in Colombia. Colombia has been destabilized because of our use of narcotics in the United States and in Europe.

Colombia is a beautiful nation for tourism, with Cartagena and many cities along the coast. This is the Amazon basin here, feeding into the Amazon River. You have, in the darker green, beautiful areas of rain forest in that basin. These are the start of the Andes Mountains, beautiful high mountains. Up along the border with Venezuela we see Lake Maracaibo, the big piece of water coming in, and Venezuela there is one of the richest oil areas in the world, which is also true down in Colombia.

We spent, with American tax dollars, millions to try to protect that pipeline. Colombia was our eighth largest supplier of oil. More than Kuwait. But it was stopped as narcoterrorists came in and started breaking the pipelines to try to deny the government of Colombia the ability to function. The oldest democracy.

Anybody who has seen the fiction movie ''Clear and Present Danger'' has at least a fiction version of the violence that took place there, and an understanding of when the Cali and Medellin cartels were dominating the country what that was like. They basically corrupted the government, killed lots of the judges, killed 30,000 policemen, which is the equivalent of an incredible number in the United States. But they had oil. They were a rich oil country.

This area in here, and in some of the other multiple other zones, is of course the richest coffee area in the world. You hear about Colombian coffee. If you have emeralds, they come from Colombia, odds are, unless they are fake. Gold. They have gold there. Most of our flowers that we buy in the United States come from there. If you fly into the beautiful city of Bogota, in the lower parts of the Andes, you will see just acres and acres and acres of places growing flowers. Many of the supermarkets, the major chains bring that in. I have heard a figure as high as 70, 80 percent of the flowers sold in America come from Colombia.

It is a stable, solid, economic country. That is not even mentioning textiles and other industries there. It is the oldest democracy that has been wrecked by us and by others. Now, as

these cartels have had an impact, it has destabilized their political system.

□ 1945

What we have done is ramped up what we call the Andean Initiative to not only cover Colombia but Peru, Bolivia and Ecuador with some help over to Brazil on the far side and some to Venezuela on the top and some to Panama on the sides, but we have mostly got it concentrated in Colombia.

What we have seen as Congress appropriated additional dollars, our peak was probably $800 million a year, of which about 60 percent was for eradication efforts, 40 percent was to help rebuild their infrastructure, police forces, law enforcement, alternative development and other things like that, that coca eradication in this past year, after several years of this aggressive pressure and with the brave president of Colombia, President Uribe, when I say brave, what I mean is this:

His father was assassinated by the drug dealers in Colombia. He has had multiple threats on his life. When I was there along with the gentleman from Massachusetts (Mr. FRANK) at the swearing in and the inauguration of President Uribe, they attacked us. The two of us would have just been a footnote if we had died because there were many others there, too. But, as we left, we heard this big boom. I remember the gentleman from Massachusetts saying, ''I've never heard of a one-gun salute.'' We were supposedly inside a perimeter of roughly 10,000 soldiers protecting us, but they had launched Howitzers from about a mile and a quarter away.

At first they went one way off, then they went in the other direction off, then they hit a housing complex and killed a bunch of people, then they hit the corner of the presidential palace, but by that time the helicopters and everybody were on them so we were spared. But they tried to kill him on his inauguration day. There is a multiple-million-dollar price on his head or his family, yet he carries on.

Vice President Santos was kidnapped by the drug traffickers. He escaped. He was a newspaper publisher-editor in Colombia. He escaped from the drug traffickers, came back and decided to run for office.

That is what you call two committed people, when they are so willing to stand up to the drug traffickers. Even when they have had their family killed and they personally have been kidnapped and have the threats on their life, they are standing there fighting.

This is not Vietnam. This is not a country where we are asking, will they help? Will they do their share? This is not, quite frankly, even what we see in Iraq right now or Afghanistan right now, where we wonder sometimes which side the Iraqi police are on. When we see that incident the other day, it is like, Why were you standing there when they were killing American contractees?

That is not the case here. They are dying because of our drug use, and what we are doing is supplying them with the training and the backup to do this.

What has happened with this, and particularly with President Uribe's aggressiveness, is that they are now not just eradicating the coca crop once, they are eradicating it three times. Because coca, and the equator is down more in this area, somewhere in this zone, it is just among the best places in the world to grow this type of crop. You have elevation for heroin poppy, you have lots of rain, it can grow and plant multiple times a year. So unless you are really committed, you can do this token stuff. We sprayed it, we eradicated, yeah, but they got two more crops in that cycle. The question is, did you hit all three?

Now, with adequate funding, we are hitting all three. We are going after them, President Uribe is going after them, and now alternative development can work.

If on a street corner of the United States you can make $400 as a lookout for a drug group, it is pretty tough to talk you into working at McDonald's for $5.50, if you can get $400 with no risk. But if there is a risk you might go to prison, if there is a risk you could get shot in a drug shoot-out or something, then maybe you will take the $5 job. We cannot pay everybody what the drug dealers can pay them, but with this pressure we are seeing alternative development start to take place.

Let me give you some of the good news from Colombia.

Coca eradication has increased 57 percent and poppy eradication 27 percent. In some areas, they eradicate crops by hand. In other areas, with the assistance of the U.S. Department of State Air Wing, a precise aerial campaign surgically targets and destroys illicit crops. The chemical used is the same available to Americans for use at home from hardware stores.

By the way, they use the same thing we spray with to put around their crops to kill weeds. So if it is a problem when we spray to kill the coca, it is a problem to go to any grocery store in any nation of the world because it is the same stuff. It is not dangerous stuff. That is one of the tremendously wrong rumors that spread, and it is not helpful for people to not tell the truth about this stuff.

In drug seizures, coca base seizures have increased 813 percent, heroin seizures have increased 296 percent, drug labs detection and seizures have increased 321 percent. In Bogota alone, 2.8 tons of drugs were confiscated. These seizure statistics are exclusively credited to the Colombian National Police and Armed Forces. Their commitment is in evidence every day.

Interestingly, even more important in one sense, it is very important that we control the coca and heroin, but long-term we have to have some stability. Quite frankly, the coca and heroin was so stockpiled that we have not seen all the results yet, and we need to start to see results on the street prices and supply in the United States.

But we have also had other successes. Roadblock-type kidnappings are down 78 percent. Bank robberies are down 69 percent. Extortion kidnappings are down 64 percent. Massacre events and victims are both down 43 percent. Homicides are down 17 percent. The 2003 homicide rate is the lowest rate recorded since 1987. The rule of law and the power of the Colombian judicial system have improved markedly. Their commitment is in evidence every day.

This is important, because for the first time in the populous areas of Colombia for decades they are getting stability. I had one meeting in my office with a Colombian-U.S. business group, and they got a phone call because at the school there where most of their children go in Bogota, there had been a kidnapping that day. I think it was in Bogota as opposed to Medellin, but whichever city it was, there had been a kidnapping where the FARC and the narcoterrorists had blocked off a bridge and got a young mother with her daughter. They all knew the person, they were all relieved that it was not their family, but can you imagine living with that every day about the kidnappings?

Three different groups, ELN, the FARC and the so-called paramilitary groups are all practicing now, managing drug trafficking and the kidnapping. They are finally meeting a government that is committed and going after them. We are supplying the assistance to do it, not boots on the ground in battle but providing the technical assistance to keep the helicopters up.

Our total investment in this battle when it is directly related to the United States and our hemisphere is 400, proposed to increase to 800. It is nothing. We have got that all over the world, and they are not on the front lines getting shot at. The ones that got captured were doing backup, and the FARC basically got them by accident, shot them, kept them and killed some. We are trying our best to get them out. But they are not out there. They are not the ones in the front lines doing the fighting or getting shot at like in Iraq because the Colombians themselves are doing it, and we have been accurately and thoroughly training their forces, that they have basically taken back their country. Seventy-four percent reduction in road attacks, 67 percent reduction in bridge attacks, 67 percent reduction in electric infrastructure attacks.

It is pretty tough, as we are seeing in Iraq. If you cannot get your electric system to work, if you cannot make sure that the bridges are working across a river, if you cannot make sure that people can drive down the highway, it is pretty tough to establish law and order in a country. It is pretty tough to make sure that alternative

developments, palm heart or soybeans or bananas or whatever you are growing, can get to market if you are going to be kidnapped, the bridge is out, the electric system is knocked out. So it is really important that we have had this type of success in Colombia, and it is something we can brag about.

They now have in every single metro area now a Colombian National Police presence. That is an extraordinary jump from just a few years ago that along the Putumayo that we are finally seeing some order.

Part of our problem, what is difficult, is that as we establish order in the populated areas, they are pushing into that Amazon jungle. The biggest threat we have to the rain forests of South America are from narcotics and coca and in particular labs. Because when you fly over, you see the chemicals pouring into the rivers. It is not timber cutting that is the biggest threat. It is narcotraffickers that are the biggest threat. Furthermore, what happens is they will move these people.

There is a national park in Peru that is having a similar problem. They are worried about Ecuador. But in the national parks in Colombia, they will move out there with their labs, move farmers out there, often under forest or some with lure of high pay. They will then establish a colony out in the rain forest. Then when we say we want you to do alternative development, they will go, there is no road. Of course there is no road. They are carving landing strips in national parks and planting illegally in national parks and then they complain to us that we can't do alternative development. They cannot be there. That is not a logical market-based thing, and that is a hard thing to say when we deal with alternative development, but it is the truth.

So Colombia is a success story. It does not mean every day it is a success. It does not mean there are not attacks. It does not mean that we have eliminated coca and heroin, but Colombia is a remarkable success story.

If we remain firm and President Uribe remains firm, we are at a very, as the drug czar, the director of the Office of National Drug Control Policy, John Walters, says and all those involved, we are at a tipping point, that if we keep this pressure on, we may see successes like we have seen in Bolivia, Ecuador and Peru which, by the way, the old idea of the balloon that if you squeeze one place, it is going to pop out, we have squeezed it in and we may be at a historical tipping point if we just stay the course.

Next I want to touch on Afghanistan. Earlier today we held a hearing on Afghanistan entitled ''Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?''

Where did we come up with the expression ''are the British counterdrug efforts becoming wobbly?'' Let me say a couple of different things.

First off, the expression comes from this. When Margaret Thatcher received the Presidential Medal of Freedom from former President Bush, better known as Bush 41, he said about her:

We will never forget her courage in helping forge a great coalition against the aggression which brutalized the Gulf. Nor will I forget one special phone conversation that I had with the Prime Minister. In the early days of the Gulf crisis—I am not sure you remember this one, Margaret—in the early days of the Gulf crisis, I called her to say that though we fully intended to interdict Iraqi shipping, we were going to let a single vessel heading for Oman enter port down at Yemen, going around Oman down to Yemen—let it enter port without being stopped. And she listened to my explanation, agreed with the decision, but then added these words of caution, words that guided me through the Gulf crisis, words I'll never forget as long as I'm alive: ''Remember, George,'' she said, ''this is no time to go wobbly.''

The question is, as we are reaching a very critical point in Afghanistan, have the British gone wobbly?

Let me say, as we have repeatedly said, the British are our best friends in counterterrorism; and they have been the ones who have been most aggressive about going after heroin in Afghanistan.

Let me share a couple of introductory points on this. Last year's Afghan opium production was the second highest on record. That is a sobering fact if you think about it, because that means if it is the second highest on record, it is the second highest while we were there and the British were there, opium production went to the second highest on record. According to data and maps provided to the subcommittee by a U.S. intelligence agency, Afghan opium poppy cultivation is soaring and the estimates of hectares under cultivation are now approaching the highest level of past production.

I am concerned because over 20,000 Americans die every year from drugs and 7 to 10 percent of heroin sold in the U.S. is traced to the Afghan region. We do not really know exactly how much it is. It may be higher than that. We know at one point it was 50 percent, but right now the problem in Colombia is that the heroin seems to be coming in from there and most of the Afghan heroin seems to be moving to Europe. But if this much comes to market, it will pour into the U.S. and drive prices down, so even if we succeed in Colombia, Afghanistan is going to overrun us.

The United Nations Office on Drugs and Crime, UNODC, has conducted annual opium poppy surveys in Afghanistan since 1994. The 2003 survey shows that Afghanistan again produced three-quarters of the world's illicit opium last year. In other words, Colombia is only really supplying opium to us. Afghanistan is supplying the rest of the world. That is not true of cocaine. Colombia supplies cocaine to the whole world, but in heroin we get it from Colombia, it appears, and most of Afghan heroin covers the rest of the world.

The UNODC concluded that out of this drug chest some provincial administrators and military commanders take a considerable share. Terrorists take a cut as well. The longer this happens, the greater the threat to security within the country and on its borders.

What we focused on in the hearing this morning was that the British-led effort on eradication of opium poppy is stalled just as the opium harvesting season in the south of Afghanistan is upon us.

We also took our U.S. Defense Department to task as well because they have not been going after some of the storage centers and other things and the British had complained to me in London, both in their military departments and in their intelligence areas, that we had not been committed to certain eradication efforts. At an interparliamentary conference twice in the last 2 years they have complained about American enforcement, and here we seem to have some wobbling by the British and we are trying to understand what exactly is happening here. It does not appear to be Prime Minister Blair or Mr. Straw, it does not appear to be the guys precisely on the ground, but somewhere in the middle here they have put a hold.

What do I mean by a hold? The Assistant Secretary of State for Narcotics, International Narcotics and Law Enforcement, who oversees not only Colombia but the efforts in Afghanistan and not just the anti-narcotics efforts in Afghanistan but this agency oversees all the law enforcement efforts in Afghanistan, I am going to read some of his testimony from today:

Initial reports just in from the field in Afghanistan, this is as of even yesterday, indicate that we could be in the path for a significant surge, some observers indicate perhaps as much as a 50 to 100 percent growth in the 2004 crop over the already troubling figures from last year. By these estimates, unless direct, effective and measurable action is taken immediately, we may be looking at well over 120,000 hectares of poppy cultivation this year.

□ 2000

''That would constitute a world record crop empowering traffickers and the terrorists they feed, raising the stakes for and vulnerability of Afghan democracy, and raising the supply of heroin in the world market.''

Assistant Secretary Charles continued: ''Even more disturbing, these reports indicate that the clock is ticking faster than many anticipated due partly to warmer than expected weather in southern and eastern Afghanistan. As a direct result, the time for action may be shorter than anyone anticipated. I,'' Assistant Secretary Charles, ''have recently learned in the U.N. Office of Drugs and Crime that they expect the unusually warm weather in southern Afghanistan will result in an early harvest which in some provinces has already started.''

What does this mean? It means that they were projecting we had several more months to complete an eradication project and they need to go now, not later, now; and that if we do not move now, the whole cycle, which normally would go into fall, is going to be moved up, and if my colleagues see Afghanistan there, the southern half roughly going up to the east side, 58 percent of opium eradication is supposed to be done by the British, 42 percent by us. Because the British are in the south in the Pashtun areas and where it is warmer and also less mountainous. The mountains are not as high. It is warmer. So the opium is flowering now. And in the north, where we are more in charge of eradication largely in Tajek areas, but other areas as well, starting May 1 we will start our operations and moving in.

Here is some of the political dilemma. The British for some reason, in kind of a bizarre position, seem to be saying, and this is literally what we heard from Secretary Charles under questioning today, is his understanding was they said, Since we did not get the heroin eradicated earlier and it is starting to flower, we really should not destroy it because it will destroy the farmers' income for this period and that would be terrible because they have worked this whole long period to bring it to market.

And we think, wait a second, this is not soy beans. First off, let us get this straight. Ninety-two percent of the agricultural land in Afghanistan is not heroin. Afghanistan does not have a heroin tradition. It has gone in and out. But as the former King told us when we met with him when he was still in exile and then when I was recently back over in Afghanistan again, during their kind of window of 30 or 40 years of a benevolent monarchy and moving towards a democracy, in their first years of democracy, they were not a heroin country. They were the breadbasket of that whole zone because where they can grow heroin and coca, it is also great for other products. But they switched over partly because of the Taliban, which got 80 percent of their income from heroin.

