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# Congressional Record

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# House of Representatives

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

## DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*June 14, 2004.*

I hereby appoint the Honorable MAC THORNBERRY to act as Speaker pro tempore on this day.

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

## MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 20, 2004, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip limited to 5 minutes.

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

## REAGAN AND EMBRYO STEM CELL DEBATE

Mr. WELDON of Florida. Mr. Speaker, last week, our Nation mourned the loss of a great leader, Ronald Reagan. He led our Nation through a turbulent period of time. When he came to office, we were struggling with significant problems; with unemployment and inflation, and we were facing a significant threat from our Cold War adversary, the Soviet Union. Ronald Reagan's policies, as we all know, helped lift us out of depression, tamed inflation, and ultimately led to the breakup of the Soviet Union, the collapse of the Berlin war, and freedom for millions of Eastern Europeans.

By and large, the celebration of the life of Ronald Reagan, I thought, was outstanding, except for what I would describe as one sour note. Repeatedly, liberals in the press and advocates for embryonic stem cell research were bringing this issue up as it relates to Ronald Reagan's Alzheimer's disease, indeed, holding out the absurd hope that embryonic stem cells could somehow be used one day to treat Alzheimer's disease.

Indeed, many people were implying by their comments and words that the policies pursued by George Bush limited access to embryonic stem cells out of a desire to avoid destroying human embryos. And that is really the essence of the controversial issue here, because to do human embryonic stem cell research you have to destroy a human embryo, a human life, in order to gather the cells. One newspaper, The Washington Post, even editorialized that if George Bush were to allow the destruction of human embryos, this would be a fitting tribute to the life of President Reagan. In that same newspaper, the very next day, was an article reporting how embryonic stem cells are unlikely ever to be useful in the treatment of Alzheimer's disease.

Indeed, one of the lead researchers in the United States, Dr. Ronald McKay, stem cell researcher at the National Institute of Neurological Disorders and Stroke, told Washington Post reporter Rick Weiss, ''People need a fairy tale.'' And he went on to explain how ''Alzheimer's disease is a whole-brain disease. It is not a cellular disease, and it is unlikely that embryonic stem cells would ever be useful for treating such a condition.''

Now, what are the facts? What is the truth in this whole controversy? Because it is indeed a very confusing subject and it is very easy for poorly-informed reporters to mislead the public.

Well, the truth is embryonic stem cells have never been used to treat any human being for any disease ever. You will hear people repeatedly say that they hold great promise, supposedly. But as a matter of fact, they have never been used to treat anything. Even in animal models, where you use mouse or rat embryonic stem cells, they do not even have a good animal model to treat an animal disease with embryonic stem cells. However, adult stem cells, which are the stem cells that we get from our body, as opposed to destroying a human embryo to get the stem cells, our body is full of stem cells. They are in our bone marrow, in our fat, they are even in our nose.

Adult stem cells have been used in humans to treat Parkinson's Disease, to partially restore vision to someone who is legally blind, relieve systemic lupus, multiple sclerosis, rheumatoid arthritis, cure severe combined immunodeficiency disease, treat several types of cancers, such as leukemias, solid tumors, neuroblastomas, non-Hodgkins lymphoma, and renal cell carcinoma. Adult stem cells have been used to treat multiple sclerosis, treat children with the bubble boy syndrome, and treat heart failure in humans. Indeed, the FDA just recently approved a protocol to use adult stem cells in treating heart failure in humans.

So what is all the hub-bub? Why are all these people running around saying they want the Federal Government to fund all this embryonic stem cell research when it has really never been shown that it will have a clinical application, meanwhile the adult stem cells are showing all this great promise? Why is all this going on?

Well, the truth is that embryonic stem cell research is perfectly legal in the United States. There are no laws preventing it from being done. Every lab in America could do embryonic stem cell research. The issue here is who is going to pay for it, and the facts



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are that industry does not want to pay for it. They want the Federal Government to pay for it. The Federal government should not. It is unnecessary research and it is unethical.

## GOVERNMENT SPENDING AND THE GROWING DEFICIT

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, for a moment, I want to talk about what our decision should be in this United States Congress as we approach another budget year. One of the big challenges of the Congress of the United States is the overspending of government, because it adds to the debt. Over promising adds to unfunded liabilities, and the question becomes, when is it time for Congress and the White House to start faxing and reducing the growth of the Federal Government?

I would suggest, Mr. Speaker, that the time is now. We should start next year making changes in the programs, such as Social Security, Medicare, and Medicaid, where Congress has overpromised and does not have the revenue coming in to pay for these programs in the long run. That includes Social Security.

The reason I suggest now is a good time is because the economy is growing very rapidly, and I quote from an article in the U.S. News & World Report by Editor-in-Chief, Mort Zuckerman. ''New jobs are being generated in large numbers, income is growing at twice the rate of last year, and the acceleration is such that we will probably see a 5 percent growth in the gross domestic product. Sixty-one percent of private industries surveyed have added workers. That is the highest in 4 years. Business confidence has surged to a 20-year high, and business spending is exploding. The productivity boom, meanwhile, has made it possible to keep inflation under 2 percent, saving consumers billions. This has been due not just to technology but to tighter and better management controls. We are on a trajectory toward extraordinary growth in the second half of 2004 that will beget stronger job and income growth.''

So the situation that we have been facing is increasing the deficit over $500 billion a year. A deficit is the overspending in one budget year of the Federal Government; spending that exceeds all revenue coming in. This year, we are looking at $536 billion. For the next 3 years, at least, it is going to be over $500 billion at the rate we are going.

And let me put that in a little bit of perspective. We are a country that is about 228 years old. It took the first 200 years of this country to accumulate a debt of $500 billion. Now we are going deeper into debt, more than $500 billion every year. It is time that Congress and the White House did what every family has to do, what every business has to do, and that is tighten our belts and not continue to spend more than the revenue coming in.

Some suggest we should simply increase taxes to accommodate increased spending. I am suggesting that we should prioritize spending, start slowing down the growth in spending, so we are not increasing the size of government by more than three or four times the rate of inflation.

Overspending is one issue that we are laying on future generations; the other is overpromising. Overpromising is what the budget people call unfunded liabilities. Unfunded liabilities are promises that Congress and the White House have made over and above the revenues coming in to pay for those promises. The major categories are Medicare, Medicaid, and Social Security. The experts predict that unfunded liabilities of this country now amount to over $73 trillion. The money is not going to be there. And so the only ramification is to load our next generation and our young people with either the responsibility of paying for the interest on that increasing debt or increasing taxes.

It is irresponsible for Congress and the White House not to face up to some of the promises that we have made instead of pretending that the problem somehow is going to be paid for by future generations that are going to have their own problems.

With that, Mr. Speaker, I would just simply suggest that every voter in America, when they go to candidate forums, ask that individual running for Congress or for the United States Senate or for President what their plans are to save Social Security and their plans to stop the overspending. The kind of debt that we are passing on to future generations is unacceptable.

## RECESS

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

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

## AFTER RECESS

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

## PRAYER

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

Pictures or words are usually one-dimensional. Symbols, however, are beyond language and have meaning all their own. A symbol is more than a substitute or a representation, because a symbol contains multiple levels of significance for different people all at the same time. A flag is a symbol for a nation, as an escutcheon is a symbol for a family or a logo, a symbol for a company.

Today is Flag Day here in the United States of America. The American flag, its history and its importance is honored this day by Americans everywhere.

Lord God, when we salute the flag or pledge our allegiance facing the flag, we are making a statement of loyalty and patriotism to this country. For us here in the House of Representatives, in our prayer we dedicate ourselves and our work to You. In our pledge to the flag, we commit ourselves to uphold the American Constitution and to work for the citizenry of this great Nation.

Whether we are here as elected Members or as persons who choose to work in this great institution, we ask You to guide and protect this Nation we love and are proud to call our homeland. Be with us and all Americans, especially our military forces who are defending the flying of this flag. Long may our flag wave as a symbol of freedom and equal justice under the law, now and forever. Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arizona (Mr. RENZI) come forward and lead the House in the Pledge of Allegiance.

Mr. RENZI led the Pledge of Allegiance as follows:

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

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed bills and a joint resolution of the following titles in which the concurrence of the House is requested.

S. 2017. An act to designate the United States courthouse and post office building located at 93 Atocha Street in Ponce, Puerto Rico, as the ''Luis A. Ferré United States Courthouse and Post Office Building''.

S. 2214. An act to designate the facility of the United States Postal Service, located at 3150 Great Northern Avenue in Missoula, Montana, as the ''Mike Mansfield Post Office''.

S. 2415. An act to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the ''Robert J. Opinsky Post Office Building''.

S.J. Res. 38. Joint resolution providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution.

## APPOINTMENT OF MEMBERS TO ATTEND THE FUNERAL OF THE LATE HONORABLE RONALD WILSON REAGAN, FORMER PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. Pursuant to House Resolution 663, and the order of the House of December 8, 2003, the Speaker appointed himself and the entire membership of the House to attend the funeral services for former President Ronald Wilson Reagan held Wednesday, June 9, 2004, in the Rotunda of the Capitol and Friday, June 11, 2004, at the Washington National Cathedral.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(c) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from North Carolina (Mr. BALLANCE), the whole number of the House is adjusted to 434.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES
*Washington, DC, June 9, 2004.*

Hon. J. DENNIS HASTERT,
*U.S. House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on June 9, 2004 at 5:59 p.m.:

That the Senate passed S. Res. 373.
That the Senate passed S. Res. 374.
That the Senate passed without amendment H.R. 1822.
That the Senate passed without amendment H.R. 2130.
That the Senate passed without amendment H.R. 2438.
That the Senate passed without amendment H.R. 3029.
That the Senate passed without amendment H.R. 3059.
That the Senate passed without amendment H.R. 3068.
That the Senate passed without amendment H.R. 3234.
That the Senate passed without amendment H.R. 3300.
That the Senate passed without amendment H.R. 3353.
That the Senate passed without amendment H.R. 3536.
That the Senate passed without amendment H.R. 3537.
That the Senate passed without amendment H.R. 3538.
That the Senate passed without amendment H.R. 3690.
That the Senate passed without amendment H.R. 3733.
That the Senate passed without amendment H.R. 3740.
That the Senate passed without amendment H.R. 3769.
That the Senate passed without amendment H.R. 3855.
That the Senate passed without amendment H.R. 3917.
That the Senate passed without amendment H.R. 3939.
That the Senate passed without amendment H.R. 3942.
That the Senate passed without amendment H.R. 4037.
That the Senate passed without amendment H.R. 4176.
That the Senate passed without amendment H.R. 4299.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
*Clerk of the House.*

## CONGRESS MUST PERMANENTLY END DEATH TAX

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

Mr. WILSON of South Carolina. Mr. Speaker, thanks to President Bush's historic tax relief, our economy is surging and 1.4 million jobs have been created since August. However, if we do not act, one of the hardest and most unjust penalties on Americans, the death tax, will return in full force in 2011.

The death tax essentially is a double tax that forces families to pay taxes on estates that are passed on from generation to generation. According to Citizens For a Sound Economy, nearly 70 percent of small businesses do not make it past the first generation because of this tax. Additionally, American Farm Bureau President Bob Stallman has pointed out that many of our Nation's farmers must sell parts or all of their land to simply pay taxes. This is also catastrophic for family-owned auto dealerships, funeral homes, and beverage distributors.

The American people know it is fundamentally wrong to be taxed twice and know the importance of passing something of value on to their own children. I urge Congress to act quickly and kill the death tax once and for all.

In conclusion, may God bless our troops, and we will never forget September 11.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

## ADJUSTMENT IN NUMBER OF FREE ROAMING HORSES PERMITTED IN CAPE LOOKOUT NATIONAL SEASHORE

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2055) to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

The Clerk read as follows:

H.R. 2055

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

**SECTION 1. ADJUSTMENT IN THE NUMBER OF FREE ROAMING HORSES PERMITTED IN CAPE LOOKOUT NATIONAL SEASHORE, NC.**

(a) IN GENERAL.—The first subsection (b) of section 5 of Public Law 89–366 (16 U.S.C. 459g–4) is amended—

(1) in paragraph (1), by striking ''100 free roaming horses'' and inserting ''not less than 110 free roaming horses, with a target population of between 120 and 130 free roaming horses,'';

(2) in paragraph (3), by striking subparagraph (B) and inserting the following new subparagraph:

''(B) unless removal is carried out as part of a plan to maintain the viability of the herd; or''; and

(3) in paragraph (5), by striking ''100'' and inserting ''110''.

(b) REPEAL OF DUPLICATE SUBSECTIONS.—Section 5 of Public Law 89–366 is amended—

(1) in subsection (a), by striking ''(a)'' after ''(a)''; and

(2) by striking the second subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2055, introduced by the gentleman from North Carolina (Mr. JONES) from the Committee on Resources, would allow for the adjustment in the number of free-roaming horses permitted in the Cape Lookout National Seashore. Specifically, H.R. 2055 would permit the number of free-roaming horses to increase to 110 from its current level of 100 with a targeted population of 120 to 130 horses, and would not permit the removal of the horses unless the removal is carried out as part of a plan to maintain the viability of the herd.

H.R. 2055 is supported by the majority and the minority of the Committee on Resources and the administration. I urge adoption of the bill.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to thank the gentleman from Arizona (Mr. RENZI) and the majority of the committee for the management of this legislation. I also would be remiss if I did not extend my personal commendation to the gentleman from North Carolina (Mr. JONES), the chief sponsor of this legislation, which has been carried on for the past several Congresses. I congratulate the gentleman from North Carolina (Mr. JONES) for his tenacity and persistence in moving this legislation.

Mr. Speaker, in the course of the last several hundred years, a herd of wild horses has established itself on the Shackleford Banks area of Cape Lookout, North Carolina. The herd developed on the banks because of shipwrecks and abandonment. When the national seashore was established, there were approximately 100 wild horses on the barrier island. Over the years, the National Park Service has taken steps to control the herd size to prevent damage to park resources.

As the majority explained, this bill makes a number of slight adjustments in the management of the herd as a means to ensure their long-term survival.

Mr. Speaker, H.R. 2055 is a workable solution to the wild horse management needs at Cape Lookout, and we support adoption of the legislation by the House today.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 2055.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## MARINE TURTLE CONSERVATION ACT OF 2004

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3378) to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries, as amended.

The Clerk read as follows:

H.R. 3378

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Marine Turtle Conservation Act of 2004''.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—The Congress finds that—

(1) marine turtle populations have declined to the point that the long-term survival of the loggerhead, green, hawksbill, Kemp's ridley, olive ridley, and leatherback turtle in the wild is in serious jeopardy;

(2) 6 of the 7 recognized species of marine turtles are listed as threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and all 7 species have been included in Appendix I of CITES;

(3) because marine turtles are long-lived, late-maturing, and highly migratory, marine turtles are particularly vulnerable to the impacts of human exploitation and habitat loss;

(4) illegal international trade seriously threatens wild populations of some marine turtle species, particularly the hawksbill turtle;

(5) the challenges facing marine turtles are immense, and the resources available have not been sufficient to cope with the continued loss of nesting habitats caused by human activities and the consequent diminution of marine turtle populations;

(6) because marine turtles are flagship species for the ecosystems in which marine turtles are found, sustaining healthy populations of marine turtles provides benefits to many other species of wildlife, including many other threatened or endangered species;

(7) marine turtles are important components of the ecosystems that they inhabit, and studies of wild populations of marine turtles have provided important biological insights;

(8) changes in marine turtle populations are most reliably indicated by changes in the numbers of nests and nesting females; and

(9) the reduction, removal, or other effective addressing of the threats to the long-term viability of populations of marine turtles will require the joint commitment and effort of—

(A) countries that have within their boundaries marine turtle nesting habitats; and

(B) persons with expertise in the conservation of marine turtles.

(b) PURPOSE.—The purpose of this Act is to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries by supporting and providing financial resources for projects to conserve the nesting habitats, conserve marine turtles in those habitats, and address other threats to the survival of marine turtles.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) CITES.—The term ''CITES'' means the Convention on International Trade in Endangered Species of Wild Fauna and Flora (27 UST 1087; TIAS 8249).

(2) CONSERVATION.—The term ''conservation'' means the use of all methods and procedures necessary to protect nesting habitats of marine turtles in foreign countries and of marine turtles in those habitats, including—

(A) protection, restoration, and management of nesting habitats;

(B) onsite research and monitoring of nesting populations, nesting habitats, annual reproduction, and species population trends;

(C) assistance in the development, implementation, and improvement of national and regional management plans for nesting habitat ranges;

(D) enforcement and implementation of CITES and laws of foreign countries to—

(i) protect and manage nesting populations and nesting habitats; and

(ii) prevent illegal trade of marine turtles;

(E) training of local law enforcement officials in the interdiction and prevention of—

(i) the illegal killing of marine turtles on nesting habitat; and

(ii) illegal trade in marine turtles;

(F) initiatives to resolve conflicts between humans and marine turtles over habitat used by marine turtles for nesting;

(G) community outreach and education; and

(H) strengthening of the ability of local communities to implement nesting population and nesting habitat conservation programs.

(3) FUND.—The term ''Fund'' means the Marine Turtle Conservation Fund established by section 5.

(4) MARINE TURTLE.—

(A) IN GENERAL.—The term ''marine turtle'' means any member of the family Cheloniidae or Dermochelyidae.

(B) INCLUSIONS.—The term ''marine turtle'' includes—

(i) any part, product, egg, or offspring of a turtle described in subparagraph (A); and

(ii) a carcass of such a turtle.

(5) MULTINATIONAL SPECIES CONSERVATION FUND.—The term ''Multinational Species Conservation Fund'' means the fund established under the heading ''multinational species conservation fund'' in title I of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 4246).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

**SEC. 4. MARINE TURTLE CONSERVATION ASSISTANCE.**

(a) IN GENERAL.—Subject to the availability of funds and in consultation with other Federal officials, the Secretary shall use amounts in the Fund to provide financial assistance for projects for the conservation of marine turtles for which project proposals are approved by the Secretary in accordance with this section.

(b) PROJECT PROPOSALS.—

(1) ELIGIBLE APPLICANTS.—A proposal for a project for the conservation of marine turtles may be submitted to the Secretary by—

(A) any wildlife management authority of a foreign country that has within its boundaries marine turtle nesting habitat if the activities of the authority directly or indirectly affect marine turtle conservation; or

(B) any other person or group with the demonstrated expertise required for the conservation of marine turtles.

(2) REQUIRED ELEMENTS.—A project proposal shall include—

(A) a statement of the purposes of the project;

(B) the name of the individual with overall responsibility for the project;

(C) a description of the qualifications of the individuals that will conduct the project;

(D) a description of—

(i) methods for project implementation and outcome assessment;

(ii) staff and community management for the project; and

(iii) the logistics of the project;

(E) an estimate of the funds and time required to complete the project;

(F) evidence of support for the project by appropriate governmental entities of the countries in which the project will be conducted, if the Secretary determines that such support is required for the success of the project;

(G) information regarding the source and amount of matching funding available for the project; and

(H) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project for funding under this Act.

(c) PROJECT REVIEW AND APPROVAL.—

(1) IN GENERAL.—The Secretary shall—

(A) not later than 30 days after receiving a project proposal, provide a copy of the proposal to other Federal officials, as appropriate; and

(B) review each project proposal in a timely manner to determine whether the proposal meets the criteria specified in subsection (d).

(2) CONSULTATION; APPROVAL OR DISAPPROVAL.—Not later than 180 days after receiving a project proposal, and subject to the availability of funds, the Secretary, after consulting with other Federal officials, as appropriate, shall—

(A) consult on the proposal with the government of each country in which the project is to be conducted;

(B) after taking into consideration any comments resulting from the consultation, approve or disapprove the project proposal; and

(C) provide written notification of the approval or disapproval to the person that submitted the project proposal, other Federal officials, and each country described in subparagraph (A).

(d) CRITERIA FOR APPROVAL.—The Secretary may approve a project proposal under this section if the project will help recover and sustain viable populations of marine turtles in the wild by assisting efforts in foreign countries to implement marine turtle conservation programs.

(e) PROJECT SUSTAINABILITY.—To the maximum extent practicable, in determining whether to approve project proposals under this section, the Secretary shall give preference to conservation projects that are designed to ensure effective, long-term conservation of marine turtles and their nesting habitats.

(f) MATCHING FUNDS.—In determining whether to approve project proposals under this section, the Secretary shall give preference to projects for which matching funds are available.

(g) PROJECT REPORTING.—

(1) IN GENERAL.—Each person that receives assistance under this section for a project shall submit to the Secretary periodic reports (at such intervals as the Secretary may require) that include all information that the Secretary, after consultation with other government officials, determines is necessary to evaluate the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements.

(2) AVAILABILITY TO THE PUBLIC.—Reports under paragraph (1), and any other documents relating to projects for which financial assistance is provided under this Act, shall be made available to the public.

**SEC. 5. MARINE TURTLE CONSERVATION FUND.**

(a) ESTABLISHMENT.—There is established in the Multinational Species Conservation Fund a separate account to be known as the ''Marine Turtle Conservation Fund'', consisting of—

(1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (e);

(2) amounts appropriated to the Fund under section 6; and

(3) any interest earned on investment of amounts in the Fund under subsection (c).

(b) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Subject to paragraph (2), on request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to carry out section 4.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts in the account available for each fiscal year, the Secretary may expend not more than 3 percent, or up to $80,000, whichever is greater, to pay the administrative expenses necessary to carry out this Act.

(c) INVESTMENT OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) SALE OF OBLIGATIONS.—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(d) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) ACCEPTANCE AND USE OF DONATIONS.—The Secretary may accept and use donations to provide assistance under section 4. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund.

**SEC. 6. ADVISORY GROUP.**

(a) IN GENERAL.—To assist in carrying out this Act, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of marine turtles.

(b) PUBLIC PARTICIPATION.—

(1) MEETINGS.—The Advisory Group shall—

(A) ensure that each meeting of the advisory group is open to the public; and

(B) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(2) NOTICE.—The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(3) MINUTES.—Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(c) EXEMPTION FROM FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

**SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Fund $5,000,000 for each of fiscal years 2005 through 2009.

**SEC. 8. REPORT TO CONGRESS.**

Not later than October 1, 2005, the Secretary shall submit to the Congress a report on the results and effectiveness of the program carried out under this Act, including recommendations concerning how this Act might be improved and whether the Fund should be continued in the future.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. 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 bill under consideration.

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

There was no objection.

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

Mr. Speaker, marine sea turtles have been a vital component of our ocean ecosystems for more than 100 million years. As recently as the 19th century, marine turtles were abundant.

Sea turtles live long lives, mature relatively late, and migrate thousands of miles. They are also particularly vulnerable to exploitation and habitat loss.

Sadly, populations of marine turtles have been devastated by foreign fishing practices, the destruction of essential nesting habitat, massive poaching of turtle eggs, meat and shells, and ocean pollution. As a result, all seven remaining species of sea turtles are listed on Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna. Six of the species that spend at least part of their lives in U.S. waters are protected under the Endangered Species Act.

In an effort to prevent these species from becoming extinct, I am urging the adoption of the Marine Turtle Conservation Act. This legislation is modeled after highly successful laws to conserve African elephants and highly endangered populations of Asian elephants, rhinoceros, tigers, great apes, and neotopical migratory birds. It is a proven formula, and small investment of U.S. dollars will make a difference in the conservation and recovery of marine turtles throughout our oceans.

With this money, the Secretary of the Interior can approve conservation grants for a variety of projects. These projects include the monitoring of trade in turtle products, satellite telemetry to track the movement of sea turtles, the protection of nesting beaches, and efforts to stop poaching by assisting law enforcement officials and educational outreach to communities that have turtle habitat.

There is broad support for this legislation. Such diverse organizations as the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the National Fisheries Institute, the Shrimp Council, the American Zoo and Aquarium Association, the Wildlife Conservation Society, and the Ocean Conservancy all testified in support of the legislation.

I ask my colleagues to support and urge passage of H.R. 3378.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Arizona

(Mr. RENZI) for management of this proposed legislation. I commend the gentleman for his tremendous knowledge of sea turtles. I know there are a lot of turtles in Arizona, and I commend him for his assistance in passage of this legislation.

Mr. Speaker, this bill has the bipartisan support not only of the chairman of our Subcommittee on Fisheries Conservation, Wildlife and Oceans, the gentleman from Maryland (Mr. GILCHREST), but also the ranking member, the gentleman from New Jersey (Mr. PALLONE), the gentlewoman from Guam (Ms. BORDALLO), and others who are cosponsors of this legislation.

Marine turtles have been swimming in the world's oceans for an estimated 100 million years. Unfortunately, marine scientists speculate that certain species, such as the Pacific leatherback, may become extinct in the next 5 to 30 years unless the world takes notice of many threats confronting sea turtles.

I am proud to be a cosponsor of H.R. 3378, which would establish a new international conservation matching grant program to protect marine turtles, especially their nesting habitats, around the globe.

I applaud, again, the chairman of our fisheries subcommittee for his leadership, and also the Committee on Resources chairman, the gentleman from California (Mr. POMBO), and the ranking member, the gentleman from West Virginia (Mr. RAHALL), for their leadership and support of this legislation.

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Again I urge my colleagues to support this bill.

Mr. FARR. Mr. Speaker, today I rise in full support of my friend and colleague, Mr. GILCHREST, in his efforts to protect sea turtles. Mr. GILCHREST has a long history of working diligently to protect marine wildlife and this bill, H.R. 3378, the Marine Turtle Conservation Act, demonstrates his ongoing interest in this area.

Mr. Speaker, both the Pew and U.S. Ocean Commission Reports have documented the many crises facing our oceans. These are crises that require real leadership by this body. Today, we have the opportunity to demonstrate our leadership by passing Mr. GILCHREST's bill.

With 6 of 7 marine turtles listed as threatened or endangered under the Endangered Species Act, H.R. 3378 is a wake-up call. Like the sea otter—an animal especially important to my district—sea turtles play vital roles in the ecosystems in which they occur. This means that our efforts to restore sea turtle populations will likely have the indirect effect of benefiting many other marine species. More bang for the buck. I think we all like it when that happens.

Sea turtles straddle numerous political borders—they are highly migratory species whose conservation depends on cooperative efforts by humans across the globe. These cooperative efforts require political and financial commitments by many groups, from individual countries to non-governmental organizations to local communities. When all of these levels of leadership come together in a cohesive manner, our protection of sea turtles is dramatically increased. H.R. 3378 coordinates all of these levels by authorizing funds for on-the-ground efforts to protect sea turtles in countries where a lack of funds, not a lack of will, is the problem.

Mr. Speaker, it is only through international efforts that sea turtle populations will begin to rebound. I know that the National Oceanic and Atmospheric Administration and the Fish and Wildlife Service work hard to oversee our country's efforts to protect sea turtles and to collaborate with other countries at every opportunity. With passage of H.R. 3378, we can take our leadership to the next level by providing grants to international groups with demonstrated experience in conserving sea turtles. By doing this, the United States can demonstrate its leadership in coastal and ocean conservation—something near and dear to my heart.

Mr. GILCHREST has addressed one piece of the puzzle and I commend him for his efforts. The next step—and I think that Mr. GILCHREST would agree—is to provide a long-term vision about our relationship with the sea by passing a national ocean policy act. I am working on BOB, the Big Ocean Bill, with the cochairs of the bipartisan House Oceans Caucus. I know we would all welcome Mr. GILCHREST's leadership and expertise on marine wildlife and fisheries conservation as we move forward with BOB.

In closing, Mr. Speaker, I strongly support H.R. 3378 and hope that it represents the beginning of a new era in U.S. ocean policy.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3378, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## REPLACING CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1663) to replace certain Coastal Barrier Resources System maps, as amended.

The Clerk read as follows:

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

**SECTION 1. REPLACEMENT OF CERTAIN COASTAL BARRIER RESOURCES SYSTEM MAPS.**

(a) IN GENERAL.—The 2 maps subtitled ''NC–07P'', relating to the Coastal Barrier Resources System unit designated as Coastal Barrier Resources System Cape Fear Unit NC–07P, that are included in the set of maps entitled ''Coastal Barrier Resources System'' and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)), are hereby replaced by 2 other maps relating to those units entitled ''Coastal Barrier Resources System Cape Fear Unit, NC–07P'' and dated May 5, 2004.

(b) AVAILABILITY.—The Secretary of the Interior shall keep the maps referred to in subsection (a) on file and available for inspection in accordance with the provisions of section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the Senate bill under consideration.

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

There was no objection.

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

Mr. Speaker, S. 1663, introduced by Senator ELIZABETH DOLE, will remove 284 acres of private fastland, wetlands and open water property that has been mistakenly included within the Coastal Barrier Resources System. A similar bill, H.R. 2501, has been proposed by our colleague the gentleman from North Carolina (Mr. MCINTYRE). Specifically this legislation would replace two incorrectly drawn maps with updated digitized maps that accurately reflect the boundaries of the Cape Fear unit in North Carolina. This unit, which is referred to as an otherwise protected area, was established to protect certain public lands already held for conservation purposes. Regrettably, because of honest mistakes, the boundaries delineated on the maps erroneously include private property that is not an inholding. Under the terms of this measure, 26 homes and a number of undeveloped lots on Bald Head Island, North Carolina will be removed from the system. At the same time, however, 6,760 acres of additional military and State park lands will be added to the coastal barrier system for a net gain of 6,476 acres.

During the hearing on this legislation, the U.S. Fish and Wildlife Service testified in support of this needed correction and stated that the private properties in question are outside the boundaries of the conservation area and are not held for conservation purposes.

I urge support of this bill so that these homeowners can obtain the Federal flood insurance they need to protect their property and so that the boundaries of this coastal barrier unit can accurately reflect those lands that should be held for conservation purposes.

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

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

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

Mr. FALEOMAVAEGA. I thank the gentleman from Arizona for again his management of this proposed legislation.

Mr. Speaker, this bill was introduced by the gentlewoman from North Carolina, Mrs. DOLE, and in compliance also a companion bill was introduced in the House by my good friend the gentleman from North Carolina (Mr. MCINTYRE).

As stated by the previous speaker, Mr. Speaker, S. 1663 is noncontroversial legislation that would correct the boundaries of an otherwise protected area located near the mouth of the Cape Fear River in North Carolina. I want to thank again Chairman GILCHREST and Ranking Member PALLONE of the Subcommittee on Fisheries Conservation, Wildlife and Oceans for their contributions in making an improvement to this proposed legislation.

The technical corrections contained in the new maps that would be adopted through passage of this bill have been painstakingly reviewed by the U.S. Fish and Wildlife Service and all local property owners to ensure their accuracy. In fact, I cannot recall another comparable bill that has undergone such a thorough review. In this regard again I want to congratulate and praise the House sponsor of companion legislation, H.R. 2501, the gentleman from North Carolina (Mr. MCINTYRE), for his perseverance in seeing this process through. The gentleman from North Carolina's diligence and persistence have resulted in a final product that addresses the legitimate needs of his constituents. Most important, Mr. Speaker, this legislation respects and upholds the integrity of the John H. Chafee Coastal Barrier Resources System. For that reason, I urge my colleagues to support this bill.

Mr. MCINTYRE. Mr. Speaker, I rise in strong support of S. 1663, a bill to replace certain Coastal Barrier Resources System maps relevant to Bald Head Island, North Carolina. Having worked with the U.S. House Committee on Resources and the U.S. Fish and Wildlife Service on making these necessary corrections to the maps pertaining to Bald Head Island, I am pleased that the U.S. House of Representatives will be moving forward and passing this legislation today.

Congress enacted the Coastal Barrier Resources Act in 1982 in order to address problems caused by coastal barrier development. The Coastal Barrier Resources Act restricts Federal expenditures and financial assistance, including Federal flood insurance, for development on coastal barriers.

Later, the Coastal Barrier Improvement Act of 1990 added "otherwise protected areas" to the System. Otherwise protected areas are undeveloped coastal barriers within the boundaries of lands reserved for conservation purposes such as wildlife refuges and parks. While they were not made part of the Coastal Barrier Resources System, Congress forbade the issuance of new flood insurance or any Federal development-related assistance in otherwise protected areas.

Three years ago, the Fish and Wildlife Service and the citizens of Bald Head Island informed me that the maps of the area on the island, known as NC07P, were inaccurate. The errors in the maps deny flood insurance to certain property owners on Bald Head Island, North Carolina. These errors resulted from the problems inherent in translating lines drawn on the large-scale maps used for designations into precise, on-the-ground property lines.

However, this problem is now fixable due to improved technology available to the Fish and Wildlife Service. The mistakes that led to the Bald Head Island properties being placed within the outer boundary of NC07P were clearly not intended by Congress when maps were created.

While correcting the lines around Bald Head Island, the Fish and Wildlife Service—working with the State of North Carolina and the local communities contained within NC07P—identified additional acres that are eligible for addition to NC07P. As such, the technical changes called for in this legislation, which I was pleased to work so closely on with Senator ELIZABETH DOLE, have the added benefit of vastly increasing the overall acreage in the map.

Many people were involved in this process. Mr. Speaker, I would like to acknowledge the work of the Chairman and Ranking Member of the Committee on Resources, U.S. Representatives RICHARD POMBO and NICK RAHALL, as well as the Chairman and Ranking Members of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, U.S. Representatives WAYNE GILCHREST and FRANK PALLONE. I would also like to thank Senator DOLE for her hard work on this; Dave Jansen of the Resources Committee; Katie Nemi, Paul Suza, and all of the staff over at the U.S. Fish and Wildlife Service; Becky King, former Village Manager of Bald Head Island; and Mary Ellen Simmons of my staff for all of her hard work in coordinating this incredible effort.

As hurricane season approaches, there are landowners on Bald Head Island who, by no fault of their own, would be left unprotected if a storm were to hit the lower Cape Fear region. That is why this matter requires immediate attention, and why I urge my colleagues to vote "yes" on this important piece of legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the Senate bill, S. 1663, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

## PROTECTING VOTING RIGHTS OF MEMBERS OF ARMED SERVICES IN ELECTIONS FOR DELEGATE REPRESENTING AMERICAN SAMOA

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2010) to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2010

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

***SECTION 1. FINDINGS.***

*Congress finds the following:*

*(1) It is in the national interest that qualifying members of the Armed Forces on active duty and other overseas voters be allowed to vote in Federal elections.*

*(2) Since 1980, when the first election for the Congressional Delegate from American Samoa was held, general elections have been held in the first week of November in even-numbered years and runoff elections have been held 2 weeks later.*

*(3) This practice of holding a run-off election 2 weeks after a general election deprives members of the Armed Forces on active duty and other overseas voters of the opportunity to participate in the Federal election process in American Samoa.*

*(4) Prior to and since September 11, 2001, and due to limited air service, mail delays, and other considerations, it has been and remains impossible for absentee ballots to be prepared and returned within a 2-week period.*

*(5) American Samoa law requiring members of the Armed Forces on active duty and other overseas voters to register in person also prevents participation in the Federal election process and is contrary to the Uniformed and Overseas Citizens Absentee Voting Act.*

*(6) Given that 49 states elect their Representatives to the United States House of Representatives by plurality, it is in the national interest for American Samoa to do the same until such time as the American Samoa Legislature establishes primary elections and declares null and void the local practice of requiring members of the Armed Forces on active duty and other overseas voters to register in person which is contrary to the federal Uniformed and Overseas Citizens Absentee Voting Act.*

***SEC. 2. PLURALITY OF VOTES REQUIRED FOR ELECTION OF DELEGATE.***

*Section 2 of the Act entitled ''An Act to provide that the Territory of American Samoa be represented by a nonvoting Delegate to the United States House of Representatives, and for other purposes'', approved October 31, 1978 (48 U.S.C. 1732; Public Law 95–556) is amended—*

*(1) in subsection (a)—*

*(A) by striking ''majority'' and inserting ''plurality'' the first place it appears; and*

*(B) by striking ''If no candidate'' and all that follows through ''office of Delegate.''; and*

*(2) by adding at the end the following new subsections:*

*''(c) ESTABLISHMENT OF PRIMARY ELECTIONS.—The legislature of American Samoa may, but is not required to, provide for primary elections for the election of Delegate.*

*''(d) EFFECT OF ESTABLISHMENT OF PRIMARY ELECTIONS.—Notwithstanding subsection (a), if the legislature of American Samoa provides for primary elections for the election of Delegate, the Delegate shall be elected by a majority of votes cast in any subsequent general election for the office of Delegate for which such primary elections were held.''.*

***SEC. 3. EFFECTIVE DATES.***

*The amendments made by paragraph (1) of section 2 shall take effect on January 1, 2006. The amendment made by paragraph (2) of section 2 shall take effect on January 1, 2005.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, the gentleman from American Samoa has introduced legislation to assist those voters in his district who live overseas. His legislation, H.R. 2010, will provide for the election of the Delegate from American Samoa by a plurality vote. Currently the Delegate is elected by a majority vote, though the number of candidates seeking American Samoa's seat in Congress often prevents a clear majority in the general election. For this reason, a runoff election is the result, and it is held on the 14th day after the general election.

The gentleman from American Samoa and local government officials have explained well the unintended consequences of this format. Given the lack of flights to and from the territory, the ability to gather votes from the runoff election has proven extremely difficult, with many ballots arriving after the runoff election date. In short, this prevents the voices of individuals such as members of our armed services as well as students studying abroad to be heard.