The question is who is going to run this country? Furthermore, a lot of the Northern Alliance groups that were aligned got their money from heroin. That was how they operated their country as they were war torn and blowing up other things in ways to make money and the regular farmers would get terrorized because they could get more money faster through heroin. It is a mess. And that as we tackle Afghanistan, if we are really going to try to restore order there and not have these terrorists and drug lords who are becoming more rapidly around the world the same people, we have to get at the heroin.

Now, the argument here is we are talking about only 8 percent; so the market has covered 92 percent but these 8 percent, mostly in politically potent highly, what we would call war lord areas, is a problem.

Let me finish my other point with the British in the flowering at the last minute. As Secretary Charles said today, this would be roughly akin to not apprehending a drug cartel person as they were bringing the money into the bank because they put up the whole network, they grow it, they distribute it, and now they are ready to deposit the money and they are nabbing them then. They should have got them at the beginning, not when they are getting ready to put the money in the bank. So why do they not just let them go? I mean, the logic of this is crazy. This would be as somebody does all the work to lay out a bank robbery, they conduct the bank robbery, they steal the money, and then we get them at the tail end, but they put all that work in. I do not know if we should stop them.

Furthermore, this is not benign. The heroin poppy where we are trying to be so generous, apparently, and not eradicate because we do not want to deprive the farmers of their income is going to kill people. It is going to leave families addicted. It is going to have women being beaten at home and children being abused by their parents because they got this heroin poppy. This is not a benign flowering marigold flower. It is a heroin poppy that is going to kill people, maim people, lead to automobile wrecks, terrorism around the world. Why in the world would anybody think that they are not going to eradicate it when it is flowering? We cannot sit there with planes on the ground, twiddling our thumbs, while the world is about to be assaulted by the biggest crop of heroin in history. It is nonsensical.

Furthermore, if we do not crack down and if the British will not be aggressive in the southern part of Afghanistan with the Pashtuns, how do we think that the Northern Alliance groups who are also growing and protecting some of the people are going to be if we go into the Tajeks and the Uzbeks and those tribal groups in the north? They are going to say we did not do it to the Pashtuns, and we are back to the tribal breakups in the country because we are discriminating between the two different groups.

We have got to get this policy together. Nobody is against alternative development. Nobody is against better roads, building better hospitals, building better schools, rebuilding their legal system, protecting people. But we cannot not eradicate if they have grown something that is going to kill people. This would be akin to not getting a stash of machine guns because somebody built the machine guns or are about to get the profit and they need the income. These poor gun traffickers just need this money and they are trying to feed their kids and take care of their family and cover their health costs. We should not take all the gun traffickers' money away by getting their guns. What kind of nonsensical argument is this? We need boldness now, not wobbliness, out of both the United States and Britain.

And as far as the American Government goes, we will soon be having a hearing with our Department of Defense because we finally got, at least it appears, at least a regional memo in Afghanistan where they finally are saying if they find drugs and drug paraphernalia on people they capture, they should seize it. But they still have an order that says that they cannot use our military to eradicate. And in response to my question to Assistant Secretary of State Charles today where I said if they see stockpiled laboratories which the British have been criticizing us for not going after, does the Department of Defense tell the Department of State or DEA or anybody that they are there so somebody else can go get them? Because if the Department of Defense has decided they are too busy trying to get bin Laden, which we all agree that we have to get the terrorists, but we also need to get the funding for terrorists, we also need to establish democracy, if they cannot do it with the military, will they please share the information because I and other Members who have been over there know they can see it? There is no point in denying to us that they do not know where it is or that they cannot see it. The problem is who is going to get it? We are putting more DEA people in. We are getting more drug eradication groups in, and we need to go after it. Because if we fail to eradicate, if we cannot get it at the laboratory area, if we cannot get it in the distribution centers, it is going to wind up harder and harder to get.

Look at these arrows coming out of Afghanistan, a similar problem with Colombia. If we do not get it at its source, then it gets harder to find the labs. Then when it starts to move up through the Stans, through Russia, through Turkey, into Europe, down around and up the Suez Canal, they cannot get it. Then it is all over our streets. Then in America, 20,000 deaths because of drug abuse. Terrorism in its worst case killed 3,000 in a year. We have to make sure that that does not escalate.

Thankfully, this President has been aggressive; and we have done a better job on our borders, and we have shut down many of the terrorists' operations in the world, and we are battling them in Afghanistan and battling them in Iraq. Finally, Libya is cooperating with us, and when we met with Colonel Kadafi the first time we went in there, and I was with the gentleman from Pennsylvania (Mr. WELDON) in that tour, he did not want to be in a spider hole like his friend Saddam. So he figured the Pakistani people was providing nuclear weapons and he is cooperating with us. Now all of a sudden Pakistan is cooperating with us. We have had some major breakthroughs, thanks to this President's efforts.

But at the same time we have to realize the nexus, the connections between narcotics and the stability of a country like Afghanistan long term. President Karsai and his leadership have been tremendous. It is a very difficult problem that he has got to try to establish order when they have this country divided up into different sections with different drug lords and warlords ruling that. But we have got to get it because he understands, in multiple meetings here on Capitol Hill and in Afghanistan, they cannot have a democracy in Afghanistan unless he can eliminate or at least greatly reduce the amount of opium poppy.

Two other hearings we did this week in Washington: on Tuesday we had a hearing on measuring the effectiveness of drug treatment. Part of any strategy, like I said, first we have got to try to get it at its source because if we can get it at its source, even though it is expensive, it is so much cheaper than if we have to go after the labs and interdict it, whether it is Colombia, Afghanistan, Burma, wherever the problem is, if we can get it at its source. Then we try to get it as it is moving through interdiction if it is coming up from Colombia in the Caribbean or in the East Pacific. Then we try to get it at the border. If we fail at the border, we try to get it coming into the communities.

I hear often on this House floor we should not lock up the poor individual user. But then many of those same people do not want to lock up the user, do not want to go after the eradication. They did not want to go after the interdiction. They do not want to do the other things. We have got to do whatever we can to try to get to the kingpins and that network of drugs coming in.

We also need to work aggressively in the schools and around the country and with the community antidrug prevention groups. But when we fail, and that is what this is, a failure, and people get addicted, we have to figure out how best to provide treatment and how to do this.

There were a number of interesting things that we heard. There are 7 million people in the U.S. who need treatment for drug addiction, and the President's new drug treatment plan has some initiatives to try to address that because many people who are not getting treated for drugs who have a drug problem are not interested in getting treatment. But when somebody says they want treatment and are committed to change, we need to work to make sure those people can be covered.

Charles Curie, a Hoosier and a longtime friend of mine, administrator of the Substance Abuse and Mental Health Services Administration for the U.S. Department of Health and Human Services, HHS, testified on the access to recovery, how they are trying to put accountability in the system, looking at co-occurring dependencies. Many people who have other problems, whether they be mental or physical, are most vulnerable to drug abuse; and those co-occurring dependencies are very difficult. He is a leader in that, like he was in Pennsylvania, in trying to look at that problem, in trying to hold an accountability of what actually works. There is not a person who has worked in this field who has not talked to people who have been through five, seven drug treatment programs. Maybe they have made a marginal commitment, and I understand drug treatment enough to know that they are not going to get them necessarily completely cured, but they can certainly make progress. And in many cases, they are not even willing to have drug testing to even make progress. Part of what Director Walters is trying to do through the new treatment program is to make sure they at least have the accountability of drug testing if they want Federal dollars. Mr. Curie has been working with this.

Another thing we heard about was coordinated action. One of the witnesses was former Judge Karen Freeman Wilson, also the former Attorney General of Indiana, who is now executive director of the National Drug Court Institute; and she pointed out why drug courts work. When we say drug courts work, we do not mean they work 100 percent. We mean they work better than anything else and that they get some people completely off drugs, they get some people mostly off, some people who very infrequently relapse, and they fail on some. That is the real world. That is why we try to prevent it before it happens. As Nancy Reagan so wonderfully said, we cannot win a war by just treating the wounded. We have to treat the wounded. Nobody is proposing in a war that we do not treat the wounded. But we do not win the war just treating the wounded.

''Each drug court is required to monitor abstinence through regular, random, and observed drug testing. This means that most participants are tested at least two to three times a week.'' This is Judge Karen Freeman Wilson. ''Those who consistently test negatively are believed to be receiving effective treatment.''

In other words, we have to have accountability in it.

''Another measure of effectiveness of treatment in the drug court context is the ability of the offender to comply with other aspects of the drug court program. Is the person actively engaged in community service? Are they actively involved in a job search, vocational training or school? Are they attending self-help meetings? Are they appearing as ordered for court review hearings and meetings with probation officers and other court staff? Are they paying their fines and fees? Is the participant attending, complying, and progressing in ancillary services, referred to community service providers, to address issues other than substance abuse such as taking their prescribed medications and otherwise addressing identified co-occurring mental health issues?''

□ 2015

Are they attending parenting classes, anger management, life skill classes and other adjuncts to substance abuse treatment? Because each drug court participant is required to engage in treatment immediately, their compliance with the other aspects of the program that follow entry into treatment also provides insight into whether the treatment is effective.

In other words, they are saying it needs to be holistic. In times when we do not have enough money for anything, this is a huge challenge.

But let us be frank: if we are going to try to tackle these kinds of issues, you have to have some sort of housing options, job options. Tough, tough political questions.

In Indiana, we are having a debate because in the bureau of motor vehicles, 10 percent of the people in Indianapolis had a former conviction. That sounds really terrible. But are they clean? Are they drug tested? Are they cured? Are they having relapses? What was the conviction they had? It is not necessarily evidence in and of itself bad.

Now, if they continue to do it while they are employed, that is another problem. But you cannot say you can never hold a job if you have committed a drug crime or we are never going to get people rehabilitated. What is the point of treatment if they cannot find housing? Congressman DAVIS has a bill that I am a cosponsor of to try to provide targeted housing to people coming out of prisons.

The reentry program in Fort Wayne that we have worked with and tried through the faith-based community and others will say, hey, one church, one offender, a really strong program. There are others in my hometown of Fort Wayne where they try to match up people coming out of the prison system, many of them with drug offenses, into the community, because if you do not get them integrated into the community, you are just going to keep perpetuating the cycle of crime and violence.

We heard from many different witnesses at this hearing, and I appreciate each one of them, because it was very important to problem drug treatment.

I want to cover briefly two more things. One, the hearing that we did this afternoon was on marijuana and medicine, the need for a science-based approach. I want to read a brief comment on this.

This particular hearing addressed a controversial topic, the use of marijuana for so-called medical purposes. In recent years, a large and well-funded pro-drug movement has succeeded in convincing many Americans that marijuana is true medicine to be used in treating a wide variety of illnesses.

Unable to change the Federal laws, these pro-drug activitists turned to the State referendum process and succeeded in passing a number of medical marijuana initiatives. This has set up a

direct conflict between Federal and State law and put into sharp focus the competing scientific claims about the value of marijuana and its components as medicine.

Marijuana was once used as a folk remedy in many primitive cultures and even in the 19th century was frequently used by some American doctors, much as alcohol, cocaine and heroine were once used by doctors. By the 20th century, however, its use by legitimate medical practitioners had dwindled, while its illegitimate use as a recreational drug had risen. The drug was finally banned as a medicine in the 1930s.

Beginning in the 1970s, however, individuals began reporting anecdotal evidence that marijuana might have some medically beneficial purposes, most noticeably in suppressing the nausea associated with cancer chemotherapy.

Today, the evidence is still essentially anecdotal, but many people take it as a fact that marijuana is a proven medicine. One of the main purposes of the hearing we had this afternoon was to examine that claim.

At present, the evidence in favor of marijuana's utility as a medicine remains anecdotal and unproven. An Institute of Medicine study published in 1999 reviewed the available evidence and concluded that, at best, marijuana might be used as a last resort for those suffering from extreme conditions.

This report is repeatedly cited by the pro-marijuana movement, it was again today, as proof that marijuana is safe for medical use. In fact, the report stressed that smoking marijuana is not a safe medical delivery device, exposes patients to a significant number of harmful substances; but only in extreme conditions back in 1999, before we had additional advances, was it to be used.

In contrast to its supposed medical benefits, the negative health effects of marijuana are well-known and have been proven in scientific studies. Among other things the drug is addictive, impairs brain function, and when smoked greatly, increases the risk of lung cancer. The respiratory problems associated with smoking any substance make the use of marijuana cigarettes as medicine highly problematic. Indeed, no other modern medicine is smoked.

It is quite possible, however, that some components of marijuana may have legitimate medical uses. Indeed, the Institute of Medicine report, so often erroneously cited as supporting smoking marijuana, actually stated if there is any future of marijuana as medicine, it lies in its isolated components, the cannabinoids and their synthetic derivatives.

Interestingly, the Federal Government has already approved a marijuana derivative called Marinol, but rarely do the pro-marijuana advocates mention this. The Federal Government has also approved further studies of the potential use of marijuana or marijuana derivatives as medicine.

Moreover, in the United Kingdom, a pharmaceutical company has applied for a license to market an inhalant form of marijuana called Sativex. Thus, the real debate is not over whether marijuana could be used as medicine. The debate is over the most scientifically safe and effective way that components of marijuana may be used as medicine.

The responsibility for ensuring that any drug, whether derived from marijuana or not, is safe and effective, has been entrusted to the U.S. Food and Drug Administration, FDA. Under Federal law, the FDA must review, test, and approve each medicine and determine what conditions or diseases each drug may be used to treat and at what dosage level. The FDA continues to monitor each drug, making sure it is manufactured and marketed properly and that unforeseen side effects do not jeopardize the public health.

State laws purporting to legalize marijuana for medical purposes bypass these important safeguards. California and Oregon have adopted the most wide-reaching such laws. They allow anyone to possess, use and even grow their own marijuana, provided he obtains the written recommendation of a doctor. Few, if any, restrictions are placed on what conditions marijuana may be used to treat.

We had both California and Oregon there today, had some discussion about enforcement, and they have four cases in one State, minimal in the other. In effect, they only enforce if somebody from there complains, and the people who are using it are not complaining.

Few, if any, restrictions are placed on what restrictions marijuana may be used to treated. Virtually no restrictions are placed on the content, potency or purity of such medical marijuana.

The laws in California, Oregon and other States are extremely open-ended. California law even allows marijuana to be used for migraine headaches. One of our witnesses this afternoon also used it to treat ADD in two other indications and did not have any science whatsoever. One who just had his license taken away treated 4,000 people, and, according to the board in Oregon, had not even met with the people. So he did get a complaint.

Only a small percentage of medical marijuana users in California and Oregon have actually used the drug to treat the conditions for which it was publicly promoted, namely, the nausea associated with chemotherapy and AIDS wasting syndrome.

In Oregon, statistics kept by the State Medical Marijuana Program indicate that well over half the registered patients used the drug simply for ''pain'' while less than half used it for nausea, glaucoma or conditions related to cancer and multiple sclerosis. In San Mateo, California, a study of AIDS patients showed that only 28 percent of the patients who used marijuana did so even to relieve pain. Over half used it to relieve anxiety or depression, and a third for recreational purposes.

This raises one of the key questions we must address. If we are going to treat marijuana as medicine, will we subject it to the same health and safety regulations that apply to other medicines? We do not allow patients to grow their own opium poppies to make painkillers like morphine, Oxycontin and even heroin with just a doctor's recommendation. We do not allow people to manufacture their own psychiatric drugs like Prozac or Xanax to treat headaches. Why should we then authorize people to grow their own marijuana, when the potential for abuse is high and there is little or no scientific evidence that it can actually treat all of these illnesses and conditions?

Why would we abandon the regulatory process that ensures that drugs are manufactured at the right potency level and contaminant-free? Why should we stop the oversight that makes sure that drugs are being administered in the right dosage and in the safest manner?

In our follow up, FDA said on the record today there is no, none, zero, medical marijuana; and Dr. Volkow from the National Institute for Drug Abuse said clearly there are 400 components in marijuana.