Though Congress enacted the Uniformed and Overseas Citizens Absentee Voting Act in 1986, it has not done enough to fulfill its purpose of ensuring the right to vote for all U.S. citizens given the unique logistical hurdles that American Samoa faces. We all should understand the need to help all of our fellow voters, especially during times of war when many Samoans are serving in Iraq. The House can now move this legislation forward and help to prevent the current Federal law from disenfranchising voters. Instead, with H.R. 2010, no legal voters will be deterred from fully participating in our democratic process when they vote to elect American Samoa's Delegate.

Finally, I would also point out that H.R. 2010, as amended, was passed by the Committee on Resources by voice vote on May 5 and I appreciate the bipartisan work of the committee in acting quickly on this legislation. I hope we can now act in the same bipartisan fashion. I urge the adoption of the bill.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I again thank my good friend the gentleman from Arizona for his management and his eloquent remarks concerning his support of this legislation.

I rise today in support of this bill I introduced to protect the voting rights of active duty service members and overseas voters whose home of residence is American Samoa. This issue is not new to the people or the American Samoa legislature. The truth is this matter has been before the people and our local leaders for the past 6 years. Since 1998 I have written to our Governors, past and present. I have written and testified before our local legislature, and copies of my testimony and letters and local responses have been made part of the committee record.

Mr. Speaker, during the 107th Congress, I introduced H.R. 3576, a bill to establish primary elections which would have made sure that the American Samoa Delegate was elected by a majority of the votes cast. When introducing this bill, I pointed out that both Guam and the Virgin Islands were once bound by the 2-week Federal runoff requirement but established primary elections to resolve similar problems of sending out and receiving back absentee ballots in time for those votes to be counted. Although I suggested that American Samoa could benefit from modeling its Federal election procedures after Guam and the Virgin Islands, American Samoa chose not to support this bill and cited as its reason that primary elections were too costly.

Mr. Speaker, given the importance and urgency of this bill, I want to thank members of the House Committee on Resources, both Democrats and Republicans, who have unanimously voted in favor of this legislation. H.R. 2010 is the right thing to do. As a Vietnam veteran, I will not rest until we fully guarantee that our active duty service members have the right to vote in Federal elections in the territory. To alleviate any concerns that I will personally benefit from this legislation, I offered an amendment in the nature of a substitute for purposes of changing the effective date of this bill from January 2004 to January 2006. This amendment was unanimously supported in markup by the House Committee on Resources and, as such, any change in law will not go into effect until the 2006 election cycle.

Mr. Speaker, at this time I thank the men and women from American Samoa who are serving on active duty at a time when our Nation is at war. I wish our active duty service members the very best and I pray for their safe return as it would be true for all members of our armed services currently serving all over the world.

I also want to thank Chairman POMBO of the Committee on Resources and Ranking Member RAHALL for their unwavering support of H.R. 2010 and for bringing this historic bill to the House floor for consideration and for a vote. Again, this is a bipartisan bill. I urge the Members of this body to join us in protecting the voting rights of our active duty military men and women who currently serve all over the world representing our great Nation. Again, I urge my colleagues to support this bill.

Mr. Speaker, I rise today in support of H.R. 2010, a bill I introduced to protect the voting rights of active duty service members and overseas voters whose home of residence is American Samoa.

This issue is not new to the people or the American Samoa Legislature. The truth is this matter has been before the people and our local leaders for the past 6 years. Since 1998, I have written to our Governors, past and present. I have written and testified before our local Legislature, or FONO, and copies of my testimony, my letters, and local responses have been made part of the Committee record.

I have also brought this matter to the attention of my constituents through press releases, newsletters, radio and TV programs. In 2001, I conducted a Congressional survey and 85 percent of those surveyed agreed that American Samoa's overseas voters and active duty service members should be afforded the same rights and privileges as every other American serving in the U.S. Armed Forces.

Unfortunately, American Samoa's overseas voters and military men and women have been disenfranchised from the political process and have been denied the right to vote in the federal elections held in the Territory. In part, this has been due to two complications. One, American Samoa law has required uniformed and overseas voters to register to vote in person and this has been contrary to the Uniformed and Overseas Citizens Voting Act of 1975.

While I am pleased that our Legislature is working to address the local registration process, our uniformed and overseas voters have also been denied the right to vote as a result of Public Law 95–556 passed on October 31, 1978. Federal, or PL 95–556, provides for the Territory of American Samoa to be represented by a nonvoting Delegate to the United States House of Representatives and mandates that if no candidate receives a majority of the votes cast, on the fourteenth day following such election, a runoff election shall be held between the candidates receiving the highest and second highest number of votes cast.

Like the Governor of American Samoa, the Honorable Togiola T.A. Tulafono, I believe this 1978 federal law requiring a runoff election to be held only 14 days after the general election creates, as Governor Togiola says, "a situation where it is virtually impossible for American Samoa's Election Office to send out absentee ballots to the men and women in the military and expect to receive them back in time for those votes to be counted in a run-off election." Given that our mail is delayed and

our air service is limited to two flights a week, Governor Togiola and I agree that some measure should be put in place to assure that the votes of our military men and women are counted and that this injustice is corrected.

During the 107th Congress, I introduced H.R. 3576, a bill to establish primary elections and which made sure that American Samoa's Delegate was elected by a majority of the votes cast. When introducing this bill, I pointed out that both Guam and the Virgin Islands were once bound by the two week federal runoff requirement but established primary elections to resolve similar problems of sending out and receiving back absentee ballots in time for those votes to be counted. Although I suggested that American Samoa could benefit from modeling its federal election procedures after Guam and the U.S. Virgin Islands, the American Samoa Government (ASG) chose not to support this bill and cited as its reason that primary elections were too costly.

Given ASG's financial difficulties and out of respect for its concerns, I introduced H.R. 4838 which called for voting by plurality in lieu of primary elections. As I explained when introducing H.R. 4838, 49 of the 50 states use plurality voting to elect their Representatives to Congress. The countries of Tualauta and Itu'au in American Samoa also elect their representatives by plurality vote. Plurality voting minimizes costs to the local government and also provides active duty service members and other overseas voters an opportunity to participate fully in the federal election process. Despite these benefits, ASG also chose not to support this bill. This time, the former and late Governor Tauese P.F. Sunia stated that he believed "the intent of Congress when they established majority vote was to ensure a strong mandate for American Samoa's Delegate."

To be clear about this, I would like to provide this body with a legal history of how election law was determined for American Samoa. In 1951, President Harry S Truman issued Executive Order 10264 which transferred administrative responsibility for the islands of American Samoa from the Secretary of the Navy to the U.S. Secretary of the Interior. The Secretary of the Interior, in turn, appointed our Governors.

In 1960, the people of American Samoa adopted a Constitution. The Constitution was revised in 1966 and was approved by the Secretary of the Interior on June 2, 1967. In 1967, the Revised Constitution of American Samoa provided for an elected Legislature, or Fono, consisting of a Senate and a House of Representatives. However, it did not provide our people with the right to elect our own Governor and Lieutenant Governor and, at the time, American Samoa was the only remaining off-shore area of the United States which did not have a popularly elected Governor and Lieutenant Governor.

On June 10, 1976, Congressman Phil Burton, Chairman of the House Subcommittee on Interior and Insular Affairs, took notice of American Samoa's situation and introduced a bill to make it possible for our Governor and Lieutenant Governor to be popularly elected rather than appointed by the Secretary of the Interior. As staff counsel to the Committee on Interior and Insular Affairs, Congressman Burton instructed me to draft this legislation which the U.S. House of Representatives overwhelmingly passed by a landslide vote of 377 to 1.

Instead of sending his bill to the Senate, Congressman Burton decided to consult further with the Secretary of the Interior, Rogers C.B. Morton, about American Samoa's unique political status as an unincorporated and unorganized territory which was and is unlike the organized territories of Guam and the Virgin Islands. As a result of their consultations, the two agreed that Secretary Morton would issue a Secretarial Order (No. 3009) authorizing the American Samoa Government to pass enabling legislation to provide for an elected Governor and the Lieutenant Governor.

Secretary's Order No. 3009 amended American Samoa's Constitution to specifically provide for an elected rather than an appointed Governor and Lieutenant Governor. Secretary's Order 3009 was also in keeping with the will of the majority of voters of American Samoa who voted in favor of electing their own Governor and Lieutenant Governor in a plebiscite that was held on August 31, 1976.

Furthermore, Chairman Phil Burton introduced legislation on August 2, 1978 to provide that the Territory of American Samoa be represented by a nonvoting Delegate to the U.S. House of Representatives. I was also tasked with drafting this legislation which became Public Law 95–556 and was made effective October 31, 1978.

I can assure you that in the case of the Delegate, American Samoa's federal election laws were patterned after those of the Virgin Islands and Guam. At the time, consideration was not given to whether or not majority or plurality voting should be established for American Samoa. Congress simply enacted legislation to provide American Samoa with representation in the U.S. Congress. We could not foresee some 25 years ago that American Samoa's men and women would serve in record numbers in the U.S. Armed Forces making it nearly impossible (given American Samoa's limited air and mail service) for active duty service members to participate in runoff elections held two weeks after general elections.

Today, we are keenly aware that this requirement to hold a runoff election 14 days after the general election is wrong. To right this wrong and after further consultations with our local leaders, I introduced H.R. 2010 which includes the suggestions of Governor Togiola. In a letter dated September 11, 2003, Governor Togiola informed me that he had reviewed the copy of H.R. 2010 that I sent to him and that he was satisfied that this bill will provide an immediate solution to address the concerns we have regarding the voting rights of our men and women in the military services. In a letter dated September 15, 2003, I thanked Governor Togiola for his support.

Although we have had some differences regarding this issue, Governor Togiola and I have always agreed that our military men and women should have the right to vote especially when they contribute almost a million dollars per year in taxes to our local government. I am pleased that Governor Togiola is now happy with this bill and I again commend him for supporting its passage.

I also want to thank the President of the American Samoa Senate, the Honorable Lutu Tenari S. Fuimaono, for his support. In a letter dated October 28, 2003, President Fuimaono stated that he fully supports H.R. 2010 and that he wishes Chairman POMBO the best of luck in moving forward on the bill.

Finally, I would like to say that H.R. 2010 is an historic bill. It is a bill that immediately restores the voting rights of our overseas voters and active duty military members. It is also a bill that makes clear in no uncertain terms that the American Samoa Legislature is vested with the authority it needs to establish primary elections for the office of the Delegate, if it so chooses.

H.R. 2010 also protects American Samoa's future in the U.S. Congress. Without H.R. 2010, future Delegates could miss out on key committee assignments as a result of delayed outcomes and run-off elections. Like Governor Togiola, I do not believe American Samoa's future should be weakened or disadvantaged and this is one more reason I appreciate his support of H.R. 2010.

Given the importance and urgency of this bill, I thank the members of the House Resources Committee, both Democrats and Republicans, who have unanimously voted in favor of this bill. H.R. 2010 is the right thing to do and, as a Vietnam veteran, I will not rest until we fully guarantee that our active duty service members have the right to vote in federal elections held in American Samoa.

To alleviate any concerns that I will personally benefit from this legislation, I offered an amendment in the nature of a substitute for purposes of changing the effective date of this bill from January 2004 to January 2006. This amendment was unanimously supported at mark-up by the House Resources Committee and, as such, any change in law will not go into effect until the 2006 election cycle.

As I have repeatedly stated, H.R. 2010 in no way, affects how the American Samoa Government chooses to elect its local leaders and, having made every change requested of me by our local leaders and after years of good-faith efforts on my part, I believe the time has come to do right by our overseas voters and men and women in the military. Our sons and daughters have fought and died to preserve our freedoms and I will do everything I can to protect their right to vote.

At this time, I thank the men and women from American Samoa who are serving on active duty at a time when our Nation is at war. I wish our active duty service members the very best and I pray for their safe return.

I also thank the Honorable RICHARD POMBO, Chairman of the House Committee on Resources, and Ranking Member NICK RAHALL, for their unwavering support of H.R. 2010 and for bringing this historic bill to the House Floor for consideration and vote. Again, Democrats and Republicans of the House Resources Committee joined together to unanimously pass H.R. 2010 and I now urge members of this body to join with us in protecting the voting rights of active duty military members and overseas voters whose home of residence is American Samoa.

ATTACHMENTS

04/05/00—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives, Attorney General.

11/20/01—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

12/20/01—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

01/02/02—Governor Tauese Sunia to Faleomavaega, ASG Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives, Chief Election Officer.

01/28/02—ASG Speaker of the House to Faleomavaega, ASG Governor, Election Office, President of the Senate.

02/27/02—Faleomavaega to ASG Speaker of the House.

03/05/02—Faleomavaega to ASG Senate President and Senators.

05/23/02—Faleomavaega to ASG Governor Sunia, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

07/10/02—ASG President Pro Tem and Speaker of the House to the Honorable James Hansen, Chairman of U.S. House Committee on Resources, ASG Governor Tauese Sunia, Senators, Representatives, Chief Election Office, the Honorable Nick Rahall (Ranking Member of the U.S. House Committee on Resources), Congressman Eni Faleomavaega, Members of the U.S. House Committee on Resources.

07/11/03—Governor Tauese Sunia to Faleomavaega, Chairman of the U.S. House Committee on Resources, ASG President of the Senate and Senators, Speaker of the House and Representatives, Chief Election Officer.

07/15/02—Faleomavaega to the Honorable Nick Rahall, Ranking Member, U.S. House Committee on Resources.

07/15/02—Faleomavaega to the Honorable James Hansen, Chairman, U.S. House Committee on Resources.

07/23/02—Faleomavaega to ASG Governor Sunia, Chairman and Ranking Member of the U.S. House Committee on Resources, Deputy Assistant Secretary of the U.S. Department of the Interior, ASG Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives, Chief Election Officer.

07/23/02—Faleomavaega to the Honorable James Hansen, Chairman, U.S. House Committee on Resources.

07/23/02—Faleomavaega to the Honorable Nick Rahall, Ranking Member of the U.S. House Committee on Resources.

09/05/02—Faleomavaega to ASG Governor Tauese Sunia.

09/05/02—Faleomavaega to ASG President of the Senate and Senators.

09/05/02—Faleomavaega to ASG Speaker of the House and Representatives.

09/12/02—Faleomavaega Statement before the American Samoa Legislature.

05/07/03—Faleomavaega to ASG Governor Togiola Tulafono, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

09/05/03—Senator Te'o J. Fuavai to Faleomavaega.

09/11/03—ASG Governor Togiola Tulafono to Faleomavaega, ASG Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

09/15/03—Faleomavaega to ASG Governor Togiola Tulafono, Lieutenant Governor, President of the Senate and Senators, Speaker of the House and Representatives.

09/19/03—Senate Resolution.

10/16/03—Faleomavaega to Senator Te'o J. Fuavai.

10/27/03—President of ASG Senate, Lutu Fuiamono, to Faleomavaega.

10/28/03—Office of the Governor to Lieutenant Governor, Aitofele T.F. Sunia.

07/21/76—Congressional Record, Providing for an Elective Governor and Lieutenant Governor of American Samoa.

10/03/78—Congressional Record, Providing the Territory of American Samoa with a Nonvoting Delegate.

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

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

I want to commend my colleague from American Samoa for his leadership and his advocacy, particularly for those citizens there within his territory and within his district who now will be able to reach out and be part of the election process.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 2010, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## AGOA ACCELERATION ACT OF 2004

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4103) to extend and modify the trade benefits under the African Growth and Opportunity Act, as amended.

The Clerk read as follows:

H.R. 4103

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

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''AGOA Acceleration Act of 2004''.*

***SEC. 2. FINDINGS.***

*The Congress finds the following:*

*(1) The African Growth and Opportunity Act (in this section and section 3 referred to as ''the Act'') has helped to spur economic growth and bolster economic reforms in the countries of sub-Saharan Africa and has fostered stronger economic ties between the countries of sub-Saharan Africa and the United States; as a result, exports from the United States to sub-Saharan Africa reached record levels after the enactment of the Act, while exports from sub-Saharan Africa to the United States have increased considerably.*

*(2) The Act's eligibility requirements have reinforced democratic values and the rule of law, and have strengthened adherence to internationally recognized worker rights in eligible sub-Saharan African countries.*

*(3) The Act has helped to bring about substantial increases in foreign investment in sub-Saharan Africa, especially in the textile and apparel sectors, where tens of thousands of new jobs have been created.*

*(4) As a result of the Agreement on Textiles and Apparel of the World Trade Organization, under which quotas maintained by WTO member countries on textile and apparel products end on January 1, 2005, sub-Saharan Africa's textile and apparel industry will be severely challenged by countries whose industries are more developed and have greater capacity, economies of scale, and better infrastructure.*

*(5) The underdeveloped physical and financial infrastructure in sub-Saharan Africa continues to discourage investment in the region.*

*(6) Regional integration establishes a foundation on which sub-Saharan African countries can coordinate and pursue policies grounded in African interests and history to achieve sustainable development.*

*(7) Expanded trade because of the Act has improved fundamental economic conditions within sub-Saharan Africa. The Act has helped to create jobs in the poorest region of the world, and most sub-Saharan African countries have sought to take advantage of the opportunities provided by the Act.*

*(8) Agricultural biotechnology holds promise for helping solve global food security and human health crises in Africa and, according to recent studies, has made contributions to the protection of the environment by reducing the application of pesticides, reducing soil erosion, and creating an environment more hospitable to wildlife.*

*(9)(A) One of the greatest challenges facing African countries continues to be the HIV/AIDS epidemic, which has infected as many as one out of every four people in some countries, creating tremendous social, political, and economic costs. African countries need continued United States financial and technical assistance to combat this epidemic.*

*(B) More awareness and involvement by governments are necessary. Countries like Uganda, recognizing the threat of HIV/AIDS, have boldly attacked it through a combination of education, public awareness, enhanced medical infrastructure and resources, and greater access to medical treatment. An effective HIV/AIDS prevention and treatment strategy involves all of these steps.*

*(10) African countries continue to need trade capacity assistance to establish viable economic capacity, a well-grounded rule of law, and efficient government practices.*

***SEC. 3. STATEMENT OF POLICY.***

*The Congress supports—*

*(1) a continued commitment to increase trade between the United States and sub-Saharan Africa and increase investment in sub-Saharan Africa to the benefit of workers, businesses, and farmers in the United States and in sub-Saharan Africa, including by developing innovative approaches to encourage development and investment in sub-Saharan Africa;*

*(2) a reduction of tariff and nontariff barriers and other obstacles to trade between the countries of sub-Saharan Africa and the United States, with particular emphasis on reducing barriers to trade in emerging sectors of the economy that have the greatest potential for development;*

*(3) development of sub-Saharan Africa's physical and financial infrastructure;*

*(4) international efforts to fight HIV/AIDS, malaria, tuberculosis, other infectious diseases, and serious public health problems;*

*(5) many of the aims of the New Partnership for African Development (NEPAD), which include—*

*(A) reducing poverty and increasing economic growth;*

*(B) promoting peace, democracy, security, and human rights;*

*(C) promoting African integration by deepening linkages between African countries and by accelerating Africa's economic and political integration into the rest of the world;*