Now, those of us who oppose marijuana need to do some acknowledging here too. People have real problems, particularly in treating, that there are some areas in Marinol that have not worked, although it has been improved as well. We have to look in controlled, disciplined environments to figure out how to address that. And those who advocate marijuana need to grant smoked marijuana is very dangerous, much more carcinogenic than cigarette smoke. It is a huge addiction problem in the United States.

As we look at how best to make it medical, it is not the marijuana that is medical, anymore than cocaine or heroin is medical. It is made up of 400 different components, and to try to treat and work with what we are working with here, we are already working aggressively in our government to try to figure out the sub-components and how they mix and how to do it.

We heard all kinds of different things of where they are working and making progress in trying to treat this. And, interestingly, most of the breakthroughs are likely to be synthetic or a blend of things from other drugs with what the different components are in marijuana.

It is not the marijuana. It is not the smoke certainly that helps. It is not the marijuana; it is components inside that, often blended with other things, that can help us address the problem of nausea and the problem of relieving pain for AIDS patients.

Furthermore, the dosages need to be controlled with it, or you develop another addiction. If you take out components in the marijuana, give it in tablet form, you can achieve the pain reduction. But if you are looking to get high and want to get addicted, it will not work.

So Canada, as they moved to this, in Vancouver, which I opposed but it worked with the legislators there and I talked to them about this thing, what they are learning is people do not want to take the pill. They want to get a higher dose than the pill. They wanted this ''BC Bud'' high-quantity level.

We have to figure out how we are going to work this through, because clearly many States are adopting this. There has been a false concept across America. Those of us who oppose drug abuse are branded then as being uncaring for the sick, which is wrong.

In fighting the whole thing we are not clarifying what we are arguing over here. We need to work together to relieve pain, but we also need to have an FDA standard, and it should not be a backdoor way to legalize a dangerous drug.

In our transportation bill we are moving through, we are making our first steps to make people aware that more people are killed apparently from drug addicted driving than from alcohol. That is a huge challenge in this country, that it is not just ''I am relaxed and am using it.''

Medicinal Marijuana has already challenged our transportation and drug testing laws in the State of Oregon, because it was supposedly medical. No, if you are taking a tablet form, you are not going to be at risk because you do not get that same dosage. It is a different mix. It is not marijuana. We have to figure out how to work these things through.

One last comment. Yesterday, DEA broke the largest ecstasy ring in history. U.S. and Canadian drug agents broke up a distribution ring responsible for 15 percent of all the ecstasy, that is what they estimate, smuggled into this country. It was called Operation Candy Box.

Approximately at their peak, they were doing 1 million tablets a month, approximately 5 million laundered dollars a month. It was in 18 cities in the United States and Canada.

I am grateful for the DEA's efforts and continued efforts to point out ecstasy is a dangerous drug. There is a program on tonight that I am very concerned about based on some of the statements attributed to Peter Jennings and in the news media. I do not know if it is correct. I have not seen the show. It does not air until tonight.

But the news reports are saying and suggesting that they feel the Federal Government has been inaccurate in their report of ecstasy, when we have had testimony showing the brain damage, certainly in animals, but showed us charts too of the potential and some on humans. We have heard from parents whose kids have died at ecstasy parties and have gotten addicted. We heard of people who are ecstasy addicts, and I sure hope that we continue to combat it aggressively.

I thank the DEA for their efforts to shut down this dangerous drug, and I hope that our national news media does not side with the drug dealers and the drug users of this country and continues to send a positive message.

EMPLOYMENT PROBLEMS IN AMERICA

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

Mr. FRANK of Massachusetts. Mr. Speaker, a few weeks ago I took this floor to talk about the very serious problem we have in our country today regarding jobs.

Last year, as the economy began finally to recover from the recession in a somewhat robust fashion, we expected to see a significant increase in jobs. As I noted previously, Secretary of the Treasury Snow in October said he thought we would get 200,000 jobs a month, because we had seen such vigorous growth. He said everything he knew about the way the American economy worked, meant with that level of growth, we were going to get 200,000 jobs a month.

A couple of months later, when he was drafting the President's economic report, the Chairman of the Council of Economic Advisers, Mr. Mankiw, said something similarly. In fact, he went him a little better. He said about 215,000 jobs a month. By February of this year they both had retracted those predictions.

Unfortunately, we clearly now are in a situation in which the old rules, by which we mean over the last 20 or 30 years, by which we could calculate the given number of jobs we would get for a given level of increase in our gross domestic product, do not seem to be working.

For a variety of reasons, we are not producing at a given level of economic activity the jobs we used to have. That is a serious problem. It is, first of all, of course, a terrible social problem. The people who do not get jobs are often the most vulnerable in our society, and joblessness is a terrible plight for anyone who suffers from it. The joblessness has been prolonged.

In addition to joblessness, of course, by the working of supply and demand, when you have a larger number of people unemployed, wages do not rise at the normal level, so that we had last year a drop in real wages. Inflation outstripped real wages for people who work for pay from others.

□ 2030

We have seen the erosion in health benefits. There was some debate late last year and early this year about that. As I said, the President's economic report came out in January, and it was still under the old rules. Well, facts are stubborn things, as a number of people have said. I forget who said it first, but a lot of us have liked it and repeated it, and it is now undeniable that we have a serious lag in job creation.

We are debating the reasons. I think they are multiple. One is productivity; and that is, of course, the great paradox. The good news of increased productivity becomes the bad news because it is one of the major explanations for the lag in job creation. There is the globalization factor, outsourcing. There is the debate about how many jobs this is costing, but it is costing jobs, undeniably.

There are other factors that are involved. I think the health care system of the United States is a problem. We have one of the few societies, the only one I can think of right offhand, where your health care is so tied to your job, so that when an American company has to hire, they have to think about health care. We have a situation where the American automobile manufacturers are burdened in their competition with others because they have to factor into the cost of every Ford and every Chevrolet and every car that is built here, the health care that is not a marginal cost for their competitors.

But leave aside for a while the reasons. We have to deal with the fact. And the fact is, as I said, it is now clear that we are in a period where we are producing fewer jobs per element of gross domestic product than previously. Then the question is, well, how long is this going to be with us?

Last year, the optimists were the people who said, well, we are going to just get a lot of jobs, a couple of million jobs a year, more than that, 2½. The Bush administration said from 2.4 to 2.6 million jobs a year. No one thinks that anymore. I hope tomorrow we are going to see a very robust job figure. There are some reasons to hope that it will finally begin to show something, probably because a major strike was settled in California, other seasonable factors, weather changes, but no one thinks we are going to get to those predictions of 2.4 to 2.6 million jobs.

So there has been a kind of downscaling of expectations by the administration and others. We still have pessimists and optimists, but, sadly, the pessimists and the optimists agree that we are in a period of slow job growth, and they differ as to how permanent this is.

Now, there are really three levels here.

There are always, of course, job losses of a cyclical nature in a recession. The optimists last year said basically, look, these are cyclical job losses and as we come out of this recession, we are going to restore them. That has not happened. Clearly, there is a structural element here. So we now have this understanding that increased productivity, foreign outsourcing, and

globalization are costing jobs in the near term.

But the optimists say, okay, that is true, but that is temporary. In other words, they concede, we have not just the cyclical problem of a recession, we have something of a structural problem as our workforce gets reorganized. But, they say, that is temporary, because, given the dynamism of the American economy and the inherent workings of the market, new jobs will be created. So they concede, as the facts require them to, that we are now in a position where we do not have the jobs we had expected to have but, they say, have hope. The jobs are just around the corner. The jobs are coming.

I wish I could be as optimistic. I do not think it is possible at this time to conclude for sure how deeply embedded in our economy this structural problem is. I fear that to a great extent we are going to have to cope with this on into the future. It is not simply that productivity means, I believe, a qualitative change going forward in the wealth-to-job mix, but it is also not clear that foreign trade will do what people say.

We have some of those who are the strongest proponents of trade, I think, overselling it. Foreign trade clearly has been a reason why inflation has been low. Foreign trade clearly holds down the cost of products we buy. But the notion that it will automatically produce as many jobs as it costs simply has not been borne out.

I was struck by a very interesting panel held on the question of outsourcing. One of those who spoke on the panel, a former member of the Board of Governors and Federal Reserve, a very distinguished economist, Lawrence Meyer, talking about this general subject quoted another very distinguished economist, Robert Lawrence, and he said that he had recently read a quote of Mr. Lawrence which really troubled him, and here is the quote. As he notes, Robert Lawrence has studied international competitiveness his entire career, and here is what Mr. Lawrence said, as quoted by Mr. Meyer:

''If foreign countries specialized in high-skilled areas where we have an advantage, we could be worse off. I still have faith in globalization, but it is no more than faith.''

In other words, there is no guarantee that the factors that are causing this slowdown in job creation now are going to fade away.

I will talk in a further speech, however, let me reassure the Speaker, I do not plan to try to cover everything tonight and keep everyone here, about whether the optimists or the pessimists are right and what we do about it. Today I want to take the optimists at their word and hope that they are right and hope that what we are in is just a period of transition. That is the optimistic view.

The optimists concede that, as I said, it is not just a cyclical problem. What they now say is, well, it is a transitional problem. We are in a transition at this point. Of course, the economy is always undergoing transition, but there does appear to be a more significant transition now: the outsourcing of computer jobs and service jobs, that is relatively new. We have had outsourcing in effect not of jobs but of whole operations in the manufacturing area. This is new. The productivity, the integration of information technology, that seems new.

But they say, look, it is true we are in a transition, but do not worry, because the dynamism of the American economy will soon produce new jobs to replace those that are lost.

Here is what President Bush said. Now, again, President Bush was, of course, last year one of the great optimists of the old sort. President Bush was having his administration officials predict 2.5 million jobs this year. That is gone. Now here is what the President has to say. According to the New York Times of March 31, the President was in Wisconsin; and the Times says he acknowledged the economic anxiety felt by many voters, saying that the intense pressure on business and workers to produce more for less, while good for the economy in the long run, has held down the creation of jobs.

It then goes on to quote Mr. Bush directly, and here is Mr. Bush's quote: ''This is called a period of transition,'' Mr. Bush said. ''That is an economist's word for things aren't going too well for you, and I understand that. I understand people are worried about the job they have.''

In other words, this is the new optimist view, which is a less optimistic view than the old optimist view, and the President says, transition means ''things aren't going well for you.'' Well, now lexicography was never one of his claimed strengths, so we will let that pass, but it is an acknowledgment that this transition is hurting people, but, he says, in the long run, you will be better off.

That is what I want to address. I want to take those optimists at their word, and President Bush is in that camp.

The leader of the optimistic camp, because of his stature, his justifiable stature, the respect for which people have for him as an economist and a thoughtful maker of policy, is Alan Greenspan. And I commend people who want to see the optimistic view, the new down-scaled optimistic view, to read his testimony given on March 11 before the Committee on Education and the Workforce.

As an aside, Mr. Speaker, as some Members know, that used to be called the Committee on Education and Labor, but in a display of political correctness, when the Republican Party took over the House, ''labor'' being a word with unpleasant implications for the Republican party, I think perhaps too much social concern for people who earn their living by being paid by others, the word ''labor'' was banished from the official roster of committees and we now have the Committee on Education and the Workforce.

Mr. Greenspan's testimony before the Committee on Education and the Workforce is the optimist view. He says in here, as he has said before, that the stress that significant parts of our workforce are enduring reflect, and here I quote him, it is what ''Joseph Schumpeter, the renowned Harvard professor, called the process of 'creative destruction,' the continuous scrapping of old technologies to make way for the new. This is the process by which wealth is created, incremental step by incremental step.''

In other words, as the President said, you are suffering in the short run. Transition means things are not going well for you. But, in the long run, you will be better off. It is the process of creative destruction.

The very fact that you are losing your job is, in a perverse way, good news, because the job you are losing is a job that we no longer really find that useful, and we are going to create, out of that job loss, a freedom for you to take a new job.

Well, as I said, I hope that is the case. It has been the case historically in America that we have produced new jobs as we have lost old ones. There is a very real question in my mind about the extent to which that is still true. Of course we will produce new jobs. Certainly we will. But whether or not the rate of new job production will equal the rate of job loss, that is not to be taken for granted, and that is why Professor Meyer quoted Mr. Lawrence. He is saying, look, I have faith in globalization, but it is only faith.

It is clear that trade will help with the inflation issue. Trade helps bring us products cheaply, but there is no guarantee whatsoever to assume that it will allow us to replace the jobs that have been lost, and there is no mechanism under productivity that says that, either.

But I will take the optimists, for now, at their word. They acknowledge that, however, there is a problem. In other words, the optimist view is, okay, this is a transitional period, and in this transitional period a lot of you are losing your jobs and some of you are keeping your jobs, but you are losing your health care and you are getting cut back.

An example of that, we just saw the settlement of a strike here or a dispute in Washington, D.C., fortunately, it did not lead to a strike, I guess, of grocery workers. Grocery workers have a new contract, and here is the headline from the Washington Post yesterday: ''New Workers Bear Brunt of Concessions. New people hired to work in the grocery stores in Giant and Safeway will get less in the way of compensation than the people who have been working there.''

Well, that is the creative destruction, but it does seem to me in this case, for

the new people, a little more destruction than creativity, because they are going to get less.

By the way, we are talking about grocery workers. We are not talking about people whose compensation will go from $150,000 to $140,000. We are talking about people working very hard for not an enormous amount of money, and they will get less of it, and their health care will cost them more.

Mr. Meyer makes that clear, by the way. Mr. Meyer, former governor of the Federal Reserve who cares about employment, here is what he said about the transition:

''We have got to keep in mind here that the costs associated with globalization and even productivity in terms of the skill bias, some of them are transitional. People will generally get jobs back, but they won't get the same jobs back. They may get jobs back with lower wages, with less benefits. There may be permanent costs. So we have to make sure this is not just transitional. There are winners and losers, and it is more than short run. It can be sort of permanent.''

In other words, even for those who have some optimism, there is a recognition that the transition will be damaging to a lot of people.

So then the question is, what do we do about the transition? Again, I will deal later with the more pessimistic view in another speech. But today I am taking the optimists at their word. Mr. Greenspan, the President, they say, okay, yes, integrating into information technology, expanding foreign trade, it is a two-way street. Ultimately, you will be better off, and we recognize there is some short-term pain. Bear with us.

Well, as Mr. Meyer points out, it is not at all the case that the losers of today will be the winners. There are different losers and winners. So even if we take this optimistic view that this is just a transition, it does seem to me that society has an obligation to make the transition a lot less painful.

The President says, remember, this is George Bush's definition of transition: ''things aren't going well for you,'' he says. ''That is an economist's word for things aren't going too well for you, and I understand that.''

Well, Mr. President, we need more than understanding. We need a response.

□ 2045

That response has to involve a more active public sector than we have. By definition, the transition is a private sector transition. It is in the private sector that people are losing jobs and getting new jobs, as Mr. Meyer points out, that will pay less and that will have fewer benefits as the grocery workers have found out now, the new grocery workers.

Now I believe there is a very important reason to try to ease the pain of the transition and that is a matter of equity. Productivity outsourcing, cheaper products, better products, those benefit society as a whole. There is a particular benefit for those us who are fortunate enough to be earning well, above the median income, and those benefits are widely distributed. But while the benefits are widely distributed, the costs of achieving those benefits is very narrowly borne.

It seems to me morally a decent society will try to take some of the increased benefit and use that to alleviate the pain of the few who are bearing the cost that made it possible.

Mr. Greenspan acknowledges that. ''Creative destruction'' is the phrase he borrows from Professor Schumpeter. That means that all of us are benefiting, but some are getting hurt. The President says, transition, things are not going well for you. Okay, but do we not have some obligation to have things go better? Is it reasonable?

I guess, because of outsourcing and other things, some of the things I buy I will buy more cheaply. Because am I, then, free of any moral obligation to worry about the fact that the people who are selling me these things more cheaply are getting paid less and having trouble meeting their family's needs and do not get the health care they ought to get, have to pay too much for it and sacrifice elsewhere?