*(D) attracting investment, debt relief, and development assistance;*

*(E) promoting trade and economic diversification;*

*(F) broadening global market access for United States and African exports;*

*(G) improving transparency, good governance, and political accountability;*

*(H) expanding access to social services, education, and health services with a high priority given to addressing HIV/AIDS, malaria, tuberculosis, other infectious diseases, and other public health problems;*

*(I) promoting the role of women in social and economic development by reinforcing education and training and by assuring their participation in political and economic arenas; and*

*(J) building the capacity of governments in sub-Saharan Africa to set and enforce a legal framework, as well as to enforce the rule of law;*

*(6) negotiation of reciprocal trade agreements between the United States and sub-Saharan African countries, with the overall goal of expanding trade across all of sub-Saharan Africa;*

*(7) the President seeking to negotiate, with interested eligible sub-Saharan African countries, bilateral trade agreements that provide investment opportunities, in accordance with section 2102(b)(3) of the Trade Act of 2002 (19 U.S.C. 3802(b)(3));*

*(8) efforts by the President to negotiate with the member countries of the Southern African Customs Union in order to provide the opportunity to deepen and make permanent the benefits of the Act while giving the United States access to the markets of these African countries for United States goods and services, by reducing tariffs and non-tariff barriers, strengthening intellectual property protection, improving transparency, establishing general dispute settlement mechanisms, and investor-state and state-to-state dispute settlement mechanisms in investment;*

*(9) a comprehensive and ambitious trade agreement with the Southern African Customs Union, covering all products and sectors, in order to mature the economic relationship between sub-Saharan African countries and the United States and because such an agreement would deepen United States economic and political ties to the region, lend momentum to United States development efforts, encourage greater United States investment, and promote regional integration and economic growth;*

*(10) regional integration among sub-Saharan African countries and business partnerships between United States and African firms; and*

*(11) economic diversification in sub-Saharan African countries and expansion of trade beyond textiles and apparel.*

***SEC. 4. SENSE OF CONGRESS ON RECIPROCITY AND REGIONAL ECONOMIC INTEGRATION.***

*It is the sense of the Congress that—*

*(1) the preferential market access opportunities for eligible sub-Saharan African countries will be complemented and enhanced if those countries are implementing actively and fully, consistent with any remaining applicable phase-in periods, their obligations under the World Trade Organization, including obligations under the Agreement on Trade-Related Aspects of Intellectual Property, the Agreement on the Application of Sanitary and Phytosanitary Measures, and the Agreement on Trade-Related Investment Measures, as well as the other agreements described in section 101(d) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d));*

*(2) eligible sub-Saharan African countries should participate in and support mutual trade liberalization in ongoing negotiations under the auspices of the World Trade Organization, including by making reciprocal commitments with respect to improving market access for industrial and agricultural goods, and for services, recognizing that such commitments may need to reflect special and differential treatment for developing countries;*

*(3) some of the most pernicious trade barriers against exports by developing countries are the trade barriers maintained by other developing countries; therefore, eligible sub-Saharan African countries will benefit from the reduction of trade barriers in other developing countries, especially in developing countries that represent some of the greatest potential markets for African goods and services; and*

*(4) all countries should make sanitary and phytosanitary decisions on the basis of sound science.*

***SEC. 5. SENSE OF CONGRESS ON INTERPRETATION OF TEXTILE AND APPAREL PROVISIONS OF AGOA.***

*It is the sense of the Congress that the executive branch, particularly the Committee for the Implementation of Textile Agreements (CITA), the Bureau of Customs and Border Protection of the Department of Homeland Security, and the Department of Commerce, should interpret, implement, and enforce the provisions of section 112 of the African Growth and Opportunity Act, relating to preferential treatment of textile and apparel articles, broadly in order to expand trade by maximizing opportunities for imports of such articles from eligible sub-Saharan African countries.*

***SEC. 6. DEFINITION.***

*In this Act, the term ''eligible sub-Saharan African country'' means an eligible sub-Saharan African country under the African Growth and Opportunity Act.*

***SEC. 7. EXTENSION OF AFRICAN GROWTH AND OPPORTUNITY ACT.***

*(a) GENERALIZED SYSTEM OF PREFERENCES.—*

*(1) EXTENSION OF PROGRAM.—Section 506B of the Trade Act of 1974 (19 U.S.C. 2466b) is amended by striking ''2008'' and inserting ''2015''.*

*(2) INPUTS FROM FORMER BENEFICIARY COUNTRIES.—Section 506A of the Trade Act of 1974 (19 U.S.C. 2466a) is amended—*

*(A) in subsection (b)(2)(B), by inserting ''or former beneficiary sub-Saharan African countries'' after ''countries''; and*

*(B) in subsection (c)—*

*(i) by striking ''title, the terms'' and inserting ''title—*

*''(1) the terms''; and*

*(ii) by adding at the end the following:*

*''(2) the term 'former beneficiary sub-Saharan African country' means a country that, after being designated as a beneficiary sub-Saharan African country under the African Growth and Opportunity Act, ceased to be designated as such a country by reason of its entering into a free trade agreement with the United States.''.*

*(b) APPAREL ARTICLES.—(1) Section 112(b)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(1)) is amended by striking ''(including'' and inserting ''or both (including''.*

*(2) Section 112(b)(3) of the African Growth and Opportunity Act (19 U.S.C. 3721 (b)(3)) is amended—*

*(A) in the matter preceding subparagraph (A)—*

*(i) by striking ''either in the United States or one or more beneficiary sub-Saharan African countries'' each place it appears and inserting ''in the United States or one or more beneficiary sub-Saharan African countries or former beneficiary sub-Saharan African countries, or both''; and*

*(ii) by striking ''subject to the following:'' and inserting ''whether or not the apparel articles are also made from any of the fabrics, fabric components formed, or components knit-to-shape described in paragraph (1) or (2) (unless the apparel articles are made exclusively from any of the fabrics, fabric components formed, or components knit-to-shape described in paragraph (1) or (2)), subject to the following:''; and*

*(B) by striking subparagraphs (A) and (B) and inserting the following:*

*''(A) LIMITATIONS ON BENEFITS.—*

*''(i) IN GENERAL.—Preferential treatment under this paragraph shall be extended in the 1-year period beginning October 1, 2003, and in each of the 11 succeeding 1-year periods, to imports of apparel articles in an amount not to exceed the applicable percentage of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available.*

*''(ii) APPLICABLE PERCENTAGE.—For purposes of this subparagraph, the term 'applicable percentage' means—*

*''(I) 4.747 percent for the 1-year period beginning October 1, 2003, increased in each of the 5 succeeding 1-year periods by equal increments, so that for the 1-year period beginning October 1, 2007, the applicable percentage does not exceed 7 percent; and*

*''(II) for each succeeding 1-year period until September 30, 2015, not to exceed 7 percent.*

*''(B) SPECIAL RULE FOR LESSER DEVELOPED COUNTRIES.—*

*''(i) IN GENERAL.—Preferential treatment under this paragraph shall be extended though September 30, 2007, for apparel articles wholly assembled, or knit-to-shape and wholly assembled, or both, in one or more lesser developed beneficiary sub-Saharan African countries, regardless of the country of origin of the fabric or the yarn used to make such articles, in an amount not to exceed the applicable percentage of the aggregate square meter equivalents of all apparel articles imported into the United States in the preceding 12-month period for which data are available.*

*''(ii) APPLICABLE PERCENTAGE.—For purposes of the subparagraph, the term 'applicable percentage' means—*

*''(I) 2.3571 percent for the 1-year period beginning October 1, 2003;*

*''(II) 2.6428 percent for the 1-year period beginning October 1, 2004;*

*''(III) 2.9285 percent for the 1-year period beginning October 1, 2005; and*

*''(IV) 1.6071 percent for the 1-year period beginning October 1, 2006.*

*''(iii) LESSER DEVELOPED BENEFICIARY SUB-SAHARAN AFRICAN COUNTRY.—For purposes of this subparagraph, the term 'lesser developed beneficiary sub-Saharan African country' means—*

*''(I) a beneficiary sub-Saharan African country that had a per capita gross national product of less than $1,500 in 1998, as measured by the International Bank for Reconstruction and Development;*

*''(II) Botswana; and*

*''(III) Namibia.''.*

*(3) Section 112(b)(5)(A) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(5)(A)) is amended to read as follows:*

*''(A) IN GENERAL.—Apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries, to the extent that apparel articles of such fabrics or yarns would be eligible for preferential treatment, without regard to the source of the fabrics or yarns, under Annex 401 to the NAFTA.''.*

*(c) HANDLOOMED, HANDMADE, FOLKLORE ARTICLES AND ETHNIC PRINTED FABRICS.—Section 112(b)(6) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(6)) is amended to read as follows:*

*''(6) HANDLOOMED, HANDMADE, FOLKLORE ARTICLES AND ETHNIC PRINTED FABRICS.—*

*''(A) IN GENERAL.—A handloomed, handmade, folklore article or an ethnic printed fabric of a beneficiary sub-Saharan African country or countries that is certified as such by the competent authority of such beneficiary country or countries. For purposes of this section, the President, after consultation with the beneficiary sub-Saharan African country or countries concerned, shall determine which, if any, particular textile and apparel goods of the country (or countries) shall be treated as being handloomed, handmade, or folklore articles or an ethnic printed fabric.*

*''(B) REQUIREMENTS FOR ETHNIC PRINTED FABRIC.—Ethnic printed fabrics qualified under this paragraph are—*

*''(i) fabrics containing a selvedge on both edges, having a width of less than 50 inches, classifiable under subheading 5208.52.30 or 5208.52.40 of the Harmonized Tariff Schedule of the United States;*

*''(ii) of the type that contains designs, symbols, and other characteristics of African prints—*

*''(I) normally produced for and sold on the indigenous African market; and*

*''(II) normally sold in Africa by the piece as opposed to being tailored into garments before being sold in indigenous African markets;*

*''(iii) printed, including waxed, in one or more eligible beneficiary sub-Saharan countries; and*

*''(iv) fabrics formed in the United States, from yarns formed in the United States, or from fabric formed in one or more beneficiary sub-Saharan African country from yarn originating in either the United States or one or more beneficiary sub-Saharan African countries.''.*

*(d) REGIONAL AND U.S. SOURCES.—Section 112(b)(7) of the African Growth and Opportunity Act (19 U.S.C. 3721(b)(7)) is amended by inserting ''or former beneficiary sub-Saharan African countries'' after ''and one or more beneficiary sub-Saharan African countries'' each place it appears.*

*(e) SPECIAL RULES.—*

*(1) CERTAIN COMPONENTS.—Section 112(d) of the African Growth and Opportunity Act (19 U.S.C. 3721(d)) is amended by adding at the end the following:*

*''(3) CERTAIN COMPONENTS.—An article otherwise eligible for preferential treatment under this section will not be ineligible for such treatment because the article contains—*

*''(A) any collars or cuffs (cut or knit-to-shape),*

*''(B) drawstrings,*

*''(C) shoulder pads or other padding,*

*''(D) waistbands,*

*''(E) belt attached to the article,*

*''(F) straps containing elastic, or*

*''(G) elbow patches,*

*that do not meet the requirements set forth in subsection (b), regardless of the country of origin of the item referred to in the applicable subparagraph of this paragraph.''.*

*(2) DE MINIMIS RULE.—Section 112(d)(2) of the African Growth and Opportunity Act (19 U.S.C. 3721(d)(2)) is amended—*

*(A) by inserting ''or former beneficiary sub-Saharan African countries'' after ''countries''; and*

*(B) by striking ''7 percent'' and inserting ''10 percent''.*

*(f) DEFINITIONS.—Section 112(e) of the African Growth and Opportunity Act (19 U.S.C. 3721(e)) is amended by adding at the end the following:*

*''(4) FORMER SUB-SAHARAN AFRICAN COUNTRY.—The term 'former sub-Saharan African country' means a country that, after being designated as a beneficiary sub-Saharan African country under this Act, ceased to be designated as such a beneficiary sub-Saharan country by reason of its entering into a free trade agreement with the United States.''.*

***SEC. 8. ENTRIES OF CERTAIN APPAREL ARTICLES PURSUANT TO THE AFRICAN GROWTH AND OPPORTUNITY ACT.***

*(a) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Secretary of the Treasury shall liquidate or reliquidate as free of duty and free of any quantitative restrictions, limitations, or consultation levels entries of articles described in subsection (d) made on or after October 1, 2000, and before the date of the enactment of this Act.*

*(b) REQUESTS.—Liquidation or reliquidation may be made under subsection (a) with respect to an entry described in subsection (d) only if a request therefor is filed with the Secretary of the Treasury within 90 days after the date of the enactment of this Act and the request contains sufficient information to enable the Secretary to locate the entry or reconstruct the entry if it cannot be located.*

*(c) PAYMENT OF AMOUNTS OWED.—Any amounts owed by the United States pursuant to the liquidation or reliquidation of any entry under subsection (a) shall be paid not later than 180 days after the date of such liquidation or reliquidation.*

*(d) ENTRIES.—The entries referred to in subsection (a) are entries of apparel articles that meet the requirements of section 112(b) of the African Growth and Opportunity Act, as amended by section 3108 of the Trade Act of 2002 and this Act.*

***SEC. 9. DEVELOPMENT STUDY AND CAPACITY BUILDING.***

*(a) REPORTS.—The President shall, by not later than 1 year after the date of the enactment of this Act, conduct a study on each eligible sub-Saharan African country, that—*

*(1) identifies sectors of the economy of that country with the greatest potential for growth, including through export sales;*

*(2) identifies barriers, both domestically and internationally, that are impeding growth in such sectors; and*

*(3) makes recommendations on how the United States Government and the private sector can provide technical assistance to that country to assist in dismantling such barriers and in promoting investment in such sectors.*

*(b) DISSEMINATION OF INFORMATION.—The President shall disseminate information in each study conducted under subsection (a) to the appropriate United States agencies for the purpose of implementing recommendations on the provision of technical assistance and in identifying opportunities for United States investors, businesses, and farmers.*

***SEC. 10. ACTIVITIES IN SUPPORT OF INFRASTRUCTURE TO SUPPORT INCREASING TRADE CAPACITY AND ECOTOURISM.***

*(a) FINDINGS.—The Congress finds the following:*

*(1) Ecotourism, which consists of—*

*(A) responsible and sustainable travel and visitation to relatively undisturbed natural areas in order to enjoy and appreciate nature (and any accompanying cultural features, both past and present) and animals, including species that are rare or endangered,*

*(B) promotion of conservation and provision for beneficial involvement of local populations, and*

*(C) visitation designed to have low negative impact upon the environment,*

*is expected to expand 30 percent globally over the next decade.*

*(2) Ecotourism will increase trade capacity by sustaining otherwise unsustainable infrastructure, such as road, port, water, energy, and telecommunication development.*

*(3) According to the United States Department of State and the United Nations Environment Programme, sustainable tourism, such as ecotourism, can be an important part of the economic development of a region, especially a region with natural and cultural protected areas.*

*(4) Sub-Saharan Africa enjoys an international comparative advantage in ecotourism because it features extensive protected areas that host a variety of ecosystems and traditional cultures that are major attractions for nature-oriented tourism.*

*(5) National parks and reserves in sub-Saharan Africa should be considered a basis for regional development, involving communities living within and adjacent to them and, given their strong international recognition, provide an advantage in ecotourism marketing and promotion.*

*(6) Desert areas in sub-Saharan Africa represent complex ecotourism attractions, showcasing natural, geological, and archaeological features, and nomad and other cultures and traditions.*

*(7) Many natural zones in sub-Saharan Africa cross the political borders of several countries; therefore, transboundary cooperation is fundamental for all types of ecotourism development.*

*(8) The commercial viability of ecotourism is enhanced when small and medium enterprises, particularly microenterprises, successfully engage with the tourism industry in sub-Saharan Africa.*

*(9) Adequate capacity building is an essential component of ecotourism development if local communities are to be real stakeholders that can sustain an equitable approach to ecotourism management.*

*(10) Ecotourism needs to generate local community benefits by utilizing sub-Saharan Africa's natural heritage, parks, wildlife reserves, and other protected areas that can play a significant role in encouraging local economic development by sourcing food and other locally produced resources.*

*(b) ACTION BY THE PRESIDENT.—The President shall develop and implement policies to—*

*(1) encourage the development of infrastructure projects that will help to increase trade capacity and a sustainable ecotourism industry in eligible sub-Saharan African countries;*

*(2) encourage and facilitate transboundary cooperation among sub-Saharan African countries in order to facilitate trade;*

*(3) encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development; and*

*(4) encourage micro-, small-, and medium-sized enterprises in eligible sub-Saharan African countries to participate in the ecotourism industry.*

***SEC. 11. ACTIVITIES IN SUPPORT OF TRANSPORTATION, ENERGY, AGRICULTURE, AND TELECOMMUNICATIONS INFRASTRUCTURE.***

*(a) FINDINGS.—The Congress finds the following:*

*(1) In order to increase exports from, and trade among, eligible sub-Saharan African countries, transportation systems in those countries must be improved to increase transport efficiencies and lower transport costs.*

*(2) Vibrant economic growth requires a developed telecommunication and energy infrastructure.*

*(3) Sub-Saharan Africa is rich in exportable agricultural goods, but development of this industry remains stymied because of an underdeveloped infrastructure.*

*(b) ACTION BY THE PRESIDENT.—In order to enhance trade with Africa and to bring the benefits of trade to African countries, the President shall develop and implement policies to encourage investment in eligible sub-Saharan African countries, particularly with respect to the following:*

*(1) Infrastructure projects that support, in particular, development of land transport road and railroad networks and ports, and the continued upgrading and liberalization of the energy and telecommunications sectors.*

*(2) The establishment and expansion of modern information and communication technologies and practices to improve the ability of citizens to research and disseminate information relating to, among other things, the economy, education, trade, health, agriculture, the environment, and the media.*

*(3) Agriculture, particularly in processing and capacity enhancement.*

***SEC. 12. FACILITATION OF TRANSPORTATION.***

*In order to facilitate and increase trade flows between eligible sub-Saharan African countries and the United States, the President shall foster improved port-to-port and airport-to-airport relationships. These relationships should facilitate—*

*(1) increased coordination between customs services at ports and airports in the United States and such countries in order to reduce time in transit;*

*(2) interaction between customs and technical staff from ports and airports in the United States and such countries in order to increase efficiency and safety procedures and protocols relating to trade;*

*(3) coordination between chambers of commerce, freight forwarders, customs brokers, and others involved in consolidating and moving freight; and*

*(4) trade through air service between airports in the United States and such countries by increasing frequency and capacity.*

***SEC. 13. AGRICULTURAL TECHNICAL ASSISTANCE.***

*(a) IDENTIFICATION OF COUNTRIES.—The President shall identify not fewer than 10 eligible sub-Saharan African countries as having the greatest potential to increase marketable exports of agricultural products to the United States and the greatest need for technical assistance, particularly with respect to pest risk assessments and complying with sanitary and phytosanitary rules of the United States.*

*(b) PERSONNEL.—The President shall assign at least 20 full-time personnel for the purpose of*

*providing assistance to the countries identified under subsection (a) to ensure that exports of agricultural products from those countries meet the requirements of United States law.*

***SEC. 14. TRADE ADVISORY COMMITTEE ON AFRICA.***

*The President shall convene the trade advisory committee on Africa established by Executive Order 11846 of March 27, 1975, under section 135(c) of the Trade Act of 1974, in order to facilitate the goals and objectives of the African Growth and Opportunity Act and this Act, and to maintain ongoing discussions with African trade and agriculture ministries and private sector organizations on issues of mutual concern, including regional and international trade concerns and World Trade Organization issues.*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

H.R. 4103, the AGOA Acceleration Act, was ordered favorably reported by the Committee on Ways and Means and was amended by a voice vote on May 5. Once again this bill provides the means for African countries to develop a more prosperous economic environment, a well-grounded rule of law, and efficient and acceptable government practices. I am very pleased that, as in the past, this bill has garnered broad support. Especially I would like to reference the ranking member of the committee, the gentleman from New York (Mr. RANGEL); the chairman, Subcommittee on Trade, the gentleman from Illinois (Mr. CRANE); the ranking member, the gentleman from Michigan (Mr. LEVIN); and the gentleman from Washington (Mr. MCDERMOTT), who has been one of the Committee on Ways and Means' leading advocates for additional assistance and trade to Africa.