So I think there is a moral reason why we should be trying to improve things. That, of course, requires some public policies. But even for those who do not believe in the moral argument, their own self-interest ought to convince them to do more about the transition.

Given Mr. Greenspan's recognition of the pain of the transition, given Mr. Bush's recognition of the pain of the transition, they are making a great mistake in failing to alleviate the pain of the transition, if only because the people who are suffering that pain are beginning to be in sufficient numbers and have sufficient sympathy so their response to transition is going to be to block it.

Now, remember in the view of the people I am quoting, the transition is a good thing. It is the way in which we grow. It is the way in which we improve. What you have is a paradox. Given our political situation, the victims of the transition do not have the political power in some situations to get some of those benefits to alleviate their pain, but they do have the political power to stop things from going forward.

Mr. Meyers says in an economist's ideal world that these trends are producing increased globalization, productivity, they are producing winners and losers. And he said the economists believe that the total gains of the winners significantly outweigh the total loss of the losers. So what you do is you take some of the gains from the winners and you compensate the losers and then the society as a whole is better off. The winners still win; the losers break even.

But as he points out politically, and Mr. Meyer was credited, he points out, yeah, but in our current politics the winners do not do anything for the losers. While the losers do not have the political power to force the winners to share, paradoxically they have the political power to stop the whole transition process and have there be many fewer winners. We know that.

Recently in Congress Daily there was a note that the lobbyists in town who work on trade are very disappointed because they do not believe the Central American Free Trade Agreement can go through the House. I certainly do not think it can or should in its current form. I think it is very lagging, although I would like to see a better version of that come forward.

Outsourcing, we know now in this great outcry, outsourcing, we are being told, do you not understand how good the outsourcing is? Well, the people who are being outsourced do not understand that. They understand that it is good, but they know it is not good for them. As long as all the benefits of outsourcing are going to some people and none of the gains, they are not going to be too happy about this.

In other words, I say to the optimists who believe that this is simply a matter of a transition which in the end will leave all of us better off, if you do not do something to alleviate the pain that transition inflicts on the lower economic sectors of this society and into the middle economic sectors of this society, they are not going to let the transition go forward.

Now, unfortunately, under the current administration and with the current congressional leadership, not only are we not doing anything to alleviate the pain of the transition, we are making it worse through public policy. Let me give you one example where I say we are making it worse.

I talked about the grocery workers. Now, some American workers are put at risk because the things that they do can be done overseas. And they are told, listen, if you do not adopt some lower benefits we will send this work overseas. We know that that threat is made often.

People in the computer industry are being told you are going to lose your job, you are going to be outsourced. Well, yes, there are some things where there is international competition. But how does that explain the erosion in the relative position of grocery workers? We know that that is there because the new grocery workers are going to get less than the existing ones. Very few Americans will go to India to buy their groceries. There is not a problem of outsourcing of your frozen food. What we have got are public policies that are eroding their position, in particular, the assault on the role of unions.

What has happened has been a systematic dismantling of the Federal law passed under Franklin Roosevelt and generally supported by presidents

since, which allow men and women to bargain collectively for their jobs. So you have a Wal-Mart which, in part because of the law and the way it is now being interpreted, is able to block collective bargaining because you have people hostile to unions administering the law that is supposed to protect people's rights to join them. So Wal-Mart then becomes the standard down to which others must repair. That is a public policy problem.

The tax system over the past few years has been made more favorable to the wealthy and less favorable to working people in relative terms. The payroll tax continues to go forward. That is another example of public policy making things worse rather than better.

And we have a number of very specific areas where the people in power in Washington are either making things worse or refusing to make things better. That is, there are some things that can be done to ease the transition.

And, again, I want to reiterate, I am not here debating whether or not these changes in job creation are going to be with us for a while or whether they are short term. Everybody admits that we now have this transition. Everyone acknowledges it, the President, Mr. Greenspan, and others, that it causes pain to people.

Let us assume they are right and within a few years the dynamism of the American economy will make this a time that we will all look back on and say, oh, were not we worried too much? Well, at least those of us who have had jobs throughout this and health care and other things. But what about the people who are not in a position to maybe even make it through there with any kind of economic integrity?

Well, there are things you can do to ease the transition. This Republican administration and Congress, sadly, are doing the reverse. Nothing could be clearer on this than the question of unemployment compensation.

Now, here Mr. Greenspan, who is the leading optimist in this, has, when pressed, agreed that we should extend unemployment benefits. I stress Mr. Greenspan, because I think he is the leading articulator of the more optimistic view. And when pressed, as he does not volunteer, he says, well, yes, you should extend unemployment. How do you, Mr. President, acknowledge that this is a time of transition in which, to use your words, things are not going well for the people who are at work and you do not use your power to get extended unemployment compensation?

Now, historically, when the recession ended we would do extended unemployment in a recession, extended unemployment benefits. When the recession ends, jobs came back, you did not need extended unemployment benefits. In this case, we have the recovery without the jobs, so you still needed unemployment compensation. The administration opposes it.

Part of the problem, we agree, is foreign trade related. That is not the whole problem. Productivity may be a bigger part of it. I think it probably is. But part of it is foreign trade related. Well, we are told we have something called trade adjustment assistance. It helps you if you lose your job to an international operation. But when it was passed it dealt only with manufacturing. We were not thinking then about computer-type jobs being outsourced indeed. The jobs now being outsourced are the jobs we used to retrain people for. We just forget to give them airplane tickets when we gave them retraining.

Where are we now? We are now in a situation in which the Republican administration and Congress is blocking efforts to extend trade adjustment assistance to service workers. So if you lose your job in a factory, you can get some trade adjustment assistance. It is not the best thing, but it is some help. But if you lose your job in a call center or in a computer programming operation, you get nothing. The administration has said no, no, we cannot help, because it says manufacturing products. It does not cover services.

Senators have said and others have said, the House of Representatives Members have said, okay, we will change the law so what this covers services; and the administration and the Republicans are blocking that.

So no to extended unemployment compensation, no to expanding trade adjustment assistance to people who need it.

Well, one of the things we could do would be to provide some public sector jobs for some of these people. Because, again, some of the people who are losing their jobs are not going to be the one who get the new ones.

And I go back to Mr. Greenspan. Mr. Greenspan's testimony is really the articulation of this view, and what it shows is the inadequacy of the conservative optimistic approach to this problem. Mr. Greenspan is their intellectual leader, and his answer essentially is community colleges and some more training.

One reads Mr. Greenspan, he says the whole problem is education. We do not have a good skill fit. We need more skilled workers, and we do not have them, and, therefore, the answer is to educate them more. That is shockingly inadequate. And Mr. Greenspan intellectually, I think, is not thinking this through.

I think that the problem is that in this case Mr. Greenspan's deeply conservative ideology, to which, obviously, he is fully entitled, his view that less government is almost always better, which is a view he has held for a very long time, is winning out over his intellectual understanding of what is going on in the world.

He grants that there is this insecurity. He did not always, but he now acknowledges it. He understands that the pain of the transition going unabated causes problems in resistance to the programs he would like to see go forward, but he cannot bring himself to let us help alleviate them.

Now, one more minute on the Bush administration. One thing we could do that would be very helpful with jobs would be highway and transit construction programs. People always said, well, public works is not a good way to respond to a job crisis in a recession because by the time you get geared up the recession is over. Yeah, but we are in a situation now where, while the recession may be over, but the joblessness is not; and this is an ideal time with slack recesses in the economy to improve our transportation system, our highways, our trains, our public transit.

A month or so ago the chairman of the Public Works and Transportation Committee here and his ranking member, bipartisan effort, correctly said we could spend usefully $375 billion over the next 6 years, not a huge amount in this whole country, improving transportation, and it would both be better for the society and it would provide jobs. And the President used his political muscle to cut that back and back and back to the point where he is now threatening to veto a bill that is $100 billion less than the original one.

Well, Mr. President, if you recognize that things are not going well in the transition, why should there be resistance to a piece of legislation that is one of the best answers we have to these problems? Because, again, to go back to Mr. Greenspan and the others, the problem with his argument about creative destruction is that, frankly, the people whose jobs are getting destroyed are not the people for whom the jobs will be created.

Even if you do job retraining, there are people in their 40s and 50s who are losing their jobs, people who had a high school education. The likelihood that they can be retrained for jobs, anything comparable to what they had, is quite slight in large numbers.

That is what Mr. Meyer correctly pointed out. Yes, some people get new jobs. They will be worse jobs than they had. They will not pay as much. They will not have the benefits, particularly since there is now a trend among American employers to cut back on health care and to cut back on defined pensions.

□ 2100

So, in any case, everything else being equal, you are likely to get a job paying less, and it is not going to be equal for all these people.

Let me say, the President's mistakes are very clearcut. No to extended unemployment benefits, no to trade adjustment assistance to the people whose jobs are being outsourced, no to a good highway program that would put people to work and also create, in some local areas, better economic conditions. So the President betrays his own recognition that this transition

means things are not going well for people by denying them this kind of short-term help.

Mr. Greenspan's error is articulated more clearly, but I think it is equally grave. I have heard his and I have talked to him about this and his answer to the problem frankly is, well, let us do more with the community colleges, let us retrain people. There are a couple of problems with Mr. Greenspan's approach.

First of all, I must say, as much as I respect him in general, as much as I admire what he did when during the 1990s he refused to raise interest rates and cut back the economy, some people argued that too little unemployment was bad for the economy, Mr. Greenspan resisted that. He said, no, he was not going to inflate interest rates just because unemployment was dropping. He was going to see if we could have low inflation and low unemployment. He was right and we did.

But here again, I have to say his philosophical opposition to government is, I think, crowding out, to use a good financial term, his commitment to dealing with the problem he identifies. He understands that the transition is causing political problems, and he says in his testimony and he acknowledges that it is leading to problems, that it is leading to people being opposed to some of the policies he thinks are necessary.

He understands that outsourcing and free trade, things he like, are at risk because of the resistance, but he cannot bring himself to overcome his philosophical objection to government to the point where he will really respond to those needs.

Yes, grudgingly, when we asked him, he said, yeah, extend unemployment but it is not high on his agenda. In fact, the central tenet recently of what he has been arguing, well, there are two tenets and they are in disagreement. One, he says we have to greatly increase the skill-sets of American workers. We have to educate people more; let us have more community colleges; let us have more education. Well, Mr. Greenspan's too good an economist to think that people at community colleges will work for nothing, but some of them would have to if we are going to carry out what he wants.

Mr. Greenspan has, after all, unlike the Bush administration, argued that the serious deficits we are now encountering and the enormous debt that they are building up, that that is bad for the economy, but sadly, he tells us that the only way that we can responsibly reduce that deficit is by cutting spending.

He is generally in favor of continuing the very significant level of tax cuts, weighted towards wealthier people, and I think he agrees with that philosophically, and he says, therefore, we have to make all these reductions on the spending side. Well, I have two problems with his approach.

First of all, he puts too much of a burden on education. I am all in favor of increasing the skills of American workers, but that does not mean that you do not have to, during the transition, alleviate the economic pain being felt by people who probably are not going to be able to acquire those new skills and who are going to take some time in arguably earning while they are trying to get them. Yes, community colleges are very important, but it is too heavy a lift to put on them the burden he puts on them basically of dealing with these job problems. I do not caricature. I urge people to read this. When we asked him what should we do about it, he said it is education, community colleges, improve the skills.

One, as I said, he puts too heavy a burden on them, but two, at the same time as he urges us to do more in education to improve people's skill level, he actively argues against the revenues being made available to the public sector that would be necessary to do that. No one thinks you can significantly increase the skill levels of workers without the public sector having a major role, and Mr. Greenspan's philosophical objection to the public sector having an expanded role comes head-on against his recognition that something ought to be done in this area.

As I said, Mr. Speaker, I have been talking about what I consider to be the optimistic view. The optimistic view is that, yes, productivity increases, outsourcing, increased trade, they represent more than the cyclical loss of jobs which you get in a recession that is overcome when the cycle turns. They acknowledge, the President acknowledges, Mr. Greenspan and others, a transition which has painful effects on many workers.

I will leave to a later speech, as I said, whether or not we may be in a period of a kind of permanent transition like this. That is, I fear that unless we do more than we are doing in public policy, even more than I have now been talking about, we are going to continue to have this problem.

Increased productivity is a wonderful thing. It is what civilization strives for in the economic sphere. Productivity means we have more recreation and more leisure. We can make more with less. That is what we are trying for. The tragedy is that we have a set of bad social arrangements that take that wonderful thing, increased productivity, and make it into a source of pain and deprivation for so many of our citizens.

But as I said, leave that one aside. Assume that Mr. Greenspan is right, the President is right, that cutting taxes and continued outsourcing and continued foreign trade, a continued $500 billion a year American trade deficit, continued increases in productivity without labor unions getting in the way, more freedom for employers to cut back on benefits and health care, let us suppose they are right and that while that is difficult for some people in the short-term, and we do not know whether the short-term is a year, two, three or four, at some point the dynamism in the American economy, as I said, will make us look back fondly on these days.

Even if you believe that, and I am, as my tone probably indicated, skeptical, it is self-defeating unless you respond to that pain which you understand is, in fact, a current reality.

So, the President, Mr. Greenspan and others are not understanding the implications of their own optimism. The increased wealth we are now creating, the benefit society as a whole is getting, the particular benefits that the very wealthy are getting, unless some of that is shared with the people whose jobs are being destroyed in the process of creative destruction, or the people who are losing jobs, or the people who are losing health care, with the new hires at the grocery stores here in Washington will be getting less than their colleagues doing exactly the same job, unless we do a better job at alleviating that pain, then the transition is going to be stopped. Arguing that free trade and outsourcing and the freedom of employers to hire and fire at-will and not be hindered by unions, the objections to any restrictions on various productivity practice, those who take this position are doing their cause some harm, some very real harm.

To go back to the phrasing of Mr. Meyer, and I think this is the best way to put it and I borrow from him and I adapt him a little. Given the political situation in our society today, given the Republican control and the view that the market will take care of things, and I believe in the market. I just do not believe in it as an absolute. I think it is clearly very valuable. I think it does not, however, do everything and there is a need for the public sector.

But the view that says the market will take it, has a lot of power today, the market will take it all by itself. What this means is that in the current situation the losers cannot politically force the winners to treat them more fairly, but because of the nature of politics, while the losers cannot make the winners treat them more fairly, they can stop the winners from winning as much as they otherwise might.

If you believe that all these things, unhindered scope for increased productivity, no restrictions on the Wal-Marts and the comparable institutions, more free trade without any restrictions, without worrying about labor rights and environmental rights, and I must say Mr. Greenspan erred. I was very sorry to see a quote from him in which he said that people were using a concern for labor and environmental rights as a shield for protectionism. That troubled me that Mr. Greenspan would not understand the sincerity of those of us who believe this. I fear he literally adds insult to injury when he impugns the motives of those who say that.

The fact is that they face a situation in which their failure to alleviate the

pain has built up such opposition to what they want to see happen that it will stop happening, and they cannot believe that this is good. So they really face a choice, because the electorate faces a choice later, but we deal today with public policy choices.

Continue to block an extension of unemployment compensation, continue to deny trade adjustment assistance to people who are losing their jobs to outsourcing in the services area, continue to block the ability of organized labor to help people band together to defend themselves, continue to allow the erosion of pensions and health care, refuse to allow this Congress to pass by threatening to veto a highway bill that could put some people to work, and you will reap, unfortunately from your standpoint, and from mine, too, a degree of resistance to economic progress that may make us all worse off.

So I say, in closing, Mr. Speaker, that we have had some advance. The President in particular, his aides they are not talking about 2.5 million jobs a year or more. They are acknowledging that we are in a period of painful transition, but they stop short of helping us alleviate that pain. The transition does not have to be painful, and if the transition continues to be painful, at some point there may not be nearly as much transition as they want.