□ 1430

I am also pleased to thank the gentleman from California (Mr. ROYCE) of the Committee on International Relations and the gentleman from Illinois (Chairman HYDE) of that committee for the courtesies they extended to us in getting this bill to the floor. The Committee on International Relations indicated there were two provisions in this bill that were under the jurisdiction of the committee. In working with the gentleman from Illinois (Chairman HYDE), I am pleased to indicate that in expediting consideration of the bill, the chairman graciously agreed to forego consideration by that committee, notwithstanding the jurisdiction of that committee, and to exchange letters. And I would include the letters in the RECORD.

Mr. Speaker, there is an urgent need for this bill. A provision allowing the poorest African countries to use third-country fabric and apparel production will expire at the end of September if we do nothing. My plea, I guess, is to a certain extent hopefully heard on the other side of the Capitol by the other body. This bill would extend the provision subject to a cap for 3 years and phase it out in the final year, a pragmatic approach that balances the needs of the African countries while assuring the U.S. industry is not threatened and can even be helped through the development of partnerships, especially in the area of raw materials.

Our bill does not merely extend these benefits. It accelerates Africa's utilization of the original AGOA benefits by expanding African capacity and infrastructure to attract investment in regional fabric production so that Africa can hope to compete in a post-quota world.

One of the best ways the Africans can make themselves competitive is to work with us to achieve trade liberalization in the World Trade Organization. Such liberalization will benefit Africa enormously by reducing the duties it must pay and by facilitating trade. In addition, as long as they are comprehensive, I support ongoing free trade negotiations with the Southern African Customs Union, which will help to deepen and make permanent existing AGOA benefits for Africans in Africa. At the same time, we expect meaningful access to the markets of these African countries for U.S. goods and services in an open trading arrangement.

I believe helping Africa through trade will contribute to more fundamental improvements in governance and of course the overall quality of life in Africa. Critical benefits for our African partners will expire soon if Congress does not take immediate action.

Mr. Speaker, this was delayed a week because of the circumstances surrounding last week. We need to move forward with this legislation. My fervent hope is that with the House acting today in the manner in which I believe we will act, that is, overwhelming bipartisan support, that we can focus the attention of the other body that this is a measure that needs to move expeditiously through both bodies so that we can provide this kind of accelerated help to Sub-Saharan Africa, and I strongly urge my colleagues to support H.R. 4103.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
*Washington, DC, May 19, 2004.*

Hon. HENRY J. HYDE, Chairman,
*Committee on International Relations*
*Washington, DC.*

DEAR CHAIRMAN HYDE: Thank you for your letter regarding H.R. 4103, the ''AGOA Acceleration Act of 2004.''

As you have noted, the Committee on Ways and Means ordered favorably reported, as amended, H.R. 4103, the ''AGOA Acceleration Act of 2004,'' on Wednesday, May 5, 2004. I appreciate your agreement to expedite the passage of this legislation although it contains two provisions within your Committee's jurisdiction. I acknowledge your decision to forego further action on the bill is based on the understanding that it will not prejudice the Committee on International Relations with respect to its jurisdictional prerogatives or the appointment of conferees on this or similar legislation.

Our committees have long collaborated on this important initiative, and I am very pleased we are continuing that cooperation. Your leadership on African issues is critical to the success of this bill and the AGOA program. I appreciate your helping us to move this legislation quickly to the floor.

Finally, I will include the CONGRESSIONAL RECORD a copy of our exchange of letters on this matter. Thank you for your assistance and cooperation. We look forward to working with you in the future.

Best regards,

BILL THOMAS,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
*Washington, DC, May 19, 2004.*

Hon. WILLIAM M. THOMAS, Chairman,
*Committee on Ways and Means,*
*Washington, DC.*

DEAR CHAIRMAN THOMAS: I am writing concerning H.R. 4103, the ''AGOA Acceleration Act of 2004,'' which was ordered favorably reported, as amended, by the Committee on Ways and Means on Wednesday, May 5, 2004.

As you know, the Committee on International Relations has jurisdiction over matters concerning relations of the United States with foreign nations generally. Sections 10 and 13 of the bill involve U.S. efforts to provide assistance to certain African nations and thus fall within the jurisdiction of the Committee on International Relations. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 4103, and would ask that a copy of our exchange of letters on this matter be included in the CONGRESSIONAL RECORD during floor consideration.

With best wishes, I remain

Sincerely,

HENRY J. HYDE,
*Chairman.*

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

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

Mr. Speaker, I rise in support of this legislation. I regret that the gentleman from New York (Mr. RANGEL), who has been a lead sponsor for many years, and the gentleman from Washington (Mr. MCDERMOTT) cannot be here, that there was not able to be worked out accommodations so that they and others who have worked together on a bipartisan bill could be present.

When I talk about the efforts of these gentlemen on a bipartisan basis, I really mean it. The bill was signed originally into law in 2000. It was after years of work and years when it was not at all clear that there could be an agreement regarding trade with African nations. So let me proceed, if I might; and my hope remains that others will still be able to make it. I think under the circumstances, it is going to be exceedingly difficult for them to participate, and I want to express again my regret.

The history of this bill, as I mentioned, is one of effort over the years. And if one looks at what has happened since then, I think one will come to

this conclusion: that this has been a useful endeavor, that we needed to open up our relationships with African nations; that we needed to do so on many bases, economic trade being one but an important one, and that there had been for a long time an ignoring of the importance of our relationship with African nations.

I think the last few years have shown that this was an important idea. In terms of our economic relationships, there has been an improvement. There has been a greater flow back and forth. And in trade issues it is important to look at the flow both ways, and in this case there has been an increased amount of activity both from here to Africa and from African nations back to the United States in the billions of dollars.

So this has not been a cure-all, and no one would pretend that it has been or really could be. This has not brought an absolutely new day within African nations or in our relationship. But it has helped; and as a result, a number of countries in Africa have found their exports to the U.S. increasing, and I think that has fortified activities within those countries. And I think there has been mutual benefit. No one should think in trade it is always win-win on all sides. There are impacts both positive and negative; but I think if we look over the general trend, AGOA has been an important step in the right direction.

If we do not pass this legislation, what would happen is that all of a sudden this experiment, this endeavor, this step forward in our relationship would cease. It would mean in the important area of apparel and textiles that African nations would be at a more serious disadvantage with other countries than they might otherwise be. And I think when we look at the overall picture, that would be bad for Africa; and that would be bad for the United States. The quotas come off on apparel and textiles at the end of this year. We need to get ready for that event. I think it is important that we continue this relationship with African countries.

So I urge support for this. It is not wise or prudent for us in this country after these years of AGOA to say that it should end. It is not wise after these years of increasing relationships economically that we say essentially we are turning our back. Again, this is only one factor in relationship to Africa and to African countries. It is only one factor in building up the ties between our two continents that are so important now and for the future. But it has on balance been, I think, an important building block, and I do not think it is wise at all to remove it at this point, and that is what is threatened here.

So I urge support for this. I do so on behalf of the gentleman from New York (Mr. RANGEL). I do so on behalf of the gentleman from Washington (Mr. MCDERMOTT), who also could not be here quite yet, and on behalf of the gentleman from Louisiana (Mr. JEFFERSON). And while I do not speak for those on the other side, I do want to say to the gentleman from California (Mr. ROYCE) and others who have worked so hard on this that I think it is important that we continue this effort.

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

Mr. THOMAS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE), the chairman of the Africa Subcommittee of the Committee on International Relations.

Mr. ROYCE. Mr. Speaker, as an original sponsor of this legislation, I have welcomed working with the gentleman from California (Chairman THOMAS) and the gentleman from New York (Mr. RANGEL), ranking member; the gentleman from Washington (Mr. MCDERMOTT); the gentleman from Louisiana (Mr. JEFFERSON); the gentleman from Illinois (Mr. CRANE); the gentleman from New Jersey (Mr. PAYNE), and other Members from both sides of the aisle who have been advancing the AGOA program for years now.

Since becoming chairman of the Africa Subcommittee 7 years ago, one of our top priorities has been working to see that Africa does not fall off the edge of the world's economic map; and, frankly, Africa is teetering on that edge. Fortunately, though, AGOA has been a lifeline for Africa to the global economy.

Today, 3 years into the AGOA program, we know that it has worked. Many of us that have worked on this legislation, of course, wish that more African countries and more African industries were taking advantage of AGOA, and we wish they particularly would take advantage of AGOA in agriculture. That is why this legislation includes trade capacity-building provisions, but in a few short years AGOA has managed to draw hundreds of millions of dollars of foreign investment to the continent, creating hundreds of thousands of desperately needed jobs. This makes AGOA the most effective of our development programs for Africa that I am aware of.

Several Members, in fact, have had the opportunity to visit these apparel plants as we have traveled to Africa to see this encouraging development firsthand. Africans are meeting world-class standards for manufactured goods. This makes AGOA a big morale boost for many African countries. AGOA has also encouraged difficult economic reforms as African countries have strived to maintain their eligibility for AGOA.

AGOA has also bolstered our political relations with many African governments. Few African officials that I have met with have not expressed their support and appreciation for AGOA. They almost always begin the meeting by explaining how it has brought economic reform to their country and increased trade with the United States. This is important diplomatic capital that our country has gained through AGOA.

The African continent, frankly, is at a crossroads. The vision many of us have is of an Africa that joins the world economy, the vision that we have had of working for an increasingly stable and democratic Africa that is combating HIV/AIDS and exporting and importing more goods and services, including from America. That is the vision that we share, I think, on this floor.

The other very different path Africa could get stuck on leads to even greater poverty and greater hunger and conflict and, frankly, greater disease and environmental degradation. It is unclear which way Africa is headed. Challenges on the continent are immense. But what is quite clear is that our growing security and economic interests on the continent would suffer greatly should Africa find itself on the downward path.

□ 1445

If the U.S. Congress fails to pass this AGOA legislation before the third country fabric provisions expire in September, as we have heard today, if we fail to extend it for 3 years, we will be undoing much of the good that AGOA has done. Greater competition from China and other countries is coming soon, as apparel trading rules are set to change. Unless we act, this competition will surely wipe out much of Africa's young apparel industry and many African jobs that AGOA has created, and, frankly, it will wipe out much African hope. Already apparel orders for Africa are being canceled because of the uncertainty over Congress' action. We must act. Our credibility as a Nation that takes an interest in the world's poorest countries is on the line. Let us act and do our part to direct Africa away from a path of despair.

Mr. Speaker, I urge my colleagues to support H.R. 4103. I thank the gentleman from Michigan (Mr. LEVIN) and the other Members that have worked with the gentleman from California (Chairman THOMAS) to support this legislation.

Mr. LEVIN. Mr. Speaker, it is my pleasure to yield 5 minutes to the distinguished gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Speaker, I thank the gentleman from Michigan for his kindness of yielding me this time.

Mr. Speaker, regretfully, I rise to oppose H.R. 4103, the Africa Growth and Opportunity Acceleration Act of 2004. I am deeply concerned by the fact that this bill only deepens the discriminatory U.S. trade policies towards sub-Saharan African nations created by the original 2000 act, Public Law 106–200. It is indefensible, Mr. Speaker, that the Africa Growth and Opportunity Act has been and remains the only U.S. trade program under which countries must be annually certified as meeting an extensive list of unilateral, and, frankly,

counterproductive conditions before being granted benefits.

Other U.S. preferential trade programs with Andean countries, Caribbean and Central American nations contain a more limited set of conditions and nations are considered eligible throughout the term of the program unless action is taken to petition them out. The Africa Growth and Opportunity Act sets a double standard for Africa.

Some of the most outrageous conditional adversities of H.R. 4103 include, first, sub-Saharan African countries must pursue policies that are deemed to be in line with U.S. national security and foreign policy interests, even if those interests run contrary to U.S. national security or foreign policy interests in the interest of domestic security within their own nations. It does not mean that they are against U.S. national security interests, it simply means they have their own national security interests that must be concerned and paramount for their governments.

Second, a further undermining of sovereignty by insisting on liberalization and privatization policies, such as water privatization. Now, imagine that; the privatization of water in sub-Saharan Africa, where increasingly there are a number of droughts. Who would come up with the idea that privatization policies, such as water privatization, should be a priority in H.R. 4103? But it is in this legislation. The removal of state controls on foreign investments, price controls and subsidies.

Third, the unilateral requirement that U.S. investors doing business in African Growth and Opportunity countries must be granted national investor status.

Fourth, countries must provide full legal protection and enforcement for intellectual property rights, including the private ownership of African seeds and animal genetic materials.

H.R. 4103 ignores the most serious existing problems of the Africa Growth and Opportunity Act, which I opposed in 2000. I might add, Mr. Speaker, I was one of a handful of members of the Congressional Black Caucus that opposed the Africa Growth and Opportunity Act for these reasons. I might add that an overwhelming number of members of the Congressional Black Caucus, including the gentleman from New York (Mr. RANGEL) and the gentleman from Louisiana (Mr. JEFFERSON) and others, are supportive of AGOA.

This bill, however, continues to impose upon African nations a set of policies that have been proven to undermine development, but benefit U.S. multinational corporations and foreign investors, in exchange for meager market access benefits.

This bill in 2000 was sold to the American people as trade, not aid; a helping hand, but not a handout. But by eliminating these conditionalities and the annual review, I am convinced this is the only way to ensure equal treatment for our African trading partners, as we have sought to create equal treatment for Andean, Caribbean and Central American nations as well. Why the double standard for Africa? Why the annual recertification of African partners, if in fact we believe that these African nations are our genuine and honest partners?

If we are to attach any conditions to the Africa Growth and Opportunity Act Program, our interests, from my perspective, would far better be served by an insistence on better treatment for factory workers and stronger legal protections for union activities in these countries. If we genuinely expect trade to help lift people out of poverty, we cannot continue to burden these countries with rules and requirements that undermine development and leave workers powerless to fight the exploitation and abuse that is an integral part of the corporate race to the bottom.

For these reasons, Mr. Speaker, I respectfully cannot support H.R. 4103.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from Michigan for his leadership on trade issues, and I want to echo the words of the gentleman from Illinois (Mr. JACKSON) in his opposition to H.R. 4103.

H.R. 4103 represents another lost opportunity in terms of international trade, in terms of our dealings with Africa. We have failed Africa in this body on aid issues, we have failed Africa in this body on trade issues. This lost opportunity of H.R. 4103 is embodied in the fact that we could have lifted up standards for African workers and for American workers and for our trade agreements and trade relations. But what is embodied in H.R. 4103 runs through our entire trade policy.

The gentleman from Illinois (Mr. JACKSON) talked about loss of sovereignty in the developing world; that we have through various kinds of programs for all kinds of trade adjustments, all kinds of other issues, what has run through our programs is loss of sovereignty, the push to privatization in these countries. He mentioned privatization of their water system, that we have come in through structural adjustment and other programs, forcing cutting of health benefits, cutting of education benefits. We have lost opportunity in H.R. 4103 to allow and encourage and push in allowing unionization, allowing the ability to bargain collectively and to organize in the developing world.

Instead, we are, as the gentleman said, engaging in a corporate race to the bottom. We have done that with the North American Free Trade Agreement, we have done it with our trade agreements with Singapore and Chile. We did it 4 years ago with the first round of AGOA. We are doing it again today.

Instead, the gentleman from Illinois (Mr. JACKSON) introduced 4 years ago what would be a prototype on trade agreements, to lift up standards, to encourage unionization, to have international labor organization standards, to have environmental standards, to have food safety standards, to guarantee sovereignty, to move away from the kinds of privatization and undercutting sovereignty that we have too often done through structural adjustment and other methods in the developing world.

This H.R. 4103, the acceleration of AGOA, only hurts the developing world, only hurts U.S. workers. Ultimately it helps in the corporate race to the bottom, it helps add to corporate coffers, corporate profits. It does nothing for workers in Africa or in the United States.

Mr. THOMAS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE).

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

I was going to make the point that under AGOA, and there are 37 countries that have qualified for the African Growth and Opportunity Act, this act is supported in fact by all the governments of Africa. We have heard from their diplomatic corps. We have heard that increased trade from Africa as a result of this act, drastically increased trade, has been a win for Africa and has been a win for the United States.

But I did want to clarify one point. There have been no countries that have been dropped from this list because of water issues or questions about privatization of water, and there certainly have been no countries dropped because of intellectual property rights issues.

The one case of a country that was dropped from eligibility for AGOA is the case of Eritrea. In this particular instance, it goes to the issue of human rights, and human rights, because this is a unilateral trade preference granted these governments, there is an expectation that they will conform to worldwide, accepted practices.

Now, this is not just an issue with the United States; this is an issue worldwide. I would just take, for example, the case of Aster Yohannes, who was studying here in the United States. She went back to see her children in Eritrea and was arrested at the airport. Before making that trip, she checked with the ambassador from Eritrea, she was given assurances she could safely go back to her country. She checked with me and I talked with the ambassador, and in writing I was given this assurance. This is not just, as I say, an issue with the United States, these human rights abuses. They are worldwide, because the entire press corps has been arrested in Eritrea, the political opposition has been arrested.

So under these particular circumstances, it is not just the U.S., but the world community, that has launched a campaign to try to have

some reform in Eritrea, and this is why it is not on the list. I thought it would be good to take a moment to explain that, and also explain that it does not go to the issue of national security inside Eritrea, it goes to human rights.