I close by saying, as I said in my previous speech and will say again, a large part of the problem is the instinctive, intense, absolutist dislike of the public sector. The notion that when civilized people come together to do some things jointly because the market does a lot but it cannot do everything, the notion that that is something that is always bad gets in their way, because unemployment compensation and the highway bill, the trade adjustment assistance and improved community colleges, et cetera, that takes a public sector that is well-funded and able to meet its responsibilities.

As long as we have the President and a Congress that regard the public sector as something to be ridiculed and diminished and hindered at every turn, who do not have any confidence in our ability to come together as a people and achieve important social purposes, as long as Mr. Greenspan, the leader of intellectual conservatism, continues to argue out of his philosophical opposition to government that, yes, we must reduce the deficit but we must do it all by reducing spending and not at all by undoing some of these tax cuts, then things will get worse and not better. The political trends Mr. Greenspan laments, the opposition to free trade, the opposition to outsourcing, it is going to get worse, and we will see this year blocking outsourcing. In the short-term I am for that because I think the way it is being done is wrong.

I would like us to be able to come together and say, let us, to go back to Mr. Meyer one last time, try to follow the pareto optimal motto he talked about in which some of what the winners get will be to alleviate the losers' loss, to the point where we will be able to go forward as a society, and there will always be some losers and some people will be hurt. We are talking about a very complex society of hundreds of millions, but we can substantially diminish the perceived, I believe, unfairness of the way in which the current increases in wealth are distributed.

Until we do that, people should not be surprised when they encounter increasing resistance to things that they will tell the American people are in their long-term best interests because, unfortunately, the people who are losing their jobs and feeling the pain and losing their health care and having their pensions jeopardized do not, in this case, feel as persuaded by Joseph Schumpeter's argument about creative destruction as they instinctively tend to understand what John Maynard Keynes said when he argued to people who said do not worry about what is happening now, it will be better in the long run. In the long run, we shall all be dead, and in the long run these people understand they will have encountered so much pain and so much difficulty in their lives that the promise of these future benefits, which may not even accrue to them but to society as a whole, do not account for much.

Mr. Speaker, in a future speech, I will talk about the pessimistic view because, unfortunately, bleak as I sounded today in some ways, I was talking about what the optimists say. I am afraid that I think things may even be worse than that, but at the very least, I just want to say in closing, maybe repetition will get me some somewhere, extend unemployment benefits, extend trade adjustment assistance to service workers. Let us do a highway bill that meets America's highway needs and puts people back to work. Stop the union busting and the resistance to working men and women being able to come together, and I can promise you that we will be able at that point to consider some of the economic policies you are talking about in what you will find to be a better atmosphere.

□ 2115

JOBS AND IMMIGRATION

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

Mr. TANCREDO. Mr. Speaker, it is with pleasure that I address the House this evening for the purpose of continuing the discussion that has been ongoing here about jobs; about what it is in this economy, in this new world economy, this new world order that is creating the dilemma for many people and creating concern on the part of many folks out there, creating fear about their own jobs, if they still have them, and certainly encouraging the depression of those folks who have lost their jobs and have not been able to find others.

This is a perplexing and challenging issue. Undeniably so. And the tendency, the desire, I think, for a lot of people is to immediately, especially in our position, any elected position in America, when we recognize there is this kind of a problem and that people are hurting, the natural response is to say, what can I do about this? How can I change the situation? What can the government do to create a better situation for those folks who are hurting? And this is enormously perplexing when we are talking about this brave new world of a global economy that we do not entirely understand.

For well over 100 years, we thought we really had this thing pegged. We thought we knew what it took to create a prosperous society and a vibrant economy, and it boiled down to two words: Free trade. And we listened to and read the works of economists that all adhered to an economist in the 18th century by the name of David Ricardo. He coined the phrase ''comparative advantage.'' He said, look, when two countries are competing to produce a particular product, one may have an advantage over the other and we should concentrate on producing whatever it is in that country that they have the advantage to produce because of their climate, the geography, and the natural resources in that country.

He used two examples: He said, let us look at Portugal and England. Portugal could produce wine and textiles, but in fact would have to put a lot more effort into producing textiles. England could produce textiles and wine, but would have to put a lot more effort into producing wine. So, therefore, Portugal should produce wine, England should produce textiles, and, therefore, the comparative advantage would accrue to each one of those countries. Each one of them would be doing what they do best and, therefore, each one of them would prosper and they would not be wasting their resources doing things they cannot do very well.

That is the theory we have been operating under for now well over 100 years. And I believe that it had great merit and that it can work well. But we have added a new dimension to this whole discussion, and it is the dimension of labor. That was not an issue in Ricardo's day. Labor was not all that mobile. You could not move work to worker anywhere in the world. So labor was a constant in Ricardo's day and, therefore, you just dealt with what natural resources and the climate and the geography dealt you.

Today, of course, we know that because of technology we are no longer able to rely on just what nature has given us in terms of resources. We also have to deal with the fact that labor is another one of those commodities that can be traded and for which there is a competitive advantage for some countries. But today that advantage will

accrue to one country over another. It is not a win-win situation any more. It is not that one country can produce X, the other Y. Each of them will do that. Today, the economy is such that if you can provide cheaper labor, you win. The country that cannot deal with that loses. It is not a win-win game. That is the situation we face.

American labor has become ever more productive, ever more efficient, and has been able to stay relatively competitive with the rest of the world, enough so that we have been able to maintain the standard of living that is far above the rest of the world for quite some time. How long this will be, we do not know. The answer to the question is that we do not know exactly what we can do to make sure that American jobs and American workers are saved.

We can erect barriers, that is true. A law can be passed tomorrow in this body and passed in the other body, signed by the President, that will erect trade barriers. Will that protect American jobs? Well, it really cannot do that any more because there is no way to actually control the flow. Technology allows us to export work to worker anywhere in the world, and there are really very few ways that you can actually, in fact we may not have any way in which we can actually stop that phenomenon. I am certainly willing to look at any proposal that is designed to slow that down, that is designed to protect American workers and American jobs. I would like to do it.

There is this, as I say, natural desire on the part of most of us here to get up and say, here is what we have to do and it will solve all of our problems. I believe the last speaker said we should stop trying to bust the unions. Well, let me tell you, Mr. Speaker, that will not solve all of our problems.

If in fact we are also talking about the creation of some sort of tariff to stop the exportation of certain commodities or to in fact increase the cost of certain commodities being brought into the United States, I do not think that will solve the problem.

We are at a comparative disadvantage because our workers make more money than workers in most other countries of the world. And I am willing to admit that this is a dilemma for which I do not have a solution, but I am also willing to state that there is something we can do that neither my friends on the other side of the aisle or even my friends and colleagues on my side of the aisle are very willing to deal with, and yet it seems to me to be the most logical way of addressing this situation of the exportation of American jobs and stagnant wages that result from the fact that we can no longer compete in that particular environment.

What I suggest, Mr. Speaker, is that we begin to enforce the law, the law that actually determines how many people can come into this country. And that if someone comes into this country without our permission, they are eligible for deportation. And if someone hires someone who has come into this country illegally, they in turn can in fact be fined. And if they do it often enough, they can go to jail.

There are estimates that range from between 9 million and 18 million people in this country who are here illegally. Most of them appear to be working, and we are told they are working in jobs no American will take. Well, I would like to test that theory, that they are coming to take jobs that no American will take. And here is one way we can test that theory, Mr. Speaker. We can look at what is happening on the border today.

Now, we all know that the job increases in this most recent recovery have been minimal. Some people refer to it as a jobless recovery. Whatever, the number of jobs we have created in the United States in the last couple of years is relatively low, relatively few. And we have an unemployment rate now of about 5.6 percent. We have a chronic unemployment that may go even higher. That is to say, that includes people who have long since ceased looking for jobs. So there are, again, estimates ranging from 8 million to 18 million people in this country unemployed.

We know, right now, that there are not many jobs available out there. I mean that is pretty much a given. Well, let me tell you what happened on our borders since October 1 of last year in only one sector, the Tucson sector. According to Rob Daniels, the border patrol public information officer of the Tucson sector of the border patrol, there have been more than 200,000 illegal aliens apprehended in that sector alone this year. This is an increase of almost 50 percent since last year, and much of it as a result of the fact the President made a speech in which he put out the hope of an amnesty. Although he would not call it that, of course that is exactly what it is, and most of the world saw it for what it is, including the people that are coming across the border illegally.

More than 60,000 people have been detained this month alone in the Tucson sector, representing a stunning increase of over 85 percent over March of 2003. Those numbers are expected to rise, as April and May are typically the peak months for intending border crossers seeking to make the trip through the desert before forbidding summer conditions set in.

Now, I present these figures because I think they are important for us to understand if we really and truly are talking about trying to do something important for the American worker. In the last 6 months, 200,000 people in one sector were detained. And let me say this, Mr. Speaker. Everyone who is involved with this issue will tell you that for every single person we detain, at least three get through. That is a very conservative figure.

So in the Tucson sector, if you use that figure of three coming through for every one we are able to catch, 600,000 people made it into the country from one sector in 6 months. Now, think about what this means for the entire border, both north and south, and our ports of entry, both land, sea and air, and it certainly could be as many as a million people came across our borders without our permission in the last 6 months.

□ 2130

But let us say for a moment that those are just simply exaggerated figures, somehow, some way, we have been able to actually stop more people from coming into the country than is the general rule and that maybe only one or two get by for every one that gets interdicted. That still means about 500,000 people came across the border illegally along with about another 500,000 who came into this country legally from our very liberal immigration policy. So in the last 6 months, the most conservative estimate possible for the number of people who came into this country both legally and illegally has got to approach a million people.

I ask you, Mr. Speaker, if a million people came in here in 6 months, what are they doing here? What jobs are they doing? Are they taking only those jobs that Americans will not take? Do you mean to tell me that in the last 6 months we have created a million jobs that have gone begging? And that employers are out there saying, oh, my goodness, I have all of these jobs and I just can't get an American citizen to take them, so I'm going to employ the million people both legal and illegal aliens who have come across the border in the last 6 months? No, Mr. Speaker. No, they are not taking jobs that are simply out there that American citizens will not take, they are taking jobs somebody else has and they are taking them because they will work for less. It is a simple proposition. These numbers are incredible. Most people cannot believe it when I tell them that these are the numbers that are actually provided by the border patrol themselves. This is not my wild guesstimation of how many people are coming into this country illegally. So if, in fact, there are already these folks in this body that are so intent on doing something to increase the number of jobs available to Americans, I suggest that they look carefully at immigration. This is something that, of course, my friends on the other side of the aisle will never, ever, ever bring up. In one hour of all of the problems that were identified by my colleague on the other side of the aisle here, you never once heard anybody talk about the fact, in particular talk about the fact that immigration may be one of the problems we face when trying to create jobs for Americans. Never said it. Why? Because, of course, the issue is incredibly political. My friends on that side of the aisle know that massive immigration into this country both legal and illegal accrues

to their political benefit. It will mean voters for the Democratic Party. They know it. It is the historical truth. On my side of the aisle, you will not hear a discussion of this issue, either, because we look at it as being a source of cheap labor. So between the two of us here, between the two parties, it is very difficult to get an honest discussion of this issue and what it means for America. The President said in that speech that he gave a month and a half ago or two months ago, I want to match every willing worker with every willing employer. It is a high sounding goal. But let us think about what that really means, if it is true, if he really wants to do that. Every willing worker with every willing employer. Mr. Speaker, there are billions, with a B, there are billions of willing workers in the world anxious, desiring a job that pays them more than they are getting wherever they are but far less than is being paid to the person in this country who is doing that job. So do we really mean that we are willing to abandon the border? If so, let us say it if that is the truth of the matter. If in fact that is our purpose and our policy, to eliminate the whole complex process of immigration, erase the border and allow people to simply come here to take the jobs that some employer is willing to provide, and I assure you that every employer is looking for, and there is nothing wrong with it. This is not some nefarious purpose on the part of employers. They are looking for a way to cut their costs. That is a part of the process we call free enterprise capitalism and a process to which I adhere and a philosophy to which I adhere. So they are looking to cut their costs. Believe me when I tell you that if somebody presents themselves to you who has got all the skills necessary to do the job but they will do it for less than the person you have got working there, you are probably going to hire them. They may only be there for a short time, until the next person comes in the door and said, you know what, I'll do it for even less. This is something that has happened, of course. We know this has happened in our manufacturing economy. This is one of the things that has really and truly been problematic in the United States. It has happened to our low-skill, low-wage jobs. There is so much competition for those jobs, so many people seeking them, that it has had the effect of depressing the wage rates for all the folks who are making very little money. They have not seen an increase in their salary because there are so many people here who are willing to take those jobs, those low-skill, low-wage jobs. Something new is happening, a new dimension here, because now we are figuring out a way to export or import, either way, export the jobs to a place that will have workers who will do the job, will work for less or import the worker to come here and do the job for less. We are doing it for high tech industries. H1B is the visa category for people who have special skills and who come to the United States with a higher degree than the person who is coming here to do menial labor. These are mostly people in the high tech industry and they are skilled and they are capable and they will work for less. So we hire them or we outsource the jobs that are here. Employers have manipulated the visa category to bring these folks in even though they do not fit the requirements of H1B or even L1 visas. They are bringing them in by the hundreds of thousands. We now have probably 2 million people in this country with those two visa categories, H1B and L1, high tech workers who have displaced American workers. Why? Because, of course, we have succumbed to the siren song of cheap labor and we have agreed to essentially abandon our borders.

It is amazing to me to see what I see and hear what I hear and read what I read about what goes on every day on our borders, to read statistics like those I just gave you, with over a quarter of a million people having been interdicted at the border in one single sector, the Tucson sector, in 6 months and far more than that having made it past our border patrol and are here in the country illegally. We have, I believe it is approaching 20 million people here illegally. They are all working or at least most of them are in jobs, of course, that Americans will not take.

I do not know, Mr. Speaker, how it is in your district, but I will tell you how it is in mine. I have people who are unemployed, high tech workers who are driving cabs at night. I have people who will take jobs of any kind in order to keep a roof over their heads and who are right now unable to find those jobs. Or if they find a job, it is, of course, working for much less money than the job they had. So their standard of living is decreased. That is, of course, what we face. That is, perhaps, an inevitability. Maybe there is absolutely nothing we can do about it because of this new world economy. How harsh that sounds. But it may be the case that we cannot stop it, we cannot stop the exportation of jobs. But should we not attempt to control our own borders? Because we only have two choices: Either we do that or we eliminate the border, we can erase the border, pretend they do not exist, allow people to come in and however they get here, they are now residents of the nation. That is an option. It is one I think that many people in their heart of hearts around here accept and in fact desire. There are folks in this body who believe that borders are simply anachronisms, they really should not be there, they do not matter anymore, they are not important and they only serve to obstruct the flow of goods and services and people. And that really the whole idea of the nation state, some concept of sovereignty, is all offered up on the altar of free trade.

I do not know, Mr. Speaker. I cannot tell you that I have a magic bullet here, but I can tell you that there is no way I am going to accept this situation without railing against it and without suggesting something that we can do, and that something is to actually control our own borders. Mr. Speaker, it is fascinating. The Wall Street Journal used to write an editorial every Fourth of July that said that borders were no longer meaningful and that we should erase them. They stopped writing that editorial after 9/11 but it is not because they have changed their mind, it is just because they are afraid to say such a thing subsequent to such a national tragedy perpetrated by people, of course, all of whom were here as aliens and most of whom, by the way, in some way or another had violated our laws and could have and should have been deported. So they do not talk about it anymore but they still believe it and so do Members of our own body, believe that that is in fact the way of the world, that national boundaries will not matter, that pretty soon the United States, Mexico and Canada will all together join in some sort of grand alliance similar to the EU, kind of hold hands and sing ''Cumbayah'' and that the only thing that will matter at that time, the only thing that will determine how profitable it is to live where you live and how good a job you may have, the only thing that will determine that are markets.

Let me suggest that there is another reason why we should try to control the border even if you do not believe that we should get involved with trying to protect the American jobs that are sacrificed to open borders, even if for some reason that just goes against your grain and that you are willing to allow American jobs to be sacrificed to those people who are willing to come and do them for less. And, remember, I say that there are billions willing to do that. There is no job here that we can create that someone out there cannot compete for. If we import the labor on one hand to do the jobs that are necessary here from the service economy, those kinds of jobs that only can be done here, a waiter or a waitress, building homes, whatever, if those jobs we bring in people who will work for less and the other jobs that do not require you to be physically here in the United States to do, we export, then of course there has to be some sort of ramification to that. There is something that is going to happen to the United States of America as a result of this phenomenon. I suggest that at the minimum it will be stagnant wage rates but almost assuredly it will be declining wage rates. Or maybe we can live with that. Maybe it is going to have to happen. No one wants to get up in front of their constituents and say, get ready, your wage rates are going to go down, your standard of living is going to be reduced because we are committed to the concept of free trade and that includes the free trade of labor.

□ 2145

In fact, we have asked the Congressional Research Service to actually try to identify to us those countries that are actually dealing with us on a free trade basis. That is to say that we will import the products that they produce and they will import the products that we produce without any trade restrictions.

I have yet to find a country like that. We are the ultimate free traders in the world. That is for sure. We offer far more in terms of an allure to come here and bring their products than we are able to do and that any other country is willing to offer us.

China is a great example. Since we opened trade with China, our balance of trade, or the imbalance of trade, I should say, has skyrocketed.

The same thing happened with Mexico. Mr. Speaker, before NAFTA, North American Free Trade Agreement, we had an actual surplus, a trade surplus with Mexico, about $9 billion. Since NAFTA, we have gone to about $60 billion in the red, a trade deficit with Mexico. We have relatively few countries right now in the world with whom we have a positive trade balance, and most countries with which we trade do not trade on an even basis, on a level playing field. But we are committed to free trade, regardless of what it does to the American wage earner. And as I say, maybe, just maybe, we cannot do anything about that. But I think there is something. I would like to at least try because even if it is not something that the free trade adherence will go for, maybe if they are somehow concerned about the trade implications of actually controlling our own borders, think about the other implications. Think about the costs to American taxpayers of massive immigration, both legal and illegal.

Mr. Speaker, we hear all the time about the importation of cheap labor and how important it is, but I assure the Members that cheap labor is only cheap to the employer. It is not cheap to the citizen taxpayer who has to pay for the housing, the health care, the educational services, the incarceration rates. All of these things become very expensive to the taxpayers of the country, but they are passed on to them. They are not paid for by the corporation that brings them in or the business that hires that person; so what do they care, essentially?

But this concept of cheap labor has all kinds of other implications. The concept of open borders, borders that really do not matter, borders through which half a million people, minimally half a million people, could come through without our permission in one sector, called the Tucson sector, in 6 months. That kind of a border provides us with all kinds of more severe problems, even more severe than the economic catastrophe that is inherent with this concept of open borders.

As I say, it is a cost to the American taxpayer, but it is also something else, Mr. Speaker. And this gets a little more, I guess the word I am looking for is esoteric perhaps, but nonetheless I think it is a very important discussion we have to have because even if the Members disagree with everything I have said about the economy and the impact of cheap labor, the impact of open borders on the economy, even if they think it is just great to allow people to come into this country and undercut someone who is presently working here, underbid them for the job, even if they think that is okay, let me suggest to them that there are other problems that I would like them to deal with. And one of these things is the problem that I believe is enormously important for us to talk about, although uncomfortable, certainly, to discuss, and this is the problem with the effect of massive immigration, both legal and illegal, when it sort of meshes with what I call the cult of multiculturalism that permeates our society. Radical multiculturalism. Not just the philosophy or the attitude that we should appreciate our differences and the acknowledgment that those differences have made us richer in many ways as a Nation. That is not radical multiculturalism. Radical multiculturalism is the philosophy that says that in order to appreciate anybody else, one must degrade one's own culture and that one could never ever suggest that what we have here, that the product of western civilization we call the United States of America, is superior to anyplace else in the world because of course all cultures are relative to the multiculturalist radical. There is no difference. It is the ultimate ''I am okay, you're okay'' view of the world. And we have spent an enormous amount of time and money telling our children in our schools that this is the case, that they cannot be attached to anything that we had in our day, when I was in school, called the American experience because, of course, the multiculturalist radicals would say it is just a reflection of a society and a civilization that was nothing but greedy and degraded and corrupt, and that when Columbus came here to the New World, he began what was eventually to become the destruction of paradise.

This is what we tell children. This is in our textbooks, and this is what is rotting the core of American culture. And we are doing it to ourselves, and it is not the fact that immigrants are coming here and perpetrating it. They are simply coming into this new environment. This is dangerous, I think, to our society.

When we tell our children there is nothing of value, there is nothing worth their sacrifice, there is no set of ideas or ideals around which we can all gather, that all cultures are the same, that all is relative, when we do that, we are at great risk.

We have example after example. If the people go to our website, www.house.gov, that is g-o-v, /Tancredo, T-a-n-c-r-e-d-o, and go to a site that we call ''Our Heritage, Our Hope,'' or our immigration site, either one, they will get a great deal of information, Mr. Speaker. And I hope that everyone would do that because there are literally hundreds of examples of this cult of multiculturalism that I am talking about. Let me give the Members just a few.

''At Los Angeles Roosevelt High School, an 11th grade teacher told a nationally syndicated radio program that she 'hates' the textbooks she's been told to use and the State-mandated history curriculum because they 'ignore students of Mexican ancestry.' Because the students don't see themselves in the curriculum,' the teacher has chosen to 'modify' the curriculum by replacing it with activities like 'mural walks,' intended to 'open the students' eyes,'" she says, "'to their 'indigenous culture.' A friend the teacher invited to help with the 'mural walk' went on to tell the students that 'Your education has been one big lie after another.'" And that essentially there is nothing they should as a student attach themselves to in terms of this American experience. It is white. It is Anglo-Saxon. It is not theirs and that they should never ever attach themselves to it.

''In the textbook called Across the Centuries that is used for seventh grade history, the book defines the word 'jihad' as 'to do one's best to resist temptation and overcome evil.'" Because, of course, we would not want to say that another interpretation of ''jihad'' is a holy war against Christendom because, oh, my heavens, what that sets up in the mind of the reader, even though that is exactly what the term implies: a holy war.

We try to euphemise it. We try to change the definition so as not to possibly create the impression on the part of a student that someone might hold a view like the people who hold this view actually have, and that is this: that their purpose, their reason to be, is to exterminate us. That is the truth of the matter, that for millions and millions of Muslims around the world, their one purpose is to exterminate any semblance of western civilization. It is a threat to them.

I had a book given to me not too long ago. It was an actual diary of an Imam who went on, I believe, to become a suicide bomber. In his diary he explains that is what all good faithful Muslims have to do, because, he said, We cannot live in the same world with the west. Western democracies have created a world in which people live the good life here on earth, and that is a world in which we cannot exist because in our world, the only thing to which we look forward is the afterlife. This is just a temporary status, and we are moving on to something greater, and if we allow western democracies, western civilization, to survive, it will essentially turn the heads of all of our people, turn their heads away from the

joys of the afterlife to the joys of this life. So, therefore, we have to set ourselves on a path of destroying western civilization.

This is what they are committed to, many millions of Muslims are. Many millions of Muslims would not take up that particular sword, at least not physically. They may do so mentally. One wonders how many people of that faith, even though they would not themselves commit an act of violence, how many in their heart of hearts, when one of those acts of violence is committed, think it is okay, that it is good, they deserve it.

Nonetheless, in our classrooms we refuse to even tell our students about this. We refuse to actually define the word ''jihad'' for its real meaning.

''In a Prentice Hall textbook used by students in Palm Beach County high schools titled 'A World Conflict,' the first 5 pages of the World War II chapter cover such topics as women in the Armed Forces, racial segregation in the war, black Americans in the home front, Japanese Americans being interned, and women in the war effort.'' Although 292,000 Americans died in that conflict, most white male soldiers are represented far less in photos and words than all others.

''A Washington State teacher substituted the word 'Christmas' with the word 'winter' in a carol to be sung at a school program so as not to appear to be favoring one faith over another.''

□ 2200

Let us see. Oh, a school in New Mexico, this is just fascinating, a school district in New Mexico introduced a textbook called ''500 years of Chicano History and Pictures,'' and this book states that it was written ''in response to the Bicentennial celebration of the 1776 American Revolution and its lies.''

It stated its purpose is to ''celebrate a resistance to being colonized and absorbed by racist empire builders.''

The book describes defenders of the Alamo as ''slave owners, land speculators and Indian killers.''

Davy Crockett, they said was a cannibal, and the 1847 ''War on Mexico'' was an invasion.

The chapter headings include ''Death to the Invader,'' ''U.S. Conquest and Betrayal,'' ''We Are Now a U.S. Colony,'' ''Occupied America,'' and ''They Stole the Land.''

Nicholas DeGenova, an assistant professor of anthropology at Columbia University, told students he wanted to see ''a million Mogadishus,'' which is a reference to an operation in Somalia in 1993 in which U.S. Army personnel were pinned down in a fierce firefight. Eighteen Americans were killed, 84 wounded.

DeGenova added, ''The only true heroes are those who find ways to help defeat the U.S. military.''

He is an assistant professor of anthropology at Columbia University. Administrators at Columbia University have expressed regret, saying they were appalled by his statements, but took no action to dismiss DeGenova, who was still teaching.

Royal Oak Intermediate School in Covina, California, students in Len Cesene's 7th grade history class, fasted last week to celebrate the Muslim holy month of Ramadan. His letter to parents explained that ''in an attempt to promote a greater understanding and empathy toward the Muslim religion and toward other cultures, I am encouraging students to participate in an extra credit assignment. Students may choose to fast for 1, 2 or 3 days. During those days, students may only drink water during daylight hours.''

Imagine what would happen if he tried to suggest that students do something to adhere to Lent, let us say, a Christian religious holiday, not a holiday, but a time that Christians recognize for fasting. What if he tried to say that is what he wanted his children to do? What kind of an outcry would there be? Nobody said a word about the fact that he was trying to make the kids more sort of sensitive. That is okay.

A Federal judge in Brooklyn interpreted a New York City policy on holiday displays in public schools allow for the display of the Jewish Menorah and the Muslim Crescent, but not the display of the Christian Nativity Scene. The judge based his decision on the notion that the Muslim Crescent and Jewish Menorah are secular symbols, while the questioned Nativity Scene is not.

Really, we have just tons and tons of examples, and, again, I just suggest that perhaps the best thing to do, Mr. Speaker, is to have folks go to the web site, House.Gov/Tancredo. Look at ''Our Heritage, Our Hope.'' We will have these for you.

One more I do want to bring to your attention, because this one really was intriguing to me. Remember now, I bring this up, I am talking about this particular part of our culture, this multi-culturist phenomena, this multiculturist cult that has control of a large part of our school system, certainly, and the textbook developers and the media and on and on and on.

I bring this up in the context of a discussion of immigration, because I believe that these two issues are interwoven and you cannot really discuss one without the other, and as we increase the number of people here, both legally and illegally, and as we encourage those folks who come here to be anything but part of the American experience, whatever that may be anymore in anybody's mind, as we encourage them to stay separate, as we tell them they should not learn English, that we will teach them in their language in the public schools, that they should keep that language, that they should keep their culture, and they should even keep their political affiliations and connections to the country of origin, that this cult of multiculturalism then is enhanced by this policy on the part of our government. And here is the kind of thing that does happen.

In California, Victorville, California, there was a Roy Rogers-Dale Evans Museum on Highway 15 in the High Mojave desert. I saw this clip, somebody had put it on my desk and I was thinking, why is this significant? Why did somebody give me this clip from the Los Angeles Times about the fact that the Roy Rogers Museum had been moved from Victorville, California, to Branson, Missouri.

It picked up and moved because of a transformation in the cultural nature of the region, as new immigrants who settled in California are not absorbing the cultural history of the region or the country.

The guy who was writing a newspaper story about this went into a bar and met a lady by the name of Rosalina Sondoval-Marin. She was having a beer at the El Chubasco Bar on historic Route 66, and the newspaper reporter said, ''I am doing a story about the fact that the Roy Rogers and Dale Evans Museum is moving after having been here for, I don't know, decades and decades and decades. What do you think about that?''

And Ms. Sondoval-Marin said, ''There is a revolution going on here, and it don't include no Roy Rogers or Bob Hope.''

I thought that was a fascinating observation really, and an indication of in fact something that is going on here. It is a revolution. It is true. It is a cultural revolution, and we aid and abet those people who are desirous of separating themselves from the rest of American society, creating a balkanized America, by encouraging bilingual education in schools and encouraging the cult of multi-culturalism that permeates our society. So it is that combination. It is the combination of massive immigration with this multiculturalist cult that is the most dangerous thing we face.

Now, Mr. Speaker, this has nothing to do with race or ethnicity, it has not got anything to do with country of origin. This is something that would happen to any country, no matter where it was on the globe, if it practiced this kind of divisive sort of philosophic approach toward immigration.

I was recently in a school in my district, and it is a brand new school, it has only been there a short time, and it is in one of the wealthiest counties in the United States, by way, a county in which I do not live, I hasten to say, but it is part of my district. And a beautiful school, and very bright kids coming from parents that are well-to-do, who have given them all kinds of advantages, and they certainly have all the economic and educational advantages they could ask for.

They came into an auditorium where I was to address them for a while, and we talked for, I don't know, half an hour, maybe an hour. And then they were sending up their questions. One of them sent a question up to me and it

said, ''What do you think is the most serious problem that we face as the Nation here?''

I said, ''Well, I am going to ask you a question, and perhaps then I will be able to answer yours.'' I said, ''How many people in this room,'' by the way, there were about 200 kids, and I said, ''How many people in this auditorium right now will agree with the following statement: I live in the greatest country on the face of the Earth?''

It was so interesting to see this. There was all kinds of shifting about and discomfort. You could see it. And finally maybe two dozen kids out of 200 raised their hand. Two dozen kids out of 200 said, yes, I think this is the best country on the face of the Earth.

I hasten to add, I think there were many more in that room that wanted to say that. I do not mean to suggest that people, all of these kids, disliked or hated America. I will say that it is apparent to me as a teacher, I taught for many years, I have seen that look on faces before in my classroom when you ask a question and the kid has this sort of look like, well, if I put my hand up, he might call on me. I better not do it, because I am not sure I could defend the proposition.

That is what was happening. Even though they may have felt that they were living in the best country in the world, they also knew they could not defend it if I asked them to, if I had challenged them. They were looking at the sides of the walls where their teachers were standing along the wall in this auditorium, and looking at them, and it was a very peculiar situation. It was uncomfortable for them.

I do not know how uncomfortable it was for most of the teachers, and I did not even notice whether they raised their hands. I do not think any of them did. But maybe they did not think the question was addressed to them. I am not sure.

But it was nonetheless fascinating to me. And what I believe has happened, and what I would love to test, I mean, I would love every Member, Mr. Speaker, next time they go and speak to a high school in their district, at the appropriate time, ask that question and see what happens. It is illuminating. It is illustrative. It is a fascinating thing to watch. Because what you see are people who are intellectually unarmed to defend the proposition that they live in the best country in the world, because they have been taught over and over and over again by all kinds of textbooks and all kinds of teachers that they cannot ever say a thing like that, because it would indicate some actual existence of, you know, good and evil; better and best; good and bad.

We do not have that, and we cannot have it, and we cannot think of it. We cannot think of ourselves as being special, and no matter what other cultures might do and what they might think about the human condition, we cannot condemn them, we cannot say anything bad about them, for fear of offending the multi-culturist police that haunt our schools and our lives in many ways.

I fear this is the most dangerous thing. The answer to the question those kids asked me then is this is what I believe is the most severe problem we face in America, this abandonment of the ideas and ideals of western civilization that actually came together to create this incredible country.