The last point I just wanted to make is that many of these apparel jobs in Africa will otherwise go to China if we do not follow forward and extend AGOA, the provision for third country fabric in AGOA. I think all of the Members here understand how important this particular program of AGOA has been to the continent, and would like to move forward. So I urge passage of this legislation.

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

Mr. Speaker, very briefly, I am glad the gentleman from California (Mr. ROYCE) described the general structure of AGOA. I think that is sometimes lost. It operates within essentially the GSP system. So there are provisions and there are safeguards, as mentioned, relating to human rights, and the same is true if our country pursues them relating to core labor standards.

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

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

Mr. Speaker, I will place in the record a statement of administration policy. It starts, ''The administration strongly supports House passage of H.R. 4103.''

I would say to my colleague from Illinois and my colleague from Ohio, that I do not see on the floor, that this broad-based, bipartisan coalition is always open to having pointed out our inability to be as responsive to Africa as perhaps many would want. One of my responses back would be, notwithstanding all of the things that need to be done, this was a piece of legislation that languished for a long time.

To the degree that we can do better, we always want to focus on doing better. But with the underlying provisions expiring in September, what we need is momentum now, with an understanding that far more needs to be done. This is the start of a positive, cooperative, mutually beneficial relationship with a portion of Africa, here sub-Saharan Africa. It ought not to be the only legislation that we ever consider and that we need to work together to move forward.

□ 1500

But it is the only legislation available within the time frame prior to the expiration of the current legislation.

So I would tell my friend, the gentleman from Illinois, that I look forward to working with him on additional pieces of legislation, with the understanding that our goal is to be bipartisan and make law. What we cannot do in dealing with Africa is to be partisan and make statements. That has gone on far too long.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the African Growth and Opportunity Act, H.R. 4103 and am a co-sponsor of the legislation. The African Growth and Opportunity Act (AGOA) authorizes the President to provide duty-free treatment under the U.S. Generalized System of Preferences (GSP) for any article when imported from African countries if the United States Trade Representative (USTR) and the United States International Trade Commission (USITC) have determined that the article is not import sensitive with respect to imports from sub-Saharan African (SSA) countries.

On December 21, 2000, the President extended duty free treatment under GSP to AGOA-eligible countries for more than 1,800 tariff line items in addition to the standard GSP list of approximately 4,600 items available to non-AGOA GSP beneficiary countries. The duty-free treatment for the additional 1,800 products available to AGOA countries only, implemented after an extensive process of public comment and review, include such previously GSP-excluded items as footwear, luggage, handbags, watches, and flatware.

Currently, only a small number of countries receive substantial benefits, and Least Developed Countries (LDCs) that do not receive preferences for clothing have yet to see an impact of AGOA on their overall exports.

However, the benefits from exporting clothing under AGOA appear fragile in the face of the removal of quotas in the United States on major suppliers, such as China, at the end of 2004, and the planned removal of the liberal rules of origin that allow for the global sourcing of fabrics from least-cost locations.

While the general business climate has improved since the passage of AGOA, the steady growth in the petroleum and mining sectors probably would have occurred due to other market factors. Also, growth in these sectors produces relatively low direct benefits to Africa's poor. Currently, one third of Africa's population is undernourished and nearly half live on less than $1 a day. Most of the poor live in rural areas and depend largely on agriculture, which accounts for 35 percent of sub-Saharan Africa's gross domestic product, 40 percent of its exports, and 70 percent of its employment. Expanding AGOA's application to African agriculture would have a significant impact on reducing hunger and poverty, and therefore on improving overall conditions in sub-Saharan Africa. The International Food Policy Research Institute estimated that a 1 percent increase in agricultural productivity would raise the income of six million African people above $1 per day. A $1 increase in agricultural production generates about $2.32 in economic growth. Thus, expanding market access and lowering trade barriers for African agricultural products through AGOA will have the greatest impact, not only on the poorest people in SSA but also on national economies.

AGOA has laid a strong foundation for dialogue and partnership between U.S. and African governments and businesses. It fosters an environment that is stimulating new development and investments in SSA. The annual U.S.-Sub-Saharan Africa Trade and Economic Cooperation Forum, along with the parallel events sponsored by business and civil society groups, facilitate contacts and strengthen relationships. There is also an increased understanding within Africa of the complexities, challenges and opportunities of economic and political reform, which will enable African business to be more competitive in the global economy. Yet all of these accomplishments remain only the first steps toward what many hope will be a much fuller and more mutually beneficial trade and investment engagement between Africa and the United States.

Inclusion of textile products with appropriate labor and U.S. industry input, and a number of high-duty agricultural products would also help to broaden the range of opportunities for African exporters in the U.S. market.

Mr. Speaker, for the reasons above, I support the passage of this bill and urge my colleagues to do the same.

Mr. McDERMOTT. Mr. Speaker, Africa stands taller and prouder today. From Lesotho, to Nigeria, to Uganda, Sub-Saharan African nations joined together and spoke as one. Their voice was eloquent and urgent, and America listened.

Today, 400 million Africans live on less than a dollar a day. But there is great promise for the future. Today, HIV/AIDS claims millions of lives in Sub-Saharan Africa. But there is hope for the future.

Today, Sub-Saharan Africa looks inward to make the social, political and economic changes that will rekindle its pre-eminence on a great continent.

All that Africa is, all that Africa represents, has inspired and united the political parties in the House of Representatives.

Africa bridged America's political divide with a profound affirmation of its past and a persuasive optimism about its future.

For the first time in a long time, Democrats and Republicans in the People's House did not cross swords.

Instead, we locked arms and reached for something bigger than any one political leader or party.

Today, America spoke as one people-extending our hands, our hearts, ourselves, to the nations of Sub-Saharan Africa.

The winds of change are blowing across the Serengeti, and America has joined the voices of Africa's leaders.

By overwhelming passing AGOA, the House of Representatives has affirmed that Africa's Destiny is within Africa's reach.

The Trade opportunities AGOA provides will continue Sub-Sahara Africa's economic development.

Every new step taken to develop these economies is another stride toward self-sufficiency.

AGOA is a stride toward a better life for millions of African people.

AGOA is a blow to the spread of HIV/AIDS, a pandemic that threatens to rob Africa of its brightest promise—its people.

AGOA will expand trade which in turn will attract new capital and encourage the development of new infrastructure.

Roads bring goods to market and roads will bring visitors to Eco-tourism parks.

The majesty of a lion roaming free in Africa's great nature parks will be Africa's symbol of a great continent awakening.

The nobility, grace and dignity of a great nation distant land is closer to us today.

We should all be proud that the People's House reached across the ocean in friendship and joined Africa on its journey to reach its deserved destiny.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion

offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 4103, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4103, the bill just passed.

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

There was no objection.

## APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 97) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The Clerk read as follows:

H.J. RES. 97

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress approves the renewal of the import restrictions contained in section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, as a cosponsor of this bill, I support extending sanctions on Burma for an additional year within the framework enacted into law last year under the Burmese Freedom and Democracy Act.

Mr. Speaker, I generally do not believe in unilateral trade sanctions. They are often emotional responses to atrocious acts and have unintended consequences, oftentimes harming the people that we, in fact, were seeking to assist. For example, the State Department notes that the Burma import restrictions have caused 50,000 to 60,000 workers in Burma to lose their jobs. These people were not narrowly helped by the sanctions.

But, at the same time, the actions of the ruling junta in Burma continue to be unacceptable. I believe sanctions are appropriate if the circumstances are, 1, limited; 2, targeted; 3, reexamined yearly, and if we continuously analyze them to make sure they are not causing more harm than good. We must also examine the question of harm and good in short term and in long term.

The law passed last year requires the administration to issue a report on whether sanctions have been effective in improving conditions in Burma and furthering U.S. objectives. The State Department, in its first report, states that the sanctions represent ''a clear and powerful expression of American opposition to the developments in Burma over the past year.'' The Department observes that the overall human rights record in Burma has worsened over the past year. While the junta has made some apparently superficial efforts toward democracy with its ''road map,'' it does not appear that Burma is on the road to true, fundamental democratic reform.

The State Department's report, however, also notes that no other country has implemented the same set of economic sanctions as the United States; and the U.S. import ban would be, according to the report, ''far more effective'' if other countries would do the same.

So, Mr. Speaker, although I support the extension of the sanctions for 1 year, I strongly encourage this administration to pursue a more aggressive multilateral sanctions approach in Burma. That government must be truly isolated. It is vital that the administration work with other countries to reach multilateral sanctions. This effort is key if we are to continue sanctions against Burma.

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

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

Mr. Speaker, I rise in support of this legislation. I also believe that a more multilateral approach is in order. I also think as we discuss Burma, we should look at the experience that international bodies are having, including the ILO and the inability of the ILO, as it is presently structured, to proceed with any real teeth. I think that emphasizes why the United States, as we put forth and put together trade agreements, should incorporate into these trade agreements provisions that relate to the work, for example, of the ILO and core labor standards.

I support this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. LANTOS), the distinguished ranking member, and I ask unanimous consent that he control the balance of the time on this bill.

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

There was no objection.

Mr. LANTOS. Mr. Speaker, I rise in strong support of House Joint Resolution 97, and I yield myself such time as I may consume.

Mr. Speaker, I would first like to express my appreciation to my friend and fellow Californian, (Chairman BILL THOMAS), for his assistance in moving this legislation to the floor so expeditiously, and to my colleagues, the gentleman from New York (Mr. RANGEL) and the gentleman from Michigan (Mr. LEVIN), for their leadership on Burma and for granting me the privilege of managing this bill today for the Democratic side.

Mr. Speaker, a year ago, the Burmese regime launched a brutal crackdown on Burmese democratic leader Aung San Suu Kyi and other members of the National League for Democracy. Burma's authoritarian ruler simply could not accept the fact that Aung San Suu Kyi remained enormously popular a dozen years after the government nullified the fair and free elections that she won.

Just 10 months ago, Mr. Speaker, President Bush signed into law my bill imposing comprehensive sanctions on Burma. My legislation was approved by this House overwhelmingly, 418 ayes to 2 noes.

Sadly, the case for a tough approach toward Burma, including import sanctions, is even stronger today than a year ago. Countless National League for Democracy leaders remain behind bars. Aung San Suu Kyi, a woman of extraordinary courage, is locked inside her house and there is little prospect that the Burmese junta will engage in meaningful dialogue with the National League for Democracy and other democratic leaders.

In fact, Mr. Speaker, the Burmese regime is currently holding a ''national convention'' to write a new constitution for Burma. The meeting itself is a complete and utter sham. The Burmese leadership refused to let Aung San Suu Kyi participate, apparently afraid that her eloquent words would convince the delegates to move towards democracy and away from dictatorship.

For that reason, Mr. Speaker, I am pleased that the House is moving forward with this bipartisan initiative to renew Burma import sanctions. Burma's ruling elite, who have a questionable direct financial tie to most enterprises in Burma, must understand that they will be unable to enrich themselves off the American consumer.

To those who argue that the sanctions have not worked, I have two responses. First, when Congress imposed import sanctions on Burma, we fully understood that such measures might take years, if not decades, to bring change to Burma, certainly not 10 months. If 10 months were the standard duration for American import sanctions, South Africans would still be governed by the apartheid regime, and Libya would have developed and deployed nuclear weapons instead of surrendering them to the United States.

Second, the United States must make it a top priority to convince our key allies in Europe and in Asia to adopt import sanctions on the Burmese regime. Unfortunately, the executive branch has made little or no effort to accomplish this important task. If sanctions fail to quickly bring change

to Burma, it is not because they represent the wrong approach; it is because high-level administration officials have not picked up the phone to urge our European Union counterparts to adopt targeted import sanctions on Burma.

While we would all like to see a negotiated solution to Burma's political crisis, we cannot be naive enough to believe that Burma's leaders have changed their stripes. They have no intention of allowing Aung San Suu Kyi, a woman they tried to kill just a few months ago, to participate meaningfully in free and fair elections, let alone to transfer power to her political party.

If I am proven wrong, Mr. Speaker, and Burma's ruling thugs win the Noble Peace Prize in 2005 for working out an agreement with the opposition, we will have plenty of time to express our congratulations and to lift sanctions at that point. Until then, we must ratchet up pressure on the Burmese thugs who are running that country and assure that our allies do so as well.

Mr. Speaker, we all look forward to a day when we will welcome Aung San Suu Kyi to Washington as the leader of a free and democratic Burma. She will follow in the footsteps of Vaclav Havel of the Czech Republic and of all of the other leaders who fought for freedom in Central and Eastern Europe. But we will achieve that goal only by maintaining strong pressure on Burma's ruling dictatorial clique and convincing our allies to do so as well.

I strongly support this legislation, and I urge all of my colleagues to do so as well.

Mr. Speaker, I again want to thank the gentleman from California (Chairman THOMAS) for his extraordinary leadership on this issue, and I yield back the balance of my time.

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

I thank my colleague for the kind words. I too want to make sure that the record reflects that the gentleman from California (Mr. LANTOS) once again shows that his concern is in the forefront for peoples all over the world and simply for their ability, their right to express themselves.

I strongly urge passage of H.J. Res. 97.

Mr. LEACH. Mr. Speaker. I rise in support of H.J. Res. 97, a measure to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. At the outset, let me express my appreciation to the leadership of the distinguished Chairmen and Ranking Members of both the International Relations and Ways and Means Committees for moving this resolution on a timely basis.

On March 25, the Subcommittees on Asia held its third hearing in 2 years on developments in Burma. Unfortunately, it was made clear during the course of the hearing that Burma made little progress toward democratic reform in the past year, and in fact the country has yet to return to even the admittedly low, but hopeful status it had achieved prior to the May 30 attack on democracy activist Aung San Suu Kyi and other members of the National League for Democracy (NLD).

Indeed, as many suspected would be the case, Burmese Prime Minister Khin Nyunt's announcement of a seven-point "road map" for political reconciliation in the fall of 2003 has been revealed to be a sham. Burma's military junta, known as the State Peace and Development Council, has proceeded with a so-called National Convention despite the nonparticipation of the National League for Democracy (NLD), and without freeing the NLD's leader Aung San Suu Kyi. In so doing the Burmese military leadership has exposed for all to see its determination to push for a new constitution that would legitimize its dominance and control over the country's politics and governance, even under a future "civilian" administration.

As my colleagues understand, Burma presents one of the most complicated and vexing foreign policy challenges in Asia for the United States and the world community. Numerous political prisoners remain in detention, including one of the most remarkable and courageous leaders of our time, Aung San Suu Kyi. The issue is how can the U.S. best secure their release and help start a meaningful political dialogue in Burma, while also endeavoring to advance a panoply of other priorities, including stable democratic governance, human rights, counternarcotics, regional stability, combating the HIV/AIDS pandemic, as well as economic and human development more broadly.

In this context, it is self-evident that the U.S. is confronted by multiple dilemmas in pursuing our objectives in Burma. For illustrative purposes, I would note just a few: the strongly nationalistic, self-centered outlook of the ruling regime; the reliance by the military elite on an illicit, underground economy for power and survival; the inability of major industrial countries to agree on comprehensive sanctions as the basis for a common strategy; competition for geopolitical influence in Burma between China and India; and the ongoing humanitarian crisis for the people of Burma—including for the hundreds of thousands of internally displaced ethnic minority groups along the country's borders—that calls out for a more robust and humane international response.

Nevertheless, in response to repeated efforts by the ruling military to thwart the democratic aspirations of the Burmese people as well as to ongoing serious human rights violations, the U.S. has been compelled to utilize sanctions and coercive diplomacy as the centerpiece of our policy. Given the deeply disappointing lack of progress in Burma over the past year, there is no credible option at this time but to renew current sanctions.

Here it is critically important for Congress and the Administration to reaffirm our unflinching support for those who want freedom in Burma. We honor the leadership of Aung San Suu Kyi and her colleagues in the pro-democracy movement, including representatives of Burma's numerous ethnic minorities. The American people stand with the people of Burma in a common determination to see decent democratic governance and national reconciliation in Burma.

I urge support for the resolution.

Mr. SOUDER. Mr. Speaker, too often in this world, evil is not called evil. In our rush not to offend others or to avoid making judgments, speech is couched in euphemisms or soft tones. Evil is ignored or glossed over.

Last year, the United States saw evil in Burma. And last year, the United States had the courage and conviction to call evil by its name. Last year, the United States Congress and President Bush imposed harsh sanctions on the military dictatorship controlling Burma.

Some may say that the term evil is too harsh or that it is offensive, but in my estimation, there is no other word for what is happening right now in Burma. Men are routinely pressed into forced labor for the military. Women are raped and beaten. Countless children have been orphaned. Villages suspected of resistance are burned. Food is confiscated or destroyed. Hundreds of thousands of people are displaced in Burma and surrounding countries. And anyone can be thrown into prison at anytime for the slightest infraction or for no reason at all.

Last week, we heard a lot about freedom. We heard that millions of people are now living in freedom because the Cold War came to an end because of the unrelenting pressure Ronald Reagan brought to bear against the Soviet Union. It is easy to think that because the Cold War is over, freedom has completely triumphed. Sadly, that is not the case. Millions of people, including the people of Burma, still live under the lash of dictatorship.

In 2003, the Burmese Freedom and Democracy Act passed this House by a vote of 418–2. Four hundred eighteen Members recognized the junta's evil deeds and voted to isolate Burma from the outside world. This Congress and this Administration realize that putting pressure on the dictatorship will hasten its demise almost as certainly as did American pressure on the Soviet Union.

The United States was once nobly described as a shining city on a hill. Indeed, millions of people around the world look to the United States as a beacon of liberty. We must shine our light of freedom wherever freedom and justice are denied and wherever evil is present.

Today, we have the opportunity to send a message to the people of Burma and to the rest of the world. By extending the sanctions the United States imposed on Burma last year, we declare there is still evil in Burma, and it is unacceptable.

I urge all of my colleagues to vote "yes" on H.J. Res. 97.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the joint resolution, H.J. Res. 97.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. THOMAS. 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 House Joint Resolution 97.

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

There was no objection.

□ 1515

## STROKE TREATMENT AND ONGOING PREVENTION ACT

Mr. PICKERING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3658) to amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3658

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

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Stroke Treatment and Ongoing Prevention Act''.*

***SEC. 2. AMENDMENTS TO PUBLIC HEALTH SERVICE ACT REGARDING STROKE PROGRAMS.***

*(a) STROKE EDUCATION AND INFORMATION PROGRAMS.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following:*

***''PART R—STROKE EDUCATION, INFORMATION, AND DATA COLLECTION PROGRAMS***

***''SEC. 399AA. STROKE PREVENTION AND EDUCATION CAMPAIGN.***

*''(a) IN GENERAL.—The Secretary shall carry out an education and information campaign to promote stroke prevention and increase the number of stroke patients who seek immediate treatment.*

*''(b) AUTHORIZED ACTIVITIES.—In implementing the education and information campaign under subsection (a), the Secretary may—*

*''(1) make public service announcements about the warning signs of stroke and the importance of treating stroke as a medical emergency;*

*''(2) provide education regarding ways to prevent stroke and the effectiveness of stroke treatment; and*

*''(3) carry out other activities that the Secretary determines will promote prevention practices among the general public and increase the number of stroke patients who seek immediate care.*

*''(c) MEASUREMENTS.—In implementing the education and information campaign under subsection (a), the Secretary shall—*

*''(1) measure public awareness before the start of the campaign to provide baseline data that will be used to evaluate the effectiveness of the public awareness efforts;*

*''(2) establish quantitative benchmarks to measure the impact of the campaign over time; and*

*''(3) measure the impact of the campaign not less than once every 2 years or, if determined appropriate by the Secretary, at shorter intervals.*

*''(d) NO DUPLICATION OF EFFORT.—In carrying out this section, the Secretary shall avoid duplicating existing stroke education efforts by other Federal Government agencies.*

*''(e) CONSULTATION.—In carrying out this section, the Secretary may consult with organizations and individuals with expertise in stroke prevention, diagnosis, treatment, and rehabilitation.*

***''SEC. 399BB. PAUL COVERDELL NATIONAL ACUTE STROKE REGISTRY AND CLEARINGHOUSE.***

*''The Secretary, acting through the Centers for Disease Control and Prevention, shall maintain the Paul Coverdell National Acute Stroke Registry and Clearinghouse by—*

*''(1) continuing to develop and collect specific data points and appropriate benchmarks for analyzing care of acute stroke patients;*

*''(2) collecting, compiling, and disseminating information on the achievements of, and problems experienced by, State and local agencies and private entities in developing and implementing emergency medical systems and hospital-based quality of care interventions; and*

*''(3) carrying out any other activities the Secretary determines to be useful to maintain the Paul Coverdell National Acute Stroke Registry and Clearinghouse to reflect the latest advances in all forms of stroke care.*

***''SEC. 399CC. STROKE DEFINITION.***

*''For purposes of this part, the term 'stroke' means a 'brain attack' in which blood flow to the brain is interrupted or in which a blood vessel or aneurysm in the brain breaks or ruptures.*

***''SEC. 399DD. AUTHORIZATION OF APPROPRIATIONS.***

*''There is authorized to be appropriated to carry out this part $5,000,000 for each of fiscal years 2005 through 2009.''.*

*(b) EMERGENCY MEDICAL PROFESSIONAL DEVELOPMENT.—Section 1251 of the Public Health Service Act (42 U.S.C. 300d–51) is amended to read as follows:*

***''SEC. 1251. MEDICAL PROFESSIONAL DEVELOPMENT IN ADVANCED STROKE AND TRAUMATIC INJURY TREATMENT AND PREVENTION.***

*''(a) RESIDENCY AND OTHER PROFESSIONAL TRAINING.—The Secretary may make grants to public and nonprofit entities for the purpose of planning, developing, and enhancing approved residency training programs and other professional training for appropriate health professions in emergency medicine, including emergency medical services professionals, to improve stroke and traumatic injury prevention, diagnosis, treatment, and rehabilitation.*

*''(b) CONTINUING EDUCATION ON STROKE AND TRAUMATIC INJURY.—*

*''(1) GRANTS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to qualified entities for the development and implementation of education programs for appropriate health care professionals in the use of newly developed diagnostic approaches, technologies, and therapies for health professionals involved in the prevention, diagnosis, treatment, and rehabilitation of stroke or traumatic injury.*

*''(2) DISTRIBUTION OF GRANTS.—In awarding grants under this subsection, the Secretary shall give preference to qualified entities that will train health care professionals that serve areas with a significant incidence of stroke or traumatic injuries.*

*''(3) APPLICATION.—A qualified entity desiring a grant under this subsection shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities carried out with amounts received under the grant.*

*''(4) DEFINITIONS.—For purposes of this subsection:*

*''(A) The term 'qualified entity' means a consortium of public and private entities, such as universities, academic medical centers, hospitals, and emergency medical systems that are coordinating education activities among providers serving in a variety of medical settings.*

*''(B) The term 'stroke' means a 'brain attack' in which blood flow to the brain is interrupted or in which a blood vessel or aneurysm in the brain breaks or ruptures.*

*''(c) REPORT.—Not later than 1 year after the allocation of grants under this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of activities carried out with amounts received under this section.*

*''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,000,000 for each of fiscal years 2005 through 2009. The Secretary shall equitably allocate the funds authorized to be appropriated under this section between efforts to address stroke and efforts to address traumatic injury.''.*

***SEC. 3. PILOT PROJECT ON TELEHEALTH STROKE TREATMENT.***

*(a) ESTABLISHMENT.—Part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by inserting after section 330L the following:*

***''SEC. 330M. TELEHEALTH STROKE TREATMENT GRANT PROGRAM.***

*''(a) GRANTS.—The Secretary may make grants to States, and to consortia of public and private entities located in any State that is not a grantee under this section, to conduct a 5-year pilot project over the period of fiscal years 2005 through 2009 to improve stroke patient outcomes by coordinating health care delivery through telehealth networks.*

*''(b) ADMINISTRATION.—The Secretary shall administer this section through the Director of the Office for the Advancement of Telehealth.*

*''(c) CONSULTATION.—In carrying out this section, for the purpose of better coordinating program activities, the Secretary shall consult with—*

*''(1) officials responsible for other Federal programs involving stroke research and care, including such programs established by the Stroke Treatment and Ongoing Prevention Act; and*

*''(2) organizations and individuals with expertise in stroke prevention, diagnosis, treatment, and rehabilitation.*

*''(d) USE OF FUNDS.—*

*''(1) IN GENERAL.—The Secretary may not make a grant to a State or a consortium under this section unless the State or consortium agrees to use the grant for the purpose of—*

*''(A) identifying entities with expertise in the delivery of high-quality stroke prevention, diagnosis, treatment, and rehabilitation;*

*''(B) working with those entities to establish or improve telehealth networks to provide stroke treatment assistance and resources to health care professionals, hospitals, and other individuals and entities that serve stroke patients;*

*''(C) informing emergency medical systems of the location of entities identified under subparagraph (A) to facilitate the appropriate transport of individuals with stroke symptoms;*

*''(D) establishing networks to coordinate collaborative activities for stroke prevention, diagnosis, treatment, and rehabilitation;*

*''(E) improving access to high-quality stroke care, especially for populations with a shortage of stroke care specialists and populations with a high incidence of stroke; and*

*''(F) conducting ongoing performance and quality evaluations to identify collaborative activities that improve clinical outcomes for stroke patients.*

*''(2) ESTABLISHMENT OF CONSORTIUM.—The Secretary may not make a grant to a State under this section unless the State agrees to establish a consortium of public and private entities, including universities and academic medical centers, to carry out the activities described in paragraph (1).*

*''(3) PROHIBITION.—The Secretary may not make a grant under this section to a State that has an existing telehealth network that is or may be used for improving stroke prevention, diagnosis, treatment, and rehabilitation, or to a*

*consortium located in such a State, unless the State or consortium agrees that—*

*''(A) the State or consortium will use an existing telehealth network to achieve the purpose of the grant; and*

*''(B) the State or consortium will not establish a separate network for such purpose.*

*''(e) PRIORITY.—In selecting grant recipients under this section, the Secretary shall give priority to any applicant that submits a plan demonstrating how the applicant, and where applicable the members of the consortium described in subsection (d)(2), will use the grant to improve access to high-quality stroke care for populations with shortages of stroke-care specialists and populations with a high incidence of stroke.*

*''(f) GRANT PERIOD.—The Secretary may not award a grant to a State or a consortium under this section for any period that—*

*''(1) is greater than 3 years; or*

*''(2) extends beyond the end of fiscal year 2009.*

*''(g) RESTRICTION ON NUMBER OF GRANTS.—In carrying out the 5-year pilot project under this section, the Secretary may not award more than 7 grants.*

*''(h) APPLICATION.—To seek a grant under this section, a State or a consortium of public and private entities shall submit an application to the Secretary in such form, in such manner, and containing such information as the Secretary may require. At a minimum, the Secretary shall require each such application to outline how the State or consortium will establish baseline measures and benchmarks to evaluate program outcomes.*

*''(i) DEFINITION.—In this section, the term 'stroke' means a 'brain attack' in which blood flow to the brain is interrupted or in which a blood vessel or aneurysm in the brain breaks or ruptures.*

*''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2005, $13,000,000 for fiscal year 2006, $15,000,000 for fiscal year 2007, $8,000,000 for fiscal year 2008, and $4,000,000 for fiscal year 2009.''.*

*(b) STUDY; REPORTS.—*

*(1) FINAL REPORT.—Not later than March 31, 2010, the Secretary of Health and Human Services shall conduct a study of the results of the telehealth stroke treatment grant program under section 330M of the Public Health Service Act (added by subsection (a)) and submit to the Congress a report on such results that includes the following:*

*(A) An evaluation of the grant program outcomes, including quantitative analysis of baseline and benchmark measures.*

*(B) Recommendations on how to promote stroke networks in ways that improve access to clinical care in rural and urban areas and reduce the incidence of stroke and the debilitating and costly complications resulting from stroke.*

*(C) Recommendations on whether similar telehealth grant programs could be used to improve patient outcomes in other public health areas.*

*(2) INTERIM REPORTS.—The Secretary of Health and Human Services may provide interim reports to the Congress on the telehealth stroke treatment grant program under section 330M of the Public Health Service Act (added by subsection (a)) at such intervals as the Secretary determines to be appropriate.*

***SEC. 4. RULE OF CONSTRUCTION.***

*Nothing in this Act shall be construed to authorize the Secretary of Health and Human Services to establish Federal standards for the treatment of patients or the licensure of health care professionals.*

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Mississippi (Mr. PICKERING) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. PICKERING).

GENERAL LEAVE

Mr. PICKERING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

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

As one of the sponsors of this bill and serving on the Committee on Energy and Commerce, I would like to begin by commending all those who have worked to bring this legislation to the House floor. I would like to extend a special thanks to my colleague and sponsor, the gentlewoman from California (Mrs. CAPPS), as well as Committee on Energy and Commerce Chairman, the gentleman from Texas (Mr. BARTON); subcommittee chairman, the gentleman from Florida (Mr. BILIRAKIS); subcommittee ranking member, the gentleman from Ohio (Mr. BROWN), and committee staff for their tireless efforts to move this important legislation.

As a personal point of privilege, I would like to commend my staff Mary Mills Lane and before her Jason Dedwylder for their long and good work on this legislation.

Despite significant advances in the diagnosis, treatment and prevention, stroke remains the Nation's No. 3 killer and a leading cause of long-term disability. According to the American Heart Association, on the average every 45 seconds someone in the United States has a stroke. Every year 700,000 Americans suffer a stroke, and 164,000 lose their lives. My home State of Mississippi ranks seventh highest in terms of death rates from stroke. Approximately 2,000 individuals in Mississippi alone lost their lives to stroke in 2000.

Not only are individuals losing their lives, but today 4.7 million Americans are stroke survivors, and as many as 30 percent are permanently disabled, requiring extensive and costly care. It is expected that strokes will cost the Nation $53.6 billion in 2004, including $33 billion in direct costs and $20.6 billion in indirect costs.

Prompt treatment of patients experiencing stroke can save lives and reduce disability, yet thousands of stroke patients do not receive the care they need.

Additionally, most Americans cannot identify the signs of stroke, and even emergency medical technicians are often not taught how to recognize and manage the symptoms. Even in hospitals, stroke patients often do not receive the care that could save their lives.

The STOP Stroke Act is the first step to removing these barriers to quality stroke care in order to save lives and reduce disability.

This legislation addresses a number of significant barriers to quality stroke care, including low public awareness, lack of necessary infrastructure, low awareness among medical professionals and a lack of adequate data collection.

This bill authorizes a national public information campaign to educate the public about stroke, how to reduce risk, recognize the warning signs and seek emergency treatment as soon as symptoms occur.

This legislation also authorizes the Paul Coverdell Stroke Registry and Clearinghouse to collect data about the care of acute stroke patients and foster the development of effective stroke care systems.

The clearinghouse will serve as a resource for States seeking to design and implement their own stroke care. It will help build systems to collect, analyze and disseminate information and will build on the efforts of other communities to establish similar systems.

The STOP Stroke Act will provide grants for public and nonprofit entities to develop and implement continuing education programs and the use of new diagnostic approaches, technologies and therapies for the prevention and treatment of stroke.

Finally, this bill authorizes a telehealth stroke treatment pilot project to support States' efforts to develop comprehensive networks to improve stroke prevention, treatment and rehabilitation. These grants will allow States to identify stroke centers, improve communications networks that bring stroke care to rural areas and decrease response time.

The time has come for a bill to stop the incidences, the high rates of stroke. This bill is past due. We are in a situation where stroke rates are on the rise, and we must now act to address the issues that are going to help us match resources with the growing need to prevent and treat this devastating illness.

I look forward to working with my colleagues in the Senate to properly move similar legislation that previously passed by unanimous consent in the last Congress. I urge my House colleagues to vote for this bill.

And as a point of personal privilege, I want to commend all of this work, my own work, to the memory of my grandparents, my mama and papa, my papa suffered from a stroke, and all those family members all across this country who have lost someone to a stroke and have watched their family care and love those who have been affected. I hope that this can help provide the resources and the information as all the country comes together to help those, first to prevent stroke and to care for those who have been the victims of stroke.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to myself.

Mr. Speaker, I want to begin by thanking my colleagues, the gentlewoman from California (Mrs. CAPPS),

who is a registered nurse and who has been a leader in this body in health care, and the gentleman from Mississippi (Mr. PICKERING). Because of their leadership, we have the opportunity to pass legislation today that can prevent disability and save lives.

I would like to commend majority counsel Cheryl Jaeger for her good work and minority counsel John Ford for his good work on this bill.

Stroke, as we know, is the third leading cause of death in this country and a major cause of severe, long-term disability. Though stroke affects all kinds of Americans, stroke death rates are substantially higher for African Americans. An effective response to stroke, therefore, is an important opportunity to address the troubling health disparities that we see in this country all too often. In all, about 700,000 Americans will have a stroke this year. That is one every 45 seconds. A stroke will kill one American every 3 minutes.

Perhaps the most disheartening fact, however, is that this suffering is largely preventable. Early detection drastically reduces the harm from stroke. The risk of paralysis and other disabilities is reduced by 30 percent if stroke victims are detected within the first 3 hours. Unfortunately, only 10 percent of stroke victims are treated in this time period in part because only one of five Americans can readily identify the symptoms of a stroke.

In a health care symptom as sophisticated as ours, as high tech as ours, this is certainly simply not acceptable. The Stroke Treatment and Ongoing Protection Act will provide the public with the information necessary to recognize early signs of stroke and drastically reduce the chance of disability or death. The bill will educate medical personnel to help them improve their diagnosis and treatment of stroke victims, and it will help States develop a network to improve stroke prevention and treatment and rehabilitation.

EMTs, doctors and nurses have helped close to 5 million people survive a stroke. A strong network of advocates led by the American Heart Association has helped millions more take the steps necessary to reduce their risk of having a stroke. The Stroke Treatment and Ongoing Prevention Act would strengthen these efforts and help us fight this debilitating and deadly disease.

I urge my colleagues to support this important bill.

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

Mr. PICKERING. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. BURNS).

Mr. BURNS. Mr. Speaker, I rise today in support of H.R. 3658, the Stroke Treatment and Ongoing Prevention Act of 2004. Thousands of American families have had their lives touched by the tragedy of stroke. In July of 2000, the entire State of Georgia was affected when we lost our senior Senator John Coverdell.

According to the American Heart Association, another American experiences a stroke every 45 seconds. Every 45 seconds another American faces the possibility of mental impairment, paralysis or death. The STOP Stroke Act will establish a campaign to teach Americans about the risk and signs of stroke so that more incidents may be prevented and so that more victims may receive important and timely care. This bill also recognizes the importance of our research community and directs the Secretary of Health and Human Services to assist them in their work by maintaining the Paul Coverdell National Acute Registry and Clearinghouse with information and statistics useful to both research and caregivers.

Mr. Speaker, I am pleased to offer my support for H.R. 3658 and I look forward to casting my vote in favor of this legislation and of the stroke victims both in Georgia and throughout the United States.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) for yielding me time.

Mr. Speaker, it is important that the House of Representatives is considering the Stroke Treatment and Ongoing Prevention Act, or STOP Stroke Act, today. As my colleague from Mississippi has just said, this bill is past due and it is time for us to act today.

Right now stroke is the number three killer in the United States and it is one of the major causes of serious disability. Each year more than 700,000 Americans suffer from a stroke, as has been said, and 170,000 people die from a stroke every year.

Of national significance, nearly 4½ million Americans are stroke survivors today, at tremendous cost personally to families, to all of us. And as has been said, this is a very personal story. Whether it is Senator Coverdell or my father-in-law, each of us is involved in the story of stroke. But what makes this so heartbreaking is the fact that many of these deaths and disabilities can be prevented with the treatments available today.

As cochair of the Congressional Heart and Stroke Coalition, it is our goal to improve that disparity. If a stroke victim can get quick treatment within 2 to 3 hours of the onset of symptoms lives can be saved and many disabilities can be avoided or curtailed. But fewer than 3 percent of stroke patients now receive the state of the art medication, and only one in 10 stroke patients are monitored by a neurologist. Sadly and tragically, most Americans cannot today identify the signs of strokes, and many emergency room technicians are not trained to recognize and manage its symptoms. That is why I am proud to introduce the Stroke Treatment and Ongoing Prevention Act, or STOP Stroke Act, and I am so pleased to work with my colleague, the gentleman from Mississippi (Mr. PICKERING).

I am very proud also to be associated with the work of Senator COCHRAN, Senator FRIST and Senator KENNEDY on this important legislation. The bill creates a stroke prevention and education campaign. This campaign, much needed, will be a national multi-media awareness effort to promote stroke prevention and encourage stroke patients to seek immediate treatment. We will also establish the Paul Coverdell Stroke Registry and Clearinghouse in the law, and this program will collect data about care for stroke patients and foster the development of effective stroke care systems, streamlining the response time and the response efforts.

The bill provides for medical professional development to make sure our health care providers are up to date on the newest and best treatments and technologies.

And finally, the STOP Stroke Act creates a pilot program to provide grants for Statewide stroke care systems, so that States can develop and implement stroke prevention, treatment and rehabilitation systems. The various States then would be able to use these resources to improve telehealth programs, train emergency medical services personnel, identify stroke care, treatment, and rehabilitation centers and create a system to set standards of care for stroke patients and develop and evaluate their stroke care systems.

Passing this bill will be a great step forward for stroke care in this country. It has the potential to help millions of Americans avoid stroke and/or better cope with its effects. It is a good example of what bipartisan negotiation and compromise can accomplish.