There are things about which we can be so proud. There are things that are uniquely western and that we have every reason to be proud of. We are the instigator. We brought the concept of the rule of law to the world. Western civilization provided that. It was an outgrowth of the Greeks, the Romans and eventually through the English, the Magna Carta and our own Constitution.

It is a wonderful, wonderful tour of history to see how that string is drawn through the pages of history and how we come to this position and how we were started as a Nation, unique among all nations of the Earth. We were started on the basis of ideas. Ideas. Not because a potentate, a king or anybody else drew some lines and called it a country. We started because of ideas, ideas of great value and ideas that we must transmit to our children and to immigrants coming to this country.

□ 2215

There must be something, some set of ideas around which we can all gather, something that means we are different and special and holds us together, because there is nothing really other than that. We are people from all kinds of different backgrounds and cultures and countries and histories and languages and all of that sort of thing.

So the one thing that we should try to have to bring all of these disparate factions together is a set of ideas. And yes, they are ideas promulgated out of western civilization, and we should never, ever, ever be ashamed of it. We should extol those ideas to ourselves, to our children, and to immigrants, because it will determine the fate of the Nation.

Daily Digest

HIGHLIGHTS

See Resume of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S3519–S3598

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 2268–2279, and Res. 327–328. **Pages S3566–67**

Measures Passed:

Normandy Landing Anniversary: Committee on the Judiciary was discharged from further consideration of S.J. Res. 28, recognizing the 60th anniversary of the Allied landing at Normandy during World War II, and the resolution was then passed. **Page S3595**

Small Business Temporary Extension: Senate passed H.R. 4062, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through June 4, 2004, clearing the measure for the President. **Page S3595**

Welfare Reform Reauthorization: Senate continued consideration of H.R. 4, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, taking action on the following amendment proposed thereto: **Pages S3529–38, S3544–57**

Pending:

Boxer/Kennedy Amendment No. 2945, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. **Page S3529**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. 65), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the committee amendment in the nature of a substitute. **Page S3538**

Nominations Received: Senate received the following nominations:

Otis Webb Brawley, Jr., of Georgia, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Vinicio E. Madrigal, of Louisiana, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring June 20, 2009. (Reappointment)

Michael W. Marine, of Vermont, to be Ambassador to the Socialist Republic of Vietnam.

Routine lists in the Army. **Pages S3597–98**

Messages From the House: **Page S3565**

Measures Referred: **Page S3566**

Enrolled Bills Presented: **Page S3565**

Executive Communications: **Page S3566**

Executive Reports of Committees: **Page S3566**

Additional Cosponsors: **Pages S3567–68**

Statements on Introduced Bills/Resolutions: **Pages S3568–90**

Additional Statements: **Pages S3564–65**

Amendments Submitted: **Pages S3590–94**

Notices of Hearings/Meetings: **Page S3594**

Authority for Committees to Meet: **Pages S3594–95**

Privilege of the Floor: **Page S3595**

Record Votes: One record vote was taken today. (Total—65) **Page S3538**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:12 p.m., until 9 a.m., on Friday, April 2, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3596.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Related Agencies, and Education concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the National Institutes of Health, after receiving testimony from Elias Zerhouni, Director, National Institutes of Health, Department of Health and Human Services, who was accompanied by several of his associates.

APPROPRIATIONS: INDIAN HEALTH SERVICE

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Indian Health Service, Department of Health and Human Services, after receiving testimony from Charles W. Grim, Assistant Surgeon General, and Director, Indian Health Service, and Gary J. Hartz, Assistant Surgeon General, Acting Director, Office of Public Health, both of the Department of Health and Human Services.

APPROPRIATIONS: DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for the Department of Housing and Urban Development, after receiving testimony from John Weicher, Commissioner, Federal Housing Administration, Michael Liu, Assistant Secretary for Public and Indian Housing, Roy A. Benardi, Assistant Secretary for Community Planning and Development, all of the Department of Housing and Urban Development.

U.S. POSTAL SERVICE

Committee on Appropriations: Subcommittee on Transportation, Treasury, and General Government held a hearing to examine future challenges facing the United States Postal Service, focusing on the Transformation Plan of both the near-term and long-term efforts that will result in a continued ability to fulfill the mission of the Postal Service—to deliver business and personal mail affordably to everyone, everywhere, receiving testimony from John E. Potter, Postmaster General and Chief Executive Officer, U.S. Postal Service.

APPROPRIATIONS: AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2005 for certain programs under its jurisdiction, after receiving testimony from Eric M. Bost, Under Secretary for Food Nutrition and Consumer Services, Elsa A. Murano, Under Secretary for Food Safety, and William T. Hawks, Under Secretary for Marketing and Regulatory Programs, all of the Department of Agriculture; and Lester M. Crawford, Acting Commissioner, Food and Drug Administration, Department of Health and Human Services.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on the military strategy and operational requirements of the unified and regional commands, after receiving testimony from Admiral Thomas B. Fargo, USN, Commander, U.S. Pacific Command, U.S. Navy; General Leon J. LaPorte, USA, Commander, United Nations Command and Republic of Korea/United States Combined Forces Command, and Commander, U.S. Forces Korea, U.S. Army; and General James T. Hill, USA, Commander, U.S. Southern Command, U.S. Army.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on military installation programs, after receiving testimony from Raymond F. DuBois, Deputy Under Secretary of Defense for Installations and Environment; Major General Larry J. Lust, USA, Assistant Chief of Staff for Installation Management, U.S. Army; Rear Admiral Christopher Weaver, USN, Commander, Navy Installations Command; Brigadier General Willie J. Williams, USMC, Assistant Deputy Commandant, Installations and Logistics (Facilities), U.S. Marine Corps; and Major General L. Dean Fox, USAF, Air Force Civil Engineer.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported S. 1508, to address regulation of secondary mortgage market enterprises, with an amendment in the nature of a substitute.

NASA'S BUDGET

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the

President's proposed fiscal year 2005 budget request for the National Aeronautics and Space Administration (NASA), focusing on goals set forth in the new U.S. space exploration policy, major implementation elements and associated budget details, implications for NASA's organization, and what the Nation's future in exploration and discovery will look like in the coming years, after receiving testimony from Sean O'Keefe, Administrator, National Aeronautics and Space Administration.

AIR QUALITY STANDARDS

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change and Nuclear Safety concluded an oversight hearing to examine the implementation of the National Ambient Air Quality Standards for particulate matter and ozone, focusing on Federal and State governments meeting standards to improve air quality, after receiving testimony from Michael O. Leavitt, Administrator, Environmental Protection Agency; Robert A. Eckels, County Judge, Harris County, Texas; Michael Fisher, Greater Cincinnati Chamber of Commerce, Cincinnati, Ohio; and George D. Thurston, New York University School of Medicine, New York.

ECONOMIC TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine the Convention on International Interests in Mobile Equipment and Protocol to Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment, concluded at Cape Town, South Africa, on November 16, 2001 (Treaty Doc. 108–10), Additional Protocol Between the Government of the United States of America and the Government of Romania Concerning the Reciprocal Encouragement and Protection of Investment of May 28, 1992, signed at Brussels on September 22, 2003 (Treaty Doc. 108–13), Additional Protocol Between the United States of America and the Republic of Bulgaria Amending the Treaty Between the United States of America and the Republic of Bulgaria Concerning the Encouragement and Reciprocal Protection of Investment of September 23, 1992, signed at Brussels on September 22, 2003 (Treaty Doc. 108–15), Protocol Between the Government of the United States of America and the Government of the Republic of Estonia to the Treaty for the Encouragement and Reciprocal Protection of Investment of April 19, 1994, signed at Brussels on October 24, 2003 (Treaty Doc. 108–17), Additional Protocol Between the United States of America and the Czech Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on December 10, 2003 (Treaty Doc. 108–18), Additional Protocol Between the United States of America and the Slovak Republic to the Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment of October 22, 1991, signed at Brussels on September 22, 2003 (Treaty Doc. 108–19), Additional Protocol Between the Government of the United States of America and the Government of the Republic of Latvia to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 13, 1995, signed at Brussels on September 22, 2003 (Treaty Doc. 108–20), Additional Protocol Between the Government of the United States of America and the Government of the Republic of Lithuania to the Treaty for the Encouragement and Reciprocal Protection of Investment of January 14, 1998, signed at Brussels on September 22, 2003 (Treaty Doc. 108–21), and the Additional Protocol Between the United States of America and the Republic of Poland to the Treaty Between the United States of America and the Republic of Poland Concerning Business and Economic Relations of March 21, 1990, signed at Brussels on January 12, 2004 (Treaty Doc. 108–22), after receiving testimony from Shaun E. Donnelly, Acting Assistant Secretary of State for Economic and Business Affairs; and Jeffrey Rosen, General Counsel, Department of Transportation.

NOMINATIONS

Committee on the Judiciary: Committee ordered favorably reported the nominations of Peter W. Hall, of Vermont, to be United States Circuit Judge for the Second Circuit, William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Roger T. Benitez, to be United States District Judge for the Southern District of California, Jane J. Boyle, to be United States District Judge for the Northern District of Texas, Marcia G. Cooke, to be United States District Judge for the Southern District of Florida, Paul S. Diamond, to be United States District Judge for the Eastern District of Pennsylvania, Walter D. Kelley, Jr., to be United States District Judge for the Eastern District of Virginia, and Matthew G. Whitaker, to be United States Attorney for the Southern District of Iowa, Department of Justice.

TEMPORARY GUEST WORKER PROPOSAL

Committee on the Judiciary: Subcommittee on Immigration and Border Security concluded a hearing to examine the security of this nation's borders under the proposed temporary guest worker program, after receiving testimony from Robert Bonner, Commissioner, U.S. Customs and Border Protection, and C.

Stewart Verdery, Jr., Assistant Secretary for Policy, Border and Transportation Security Directorate, both of the Department of Homeland Security; Donna Bucella, Director, Terrorist Screening Center, Federal Bureau of Investigation, Department of Justice; Daniel Griswald, Cato Institute, Washington, D.C.; and Margaret D. Stock, U.S. Military Academy, West Point, New York.

NOMINATIONS

Committee on Veterans Affairs: Committee concluded a hearing to examine the nominations of Robert N. Davis, to be a Judge of the United States Court of Appeals for Veterans Claims, who was introduced by Senators Cochran and Lott; and Pamela M. Iovino, of the District of Columbia, to be an Assistant Secretary of Veterans Affairs for Congressional Affairs, who was introduced by Representative Murphy, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Measures Introduced: 26 public bills, H.R. 4101–4126 and 2 resolutions, H. Con. Res. 403, and H. Res. 594, were introduced. **Pages H2018–19**

Additional Cosponsors: **Page H2019**

Reports Filed: Reports were filed today as follows:

Conference report on 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 (H. Rept. 108–457). **Page H2018**

Chaplain: The prayer was offered today by Monsignor James C. Kidder, Pastor, Holy Trinity Catholic Church in El Dorado, California. **Page H1793**

Transportation Equity Act—A Legacy for Users: The House began consideration of H.R. 3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. Further proceedings will resume in Friday, April 2.

Pages H1796–H1997, H2021–36

The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendments printed in part A of H. Rept. 108–456 was considered as adopted and that the bill as amended shall be considered as the original bill for the purpose of further amendment. **Page H2034**

Consideration began today on the Bradley amendment No. 20 printed in H. Rept. 108–456 that increases the allowable weight of vehicles permitted to travel on interstate highways 93 and 89, in New Hampshire, from 80,000 to 99,000 pounds and instructs the New Hampshire Department of Transportation to conduct a study to discern the economic, safety and infrastructure impact to the exemption. Further proceedings on the amendment will continue on Friday, April 2. **Pages H2034–36**

Agreed to:

Young of Alaska manager's amendment No. 1 printed in part B of H. Rept. 108–456, as modified, that makes various substantive and technical changes; **Page H1983**

Eddie Bernice Johnson amendment No. 2 printed in Part B of H. Rept. 108–456 that requires the Transportation Department to make its report on how federal surface transportation funds are allocated available to the public via the Internet in a user-friendly format; **Pages H1983–84**

Schiff amendment No. 6 printed in part B of H. Rept. 108–456 that strikes the toll requirement placed on hybrid gasoline-electric car users regarding the use of high-occupancy vehicle lanes;

Pages H1990–91

Baird amendment No. 10 printed in part B of H. Rept. 108–456 that expresses the Sense of Congress to clarify that the Buy America Act applies to overall projects, and not their component parts;

Pages H1995–96

LoBiondo amendment No. 13 printed in H. Rept. 108–456 that provides states eligibility to receive Section 410, Alcohol-Impaired Countermeasures grant funding to cover the costs of DWI vehicle impoundment programs; **Pages H2023–24**

Wu amendment No. 14 printed in part B of H. Rept. 108–456, as modified, that exempts projects, for which the Secretary of Transportation has received an application for final design, from the small start provisions of the bill and allows recommended new start projects, which have applied for final design, to move forward on their original timeline and avoid unnecessary delay; **Pages H2024–25**

LaTourette amendment No. 15 printed in H. Rept 108–456, as modified, that requires that in the case of construction projects steel or iron used must be of U.S. origin; more than 60% of the cost components and subcomponents of all manufactured products shall be of U.S. origin; and in the case of manufactured components final assembly must occur in the U.S.; **Pages H2025–27**

Bereuter amendment No. 18 printed in H. Rept. 108–456, as modified, that continues the farm supply and agricultural commodity exemption to the hours of service for drivers rules and clarifies the definition of ''agricultural commodities'' and ''farm supplies for agricultural purposes'' and **Pages H2030–31**

Bachus amendment No. 17 printed in H. Rept. 108–456 that exempts motion picture and television production truck drivers from the new hours of service regulations that went into effect at the beginning of this year (agreed to by a recorded vote of 365 ayes to 62 noes, Roll No. 109). **Pages H2028–30, H2033–34**

Rejected:

Graves amendment No. 8 printed in part B of H. Rept. 108–456 that sought to eliminate liability under state law for an owner of a motor vehicle who is engaged in the business of renting and leasing motor vehicles provided there is no negligence or criminal wrongdoing on the part of the motor vehicle owner; **Pages H1992–93**

Holt amendment No. 11 printed in part B of H. Rept. 108–456, as modified, that sought to preserve the authority and right of the State of New Jersey to restrict trucks to only using interstate highways, the New Jersey Turnpike, and the Atlantic City Expressway in New Jersey unless they are traveling to a terminal or making pickups or deliveries on other roads in New Jersey; **Pages H1996–97**

Waters amendment No. 12 printed in part B of H. Rept. 108–456 that sought to prohibit the use of funds for surface transportation projects that are planned or required to implement any proposal to build a remote passenger check-in facility at Los Angeles International Airport; **Pages H2022–23**

Crowley amendment No. 16 printed in H. Rept. 108–456 that sought to create a pilot program that facilitates the use of natural gas buses at the nation's top 25 busiest airports; **Pages H2027–28**

Flake amendment No. 3 printed in H. Rept. 108–456 that sought to subtract the amount that states receive in High Priority Program earmarks from their formula totals for the Surface Transportation Program; also prevents the Minimum Guaranty Program from backfilling for what comes out of states' Surface Transportation Program funding; and apportions to states, via formula, any funding remaining in the High Priority Program (rejected by a recorded vote of 60 ayes to 367 noes, Roll No. 106); **Pages H1984–86, H2031–32**

Jackson-Lee amendment No. 4 printed in H. Rept. 108–456 that sought to allow states to receive toll credits for any local, state, or private funds contributed to a toll project that exceed the minimum nonfederal 20% threshold required for federal match (rejected by a recorded vote of 50 ayes to 376 noes, Roll No. 107); and **Pages H1986–88, H2032**

Chocola amendment No. 9 printed in H. Rept. 108–456 that sought to provide for a 400-pound weight limit exclusion for any motor vehicle equipped with an idling reduction technology verified by the Environmental Protection Agency (rejected by a recorded vote of 198 ayes to 228 noes, Roll No. 108). **Pages H1993–95, H2032–33**

Withdrawn:

Shadegg amendment No. 5 printed in part B of H. Rept. 108–456 that was offered and subsequently withdrawn that would have ensured that Congestion Mitigation and Air Quality Improvement Program funds will be made available for areas which are not in attainment of air quality standards for either coarse particulate matter or fine particular matter; **Pages H1988–90**

Vitter amendment No. 7 printed in part B of H. Rept. 108–456 that was offered and subsequently withdrawn that would have ensured the Interstate Route 49 Corridor is given priority consideration under the new National Corridor Infrastructure Improvement Program; and **Pages H1991–92**

Kirk amendment No. 21 printed in H. Rept. 108–456 that was offered and subsequently withdrawn that would have authorized states the authority to administer requirements governing the sounding of a locomotive horn when a train approaches and enters upon public highway-rail grade crossings. **Page H2036**

General debate on the bill proceeded according to a unanimous consent agreement reached on Tuesday, March 30.

Further consideration of the bill proceeded according to H. Res. 593, which was agreed to by a voice vote, after agreeing to order the previous question by a yea-and-nay vote of 229 yeas to 194 nays, Roll No. 105. **Page H1845**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 9 a.m. on Friday, April 2. **Page H2014**

Late Report: Agreed that the Committee on Science have until 5 p.m. on Wednesday, April 14 to file reports on H.R. 3970 and H.R. 4030. **Page H2034**

Law Revision Counsel—Resignation: Read a letter from John R. Miller wherein he retired as Law Revision Counsel, effective May 3, 2004. **Page H2036**

Law Revision Counsel—Appointment: The Chair announced the Speaker's appointment of Mr. Peter LeFevre as Law Revision Counsel for the House of Representatives, effective May 4, 2004. **Page H2037**

Pension Funding Equity Act of 2003—Order of Business: Agreed that it be in order at any time to consider a conference report to accompany H.R. 1308, 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; that the conference report be considered as read; and that all points of order against the conference report and its consideration be waived. **Pages H1997–H2014**

Senate Message: Message received from the Senate today appears on page H1793.

Senate Referral: S. 275 was referred to the Committees on Education and the Workforce and Energy and Commerce. **Page H2014**

Quorum Calls—Votes: One yea-and-nay vote and four recorded votes developed during the proceedings today and appear on pages H1845, H2031–32, H2032, H2032–33, and H2033–34. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at p.m.

Committee Meetings

COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Broadcasting Board of Governors. Testimony was heard from the following officials of the Broadcasting Board of Governors: Kenneth Tomlinson, Chairman; and Norman Pattiz, member of the Board.

The Subcommittee held a hearing on Department of State International Organizations. Testimony was heard from the following officials of the Department of State: Ambassador John D. Negroponte, U. S. Permanent Representative to the United Nations; and Kim Holmes, Assistant Secretary.

The Subcommittee also held a hearing on the Legal Services Corporation. Testimony was heard from the following officials of the Legal Services Corporation: Helanine Barnett; President; and Frank B. Strickland, Chairman.

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Subcommittee on District of Columbia held a hearing on Public Defender Services, Court Services, and Offender Supervision. Testimony was heard from the following officials of the District of Columbia: Ronald S. Sullivan, Director, Public Defender Services; and Paul A. Quander, Jr., Director, Court Services and Offender Supervision.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on U.S. Agency for International Development. Testimony was heard from Andrew S. Natsios, Administrator, U.S. Agency for International Development, Department of State.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Information Analysis and Infrastructure Protection. Testimony was heard from LTG Frank Libutti, Under Secretary, Information Analysis and Infrastructure Protection, Department of Homeland Security.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on the National Endowment for the Arts and on the National Endowment for the Humanities. Testimony was heard from the following officials of the National Foundation on the Arts and the Humanities: Dana Gioia, Chairman, National Endowment for the Arts; and Bruce Cole, Chairman, National Endowment for the Humanities.

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Workforce Preparation and Training. Testimony was heard from the following officials of the Department of Education: Susan K. Sclafani, Assistant Secretary, Office of Vocational and Adult Education; and Sally Stroup, Assistant Secretary, Office of Postsecondary Education.

TRANSPORTATION, TREASURY, INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Transportation, Treasury, Independent Agencies held a hearing on the Executive Office of the President. Testimony was heard from Tim Campen, Assistant to the President and Director of Office of Administration.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD and Independent Agencies held a hearing on the NSF. Testimony was heard from the following officials of the NSF: Arden L. Bement, Acting Director; and Warren M. Washington, Chairman.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—FUTURE COMBAT SYSTEM AND FORCE PROTECTION INITIATIVES

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2005 National Defense Authorization budget request—Future Combat System and Force Protection Initiatives. Testimony was heard from Paul L. Francis, Director, Acquisition and Sourcing Management, GAO; the following officials of the Department of Defense: LTG Joseph L. Yakovac, Jr., USA, Military Deputy and Director, Army Acquisition Corps, Office of the Assistant Secretary (Acquisition, Logistics and Technology), and LTG Benjamin S. Griffin, USA, Deputy Chief of Staff, G8 (programming, materiel integration, and management), both with the Department of the Army; and LTG Edward Hanlon, Jr., USMC, Deputy Commandant, Combat Development, U.S. Marine Corps.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST—CHEMICAL WEAPONS STOCKPILE DESTRUCTION PROGRAM

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Fiscal Year 2005 National Defense Authorization budget request—Destructions of the U.S. Chemical Weapons Stockpile—Program and Status. Testimony was heard from Raymond J. Decker, Director, Defense Capabilities and Management, GAO; the following officials of the Department of Defense: Dale E. Klein, Assistant to the Secretary, Nuclear, Chemical and Biological Defense Programs; Claude Bolton, Assistant Secretary of the Army (Acquisition, Technology and Logistics); Pat Wakefield, Deputy Assistant Secretary (Chemical Demilitarization and Counterproliferation); and Mike Parker, Director, U.S. Army Chemical Material Agency; Craig Conklin, Chief, Nuclear and Chemical Hazards Branch Preparedness Division, Emergency Preparedness and Response Directorate, Department of Homeland Security; Patrick J. Meehan, M.D., Deputy Director, Program National Center for Environmental Health, Centers for Disease Control and Prevention and Agency for Toxic Substances and Disease Registry, Department of Health and Human Services.

DEPARTMENT OF ENERGY BUDGET PRIORITIES

Committee on Energy and Commerce: Held a hearing entitled ''FY 2005 Budget Priorities for the Department of Energy.'' Testimony was heard from Spencer Abraham, Secretary of Energy.

INTER-GOVERNMENTAL TRANSFERS

Committee on Energy and Commerce: Subcommittee on Health continued hearings entitled ''Inter-governmental Transfers: Violations of the Federal-State Medicaid Partnership or Legitimate State Budget Tool?'' Testimony was heard from Dennis G. Smith, Director, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Barbara Edwards, Deputy Director, Office of Medicaid, Department of Job and Family Services, State of Ohio.

SATELLITE HOME VIEWER IMPROVEMENT REAUTHORIZATION ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on the Satellite Home Viewer Improvement Reauthorization Act of 2004. Testimony was heard from Eloise Gore, Assistant Division Chief, Media Bureau's Policy Division, FCC; and public witnesses.

OVERSIGHT—OFFICE OF THE COMPTROLLER OF THE CURRENCY

Committee on Financial Services: Held a hearing entitled ''Oversight of the Office of the Comptroller of the Currency.'' Testimony was heard from John D. Hawke, Jr., Comptroller of the Currency.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 3737, amended, Administrative Law Judges Pay Reform Act of 2004; H.R. 3751, amended, to require the Office of Personnel and Management study and present options under which dental and vision benefits could be made available to Federal employees and other appropriate classes of individuals; H.R. 4012, to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act; H.R. 1822, to designate the facility of the United States Postal Service located at 3751 West 6th Street in Los Angeles, California, as the ''Dosan Ahn Chang Ho Post Office''; H.R. 3939, to redesignate the facility of the United States Postal Service located at 14–24 Abbot Road in Fair Lawn, New Jersey, as the '' Mary Ann Collura Post Office Buidling''; H.R. 3942, to designate the facility of the United States Postal Service located at 7 Commercial Boulevard in Middletown, Rhode Island, as

the ''Rhode Island Veterans Post Office Building''; H.R. 4037, to designate the facility of the United States Postal Service located at 475 Kell Farm Drive in Cape Girardeau, Missouri, as the '' Richard G. Wilson Processing and Distribution Facility''; H. Res. 399, Honoring the life and legacy of Melvin Jones and recognizing the contributions of Lions Clubs International; H. Res. 578, Supporting the goals and ideals of Financial Literacy Month; and S. Con. Res. 97, Recognizing the 91st annual meeting of the Garden Club of America.

''AFGHANISTAN: ARE THE BRITISH COUNTERNARCOTICS EFFORTS GOING WOBBLY?''

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled ''Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'' Testimony was heard from Robert Charles, Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State.

MARIJUANA AND MEDICINE

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled ''Marijuana and Medicine: The Need for a Science-Based Approach.'' Testimony was heard from the following officials of the Department of Health and Human Services: Nora D. Volkow, Director, National Institute on Drug Abuse, NIH; and Robert J. Meyer, M.D., Director, Office of Drug Evaluation II, Center for Evaluation and Research, FDA; Patricia Good, Chief, Liaison and Policy Section, Office of Diversion Control, DEA, Department of Justice; and public witnesses.

AFRICA—FIGHTING TERRORISM

Committee on International Relations: Subcommittee on Africa held a hearing on Fighting Terrorism in Africa. Testimony was heard from Karl Wycoff, Associate Coordinator, Press, Policy and Plans, Office of the Coordinator for Counterterrorism, Department of State, and public witnesses.

AL-QAEDA—THREAT TO U.S. AND ALLIES

Committee on International Relations: Subcommittee on International Terrorism, Nonproliferation and Human Rights held a hearing on Al-Qaeda: The Threat to the United States and Its Allies. Testimony was heard from Ambassador-at-Large J. Cofer Black, Coordinator for Counterterrorism, Department of State.

IMMIGRATION AND NATIONALITY ACT—PRESCRIBE OATH OF RENUNCIATION AND ALLEGIANCE

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims held a hearing on H.R. 3191, to prescribe the oath of renunciation and allegiance for purposes of the Immigration and Nationality Act. Testimony was heard from Representative Ryun of Kansas; Alfonso Aguilar, Chief, Office of Citizenship, U.S. Citizenship and Immigration Services, Department of Homeland Security; and public witnesses.

LUMBEE RECOGNITION ACT

Committee on Resources: Held a hearing on H.R. 898, Lumbee Recognition Act. Testimony was heard from Representatives McIntyre and Burr; Michael Olsen, Counselor to the Assistant Secretary, Indian Affairs, Department of the Interior; and public witnesses.

GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT OF 2004

Committee on Science: Ordered reported, as amended, H.R. 3970, Green Chemistry Research and Development Act of 2004.

LUNAR SCIENCE AND RESOURCES: FUTURE OPTIONS

Committee on Science: Subcommittee on Space held a hearing on Lunar Science and Resources: Future Options. Testimony was heard from public witnesses.

OVERSIGHT—AIRPORT DEREGULATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Airport Deregulation. Testimony was heard from Jeffrey N. Shane, Under Secretary, Policy, Department of Transportation; James E. Bennett, President and CEO, Metropolitan Washington Airports Authority; Bonnie Allin, President and CEO, Tucson Airport Authority, Tucson, Arizona; and public witnesses.

OVERSIGHT—REPORT VA'S VOCATIONAL REHABILITATION AND EMPLOYMENT SERVICE TASK FORCE

Committee on Veterans Affairs: Subcommittee on Benefits held an oversight hearing to receive the report of the VA Vocational Rehabilitation and Employment Service Task Force. Testimony was heard from Dorcas R. Hardy, Chairman, Vocational Rehabilitation and Employment Service Task Force, Department of Veterans Affairs.

BOARD OF TRUSTEES 2004 ANNUAL REPORTS

Committee on Ways and Means: Continued hearings on the Board of Trustees 2004 Annual Reports. Testimony was heard from the following officials of the Centers for Medicare and Medicaid Services, Department of Health and Human Services: Leslie V. Norwalk, Acting Deputy Administrator; and Jeff Flick, San Francisco Regional Administrator.

MEDICARE DISCOUNT DRUG CARD

Committee on Ways and Means: Subcommittee on Health held a hearing on The Medicare Discount Drug Card. Testimony was heard from Representative Foley; Michael McMullan, Deputy Director, Center for Beneficiary Choices, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

COUNTERNARCOTICS BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Counternarcotics Budget. Testimony was heard from departmental witnesses.

INTELLIGENCE COMMUNITY LANGUAGE CAPABILITIES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy and National Security met in executive session to hold a hearing on Intelligence Community Language Capabilities. Testimony was heard from departmental witnesses.

Joint Meetings

PENSION FUNDING EQUITY ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of 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.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D264)*

S. 2231, to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004. Signed on March 31, 2004. (Public Law 108–210)

S. 2241, to reauthorize certain school lunch and child nutrition programs through June 30, 2004. Signed on March 31, 2004. (Public Law 108–211)

COMMITTEE MEETINGS FOR FRIDAY, APRIL 2, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the proposed Defense Authorization Request for fiscal year 2005, focusing on the Department of Defense Counternarcotics Program; to be followed by a closed session in SR–232A, 9:30 a.m., SR–222.

House

Committee on Energy and Commerce, Subcommittee on Environment and Hazardous Materials, hearing and markup of H.R. 2771, to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program, 9:30 a.m., 2123 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on Special Programs Budget, 9 a.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment situation for March, 9:30 a.m., 1334 LHOB.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 20 through March 31, 2004

	Senate	*House*	*Total*
Days in session	39	33	..
Time in session	299 hrs.	197 hrs., 47	..
Congressional Record:			
Pages of proceedings	3517	1791	..
Extensions of Remarks	..	500	..
Public bills enacted into law	6	7	13
Private bills enacted into law	..	..	..
Bills in conference	1	9	..
Measures passed, total	68	126	194
Senate bills	14	9	..
House bills	12	44	..
Senate joint resolutions	..	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	7	4	..
House concurrent resolutions	9	16	..
Simple resolutions	26	51	..
Measures reported, total	34	48	82
Senate bills	27	1	..
House bills	6	26	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	2	..
Simple resolutions	..	19	..
Special reports	..	1	..
Conference reports	..	..	..
Measures pending on calendar	181	85	..
Measures introduced, total	322	570	892
Bills	263	400	..
Joint resolutions	4	8	..
Concurrent resolutions	12	54	..
Simple resolutions	43	108	..
Quorum calls	..	1	..
Yea-and-nay votes	64	77	..
Recorded votes	..	26	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 32 reports have been filed in the Senate, a total of 49 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 20 through March 31, 2004

Civilian nominations, totaling 292 (including 195 nominations carried over from the First Session), disposed of as follows:	
Confirmed	42
Unconfirmed	242
Withdrawn	7
Returned to White House	1
Other Civilian nominations, totaling 1,027 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	225
Unconfirmed	801
Withdrawn	1
Air Force nominations, totaling 7,794, (including 3,572 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,664
Unconfirmed	3,130
Army nominations, totaling 1,671, (including 594 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,439
Unconfirmed	232
Navy nominations, totaling 2,552, (including 2,444 nominations carried over from the First Session), disposed of as follows:	
Confirmed	2,498
Unconfirmed	54
Marine Corps nominations, totaling 1,160, (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	60
Unconfirmed	1,100

Summary

Total nominations carried over from the First Session	6,812
Total nominations received this Session	7,684
Total confirmed	8,928
Total unconfirmed	5,559
Total withdrawn	8
Total returned to the White House	1

Next Meeting of the SENATE

9 a.m., Friday, April 2

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, April 2

House Chamber

Program for Friday: Complete consideration of H.R. 3550, Transportation Equity Act: A Legacy for Users.

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