I want to take a moment to thank the gentleman from Mississippi (Mr. PICKERING) for this leadership on this issue. He and his staff have been strong partners in this effort. I want to thank the gentleman from Texas (Mr. BARTON) for his early support, as well as the former chairman, the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Florida (Mr. BILIRAKIS) and the ranking members, the gentleman from Michigan (Mr. DINGELL) and the gentleman from Ohio (Mr. BROWN) for all their efforts on this bill's behalf.

I make a point of thanking our counsel Cheryl Jaeger on the gentleman from Texas' (Mr. BARTON) staff and counsel John Ford on the gentleman from Michigan's (Mr. DINGELL) staff, and my own staff member Jeremy Sharp for the many hours of work put into this effort.

It is very important I believe to thank the American Heart Association, the American Stroke Association and the many members of the STOP Stroke Act Coalition for their efforts to get this passed. The members are as follows:

American Academy of Neurology
American Academy of Physical Medicine and Rehabilitation

American Association of Neurological Surgeons
American College of Chest Physicians
American College of Emergency Physicians
American College of Preventive Medicine
American College of Radiology
American Heart Association/American Stroke Association
American Occupational Therapy Association
American Physical Therapy Association
American Society of Interventional and Therapeutic Neuroradiology
American Society of Neuroradiology
Association of American Medical Colleges
Associaiton of State and Territorial Chronic Disease Program Directors
Association of State and Territorial Directors of Health
Promotion and Public Health Education
Boston Scientific
Brain Injury Association, Inc.
Congres of Neurological Surgeons
Emergency Nurses Association
Genentech, Inc.
Johnson & Johnson
National Association of Public Hospitals and Health Systems
National Stroke Association
North American Society of Pacing and Electrophysiology
Partnership for Prevention
Society of Cardiovascular and Interventional Radiology
Stroke Belt Consortium

It underscores for us all that there is cooperation within the constituency of health care providers and now it is time for us to become partners in this effort.

I urge my colleagues to pass this bill and move this process forward.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 3658, the "Stroke Treatment and Ongoing Prevention Act." Stroke is the third leading cause of death in America and is a major contributor to long-term disability. Timely diagnosis and treatment of strokes is crucial. Outcomes forthose who receive care within the first few hours of a stroke at facilities with highly trained health care professionals are dramatically improved over those who receive treatment later. According to the American Heart Association, approximately 700,000 Americans suffer from stroke each year and 170,000 die from stroke.

This bill will help reduce premature death and disability from stroke in several ways. First, H.R. 3658 will authorize stroke prevention and treatment education and information programs for the public and health professionals. Second, this bill strengthens and improves the Paul Coverdell National Acute Registry and Clearinghouse, an important source of information on sroke incidence and outcomes. Third, H.R. 3658 authories grants for residence training programs and appropriate training of other health professions in emergency medicine to improve stroke and traumatic injury prevention, diagnosis, treatment, and rehabilitation. Finally, this bill establishes a five-year pilot project aimed at improving stroke patient outcomes by coordinating health care delivery through telehealth networks.

Mr. Speaker, I want to thank my distinguished colleagues, Chairman BARTON, Chairman BILIRAKIS, and Subcommittee on Health Ranking Member BROWN for their leadership on this matter. I particularly want to thank Representative CAPPS for her hard work and dedication to the issue of stroke prevention and treatment. Representative CAPPS has once again demonstrated her effectiveness and tireless effort on behalf of the health of our nation. She is a thoughtful legislator and skillful negotiator and I give her much of the credit for making today possible.

I urge all of my colleagues to support this bill.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Mississippi (Mr. PICKERING) that the House suspend the rules and pass the bill, H.R. 3658, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1530

## EXPRESSING SENSE OF CONGRESS WITH RESPECT TO NEED TO PROVIDE PROSTATE CANCER PATIENTS WITH MEANINGFUL ACCESS TO INFORMATION ON TREATMENT OPTIONS

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 669) expressing the sense of Congress with respect to the need to provide prostate cancer patients with meaningful access to information on treatment options, and for other purposes.

The Clerk read as follows:

H. RES. 669

Whereas, in 2004, it is estimated that approximately 230,000 new cases of prostate cancer will be diagnosed in the United States, and nearly 30,000 men in the United States will die from prostate cancer;

Whereas prostate cancer is the second leading cause of cancer death in men in the United States;

Whereas over $4,700,000,000 is spent annually in the United States in direct treatment costs for prostate cancer;

Whereas African American men are diagnosed with and die from prostate cancer more frequently than men of other ethnic backgrounds;

Whereas increased education among health care providers and patients regarding the need for prostate cancer screening tests has resulted in the diagnosis of approximately 86 percent of prostate cancer patients before the cancerous cells have spread appreciably beyond the prostate gland, thereby enhancing the odds of successful treatment;

Whereas the potential complication rates for significant side effects vary among the most common forms of treatment for prostate cancer;

Whereas prostate cancer often strikes elderly people in the United States, highlighting the importance of balancing the potential benefits and risks of various treatments on an individual basis; and

Whereas Congress as a whole, and Members of Congress as individuals, are in unique positions to support the fight against prostate cancer, to help raise public awareness about the need to make screening tests available to all people at risk for prostate cancer, and to provide prostate cancer patients with adequate information to assess the relative benefits and risks of treatment options: Now, therefore, be it

*Resolved,* That it is the sense of the House of Representatives that—

(1) national and community organizations and health care providers have played a commendable role in supplying information concerning the importance of screening for prostate cancer and the treatment options for patients with prostate cancer; and

(2) the Federal Government and the States should ensure that health care providers supply prostate cancer patients with appropriate information and any other tools necessary for prostate cancer patients to receive readily understandable descriptions of the advantages, disadvantages, benefits, and risks of all medically efficacious treatments for prostate cancer, including brachytherapy, hormonal treatments, external beam radiation, chemotherapy, surgery, and watchful waiting.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. DEAL).

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 669.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

As we celebrate the 10th anniversary this week of the National Men's Health Week, few topics are more germane than prostate cancer.

This year, 2004, the American Cancer Society estimates that approximately 230,000 new cases of prostate cancer will be diagnosed in our country and that nearly 30,000 men in this country will die from prostate cancer. It is, in fact, the second leading cause of cancer death in men in the United States.

About 16 percent of American men will be diagnosed with prostate cancer during their lifetime, 8 percent will develop significant symptoms, and 3 percent will die of the disease. Over $4.7 billion is spent annually in the United States in direct treatment costs for prostate cancer. African American men are diagnosed with and die from prostate cancer more frequently than men of other ethnic backgrounds.

Increased education among health care providers and patients regarding the need for prostate cancer screening tests has resulted in the diagnosis of approximately 86 percent of prostate cancer patients before the cancerous cells have spread appreciably beyond the prostrate gland, thereby enhancing the odds of successful treatment.

The potential complication rates for significant side effects vary among the most common form of treatment for

prostate cancer, however. It is a disease that strikes elderly people in the United States, which also highlights the importance of balancing the potential benefits and risks of various treatments on an individual basis.

Congress as a whole, and Members of Congress as individuals, are in unique positions to support the fight against prostate cancer to help raise public awareness about the need to make screening tests available to all people at risk and to provide prostate cancer patients with adequate information to assess the relative benefits and risks of their treatment options.

This resolution does several things. First of all, it recognizes that national and community organizations and health care providers have played a commendable role in supplying information concerning the importance of screening prostate cancer and the treatment options for patients with prostate cancer; and the Federal Government and States should ensure that health care providers supply prostate cancer patients with appropriate information and any other tools necessary for them to receive readily understandable descriptions of the advantages, disadvantages, benefits, and risks of all medically efficacious treatments for prostate cancer, including brachytherapy, hormonal treatments, external beam radiation, chemotherapy, surgery and, in some cases, simply watchful waiting.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 3 minutes.

I would like to commend my colleague, the gentleman from Georgia (Mr. DEAL), and my colleague, the gentleman from New York (Mr. TOWNS), and other Members who helped put this resolution together.

One in six American men will develop prostate cancer in their lifetimes, one in six. Only skin cancer is more prevalent in our population. Approximately 30,000 men will die from prostate cancer this year. Early detection can obviously reduce that number. In fact, early detection is crucial in raising awareness about this disease as the best way to promote regular testing.

A friend of mine in Columbus recently learned that lesson. He had a regular test, early detection, successful surgery and back to his normal active life.

This resolution says Congress can play a unique role in raising public awareness about prostate cancer. We can and we should. There have been exciting developments recently in prostate cancer prevention. A class of drugs called statins hold promise for keeping this form of cancer at bay.

Each year, I join the gentleman from New York (Mr. KING), my friend, on a letter signed by many Members on both sides of the aisle urging the Committee on Appropriations to provide ample funding for prostate cancer research. That is one piece of the puzzle; public awareness is the other.

We have a ready tool in the fight against prostate cancer. That tool is information.

I urge my colleagues on both sides of the aisle to support this resolution and continue to help get the word out.

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

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Georgia (Mr. BURNS), my colleague.

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

Mr. Speaker, I rise today in support of H. Res. 669 and the families and victims of prostate cancer throughout our Nation.

Almost 30,000 Americans died of prostate cancer last year; and Mr. Speaker, that is far too many families who are left behind, losing the company of their loved ones. When it is identified early, like many cancers, prostate cancer can be treated and treated effectively. That is why it is crucial for all Americans to receive periodic screenings.

None of us are in a hurry to leave this world. Our time with our children and grandchildren is precious, and we should all protect ourselves in every manner possible. Our health care providers in America are performing an important service by advocating periodic screenings for this deadly disease.

I am proud to join my colleague, the gentleman from Georgia (Mr. DEAL), and to offer my thanks to these men and women, as well as those who assist all Americans, in recognizing the challenges of prostate cancer. As a Congress, we must pass this resolution to reaffirm Congress' commitment to supporting their efforts.

Mr. BROWN of Ohio. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

There are many who have played an important role in making the public aware of the ability to treat and to deal with prostate cancer. One of those is a constituent of mine, Theragenix, that is located in my district, manufacturer of a seed that is used in brachytherapy. They, along with many other organizations who provide other treatments, have been very instrumental in passing this resolution to the floor today to get it available to the public for information and also to ensure that adequate reimbursements are made to the providers so that when a treatment is selected by a patient and by a physician that adequate reimbursement will be made to make that treatment available.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 669.

The question was taken.

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

Mr. DEAL of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

## PROVIDING FOR ESTABLISHMENT OF HEADQUARTERS FOR DEPARTMENT OF HOMELAND SECURITY

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4322) to provide for the establishment of the headquarters for the Department of Homeland Security in the District of Columbia, to require the transfer of administrative jurisdiction over the Nebraska Avenue Naval Complex in the District of Columbia to serve as the location for the headquarters, to facilitate the acquisition by the Department of the Navy of suitable replacement facilities, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4322

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

**SECTION 1. TRANSFER OF NEBRASKA AVENUE NAVAL COMPLEX, DISTRICT OF COLUMBIA.**

(a) TRANSFER REQUIRED.—Except as provided in subsection (b), the Secretary of the Navy shall transfer the parcel of Department of the Navy real property in the District of Columbia known as the Nebraska Avenue Complex to the jurisdiction, custody, and control of the Administrator of General Services for the purpose of permitting the Administrator to use the Complex to accommodate the Department of Homeland Security. The Complex shall be transferred in its existing condition.

(b) AUTHORITY TO RETAIN MILITARY FAMILY HOUSING.—At the option of the Secretary of the Navy, the Secretary may retain jurisdiction, custody, and control over that portion of the Complex that, as of the date of the enactment of this Act, is being used to provide Navy family housing.

(c) TIME FOR TRANSFER AND RELOCATION OF NAVY ACTIVITIES.—Not later than nine months after the date of the enactment of this Act, the Secretary of the Navy shall—

(1) complete the transfer of the Complex to the Administrator of General Services under subsection (a); and

(2) relocate Department of the Navy activities at the Complex to other locations.

(d) PAYMENT OF INITIAL RELOCATION COSTS.—

(1) PAYMENT RESPONSIBILITY.—Subject to the availability of appropriations for this purpose, the Secretary of the Department of Homeland Security shall be responsible for the payment of—

(A) all reasonable costs, including costs to move furnishings and equipment, related to the initial relocation of Department of the Navy activities from the Nebraska Avenue Complex; and

(B) all reasonable costs incident to the initial occupancy by such activities of interim leased space, including rental costs for the first year.

(2) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out paragraph (1),

there is authorized to be appropriated to the Department of Homeland Security such sums as may be necessary for fiscal years 2005 through 2007.

(e) PAYMENT OF LONG-TERM RELOCATION COSTS.—

(1) SENSE OF CONGRESS REGARDING PAYMENT.—It is the sense of the Congress that the Secretary of the Navy should receive, from Federal agencies other than the Department of Defense, funds authorized and appropriated for the purpose of covering all reasonable costs, not paid under subsection (d), that are incurred or will be incurred by the Secretary to permanently relocate Department of the Navy activities from the Complex under subsection (c)(2).

(2) SUBMISSION OF COST ESTIMATES.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Director of the Office of Management and Budget and the Congress an initial estimate of the amounts that will be necessary to cover the costs to permanently relocate Department of the Navy activities from the portion of the Complex to be transferred under subsection (a). The Secretary shall include in the estimate anticipated land acquisition and construction costs. The Secretary shall revise the estimate as necessary whenever information regarding the actual costs for the relocation is obtained.

(f) TREATMENT OF FUNDS.—(1) Funds received by the Secretary of the Navy, from sources outside the Department of Defense, to relocate Department of the Navy activities from the Complex shall be used to pay the costs incurred by the Secretary to permanently relocate Department of the Navy activities from the Complex. A military construction project carried out using such funds is deemed to be an authorized military construction project for purposes of section 2802 of title 10, United States Code. Section 2822 of such title shall continue to apply to any military family housing unit proposed to be constructed or acquired using such funds.

(2) When a decision is made to carry out a military construction project using such funds, the Secretary of the Navy shall notify Congress in writing of that decision, including the justification for the project and the current estimate of the cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by Congress or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

(g) EFFECT OF FAILURE TO RECEIVE SUFFICIENT FUNDS FOR RELOCATION COSTS.—

(1) CONGRESSIONAL NOTIFICATION.—At the end of the five-year period beginning on the date on which the transfer of the Complex is to be completed under subsection (c)(1), the Secretary of the Navy shall submit to Congress a report—

(A) specifying the total amount needed to cover both the initial and permanent costs of relocating Department of the Navy activities from the portion of the Complex transferred under subsection (a);

(B) specifying the total amount of the initial relocation costs paid by the Secretary of the Department of Homeland Security under subsection (d); and

(C) specifying the total amount of appropriated funds received by the Secretary of the Navy, from sources outside the Department of Defense, to cover the permanent relocation costs.

(2) ROLE OF OMB.—The Secretary of the Navy shall obtain the assistance and concurrence of the Director of the Office of Management and Budget in determining the total amount needed to cover both the initial and permanent costs of relocating Department of the Navy activities from the portion of the Complex transferred under subsection (a), as required by paragraph (1)(A).

(3) CERTIFICATION REGARDING RELOCATION COSTS.—Not later than 30 days after the date on which the report under paragraph (1) is required to be submitted to Congress, the President shall certify to Congress whether the amounts specified in the report pursuant to subparagraphs (B) and (C) of such paragraph are sufficient to cover both the initial and permanent costs of relocating Department of the Navy activities from the portion of the Complex transferred under subsection (a). The President shall make this certification only after consultation with the Chairmen and ranking minority members of the Committee on Armed Services and the Committee on Appropriations of the House of Representatives and the Chairmen and ranking minority members of the Committee on Armed Services and the Committee on Appropriations of the Senate.

(4) RESTORATION OF COMPLEX TO NAVY.—If the President certifies under paragraph (3) that amounts referred to in subparagraphs (B) and (C) of paragraph (1) are insufficient to cover Navy relocation costs, the Administrator of General Services, at the request of the Secretary of the Navy, shall restore the Complex to the jurisdiction, custody, and control of the Secretary of the Navy.

(5) NAVY SALE OF COMPLEX.—If the Complex is restored to the Secretary of the Navy, the Secretary shall convey the Complex by competitive sale. Amounts received by the United States as consideration from any sale under this paragraph shall be deposited in the special account in the Treasury established pursuant to paragraph (5) of section 572(b) of title 40, United States Code, and shall be available for use as provided in subparagraph (B)(i) of such paragraph.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4322, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this March the Department of Homeland Security celebrated its first anniversary in its short existence. DHS has been a leader in the effort to secure America, prevent and deter terrorist attacks, and protect against and respond to threats against the Nation.

While DHS has successfully integrated 22 government agencies into the homeland security mission, it still does not have a centralized headquarters location. The longer that DHS operates without such a centralized location, the longer it will be handicapped by the challenges of running an organization whose parts are scattered throughout the region.

H.R. 4322 addresses this shortcoming by authorizing the Department of the Navy to transfer jurisdiction, custody, and control over more than 30 acres in northwest Washington, known as the Nebraska Avenue Complex, to the General Services Administration. This property will be used as the Department of Homeland Security headquarters.

This bill was crafted at the request of the administration and is cosponsored by the gentleman from California (Mr. COX), the chairman of the Select Committee on Homeland Security. The House Committee on Armed Services reported the base text of this bill without objection on a voice vote.

The amended version before the House today contains a number of technical changes to the bill reported by the committee, most notably the addition of ''custody and control'' to the transfer language, but the substance of the bill remains the same. In sum, it provides a home for the headquarters of DHS for the foreseeable future.

In just 1 year, DHS has proven its value to homeland security. I urge my colleagues to help make DHS an even more effective organization by supporting H.R. 4322 today.

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

Mr. LARSEN of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the Department of Homeland Security has understandably operated without a consolidated headquarters since its inception. The bill before us will convey property from the Navy to the GSA to help consolidate headquarters for the Department.

Given the critical nature of the Department's mission, we must allow Secretary Ridge to operate the Department as efficiently as possible. This bill is a significant step in the growth of this new agency; and that is why the Committee on Armed Services, in a bipartisan way, supports relocating the Navy from its Nebraska Avenue Complex in northwest Washington, D.C., to accommodate the Department of Homeland Security.

We should be under no illusion, however, that the headquarters provided under this bill is a permanent or ideal solution. In fact, some have even questioned whether this is truly a headquarters at all. We are consolidating some of the leadership elements of the departments on one site, but workers will still be spread among more than a dozen buildings. It is not yet clear that the site can fully accommodate the Department's headquarters, in part because the Department is still evolving and is itself a patchwork of agencies. Several of the Department's key agencies will maintain separate headquarters elsewhere. These concerns have led some in Congress to question whether we should even designate the Nebraska Avenue Complex as the headquarters of the Department at all.

I am also aware that the distinguished gentlewoman from the District of Columbia (Ms. NORTON) has concerns with portions of the bill, and she will seek time to speak on this, in particular, the provision that calls for the selling of property if the Navy is not fully reimbursed for the cost of its move. This provision was inserted to help ensure the Navy does not pay a financial penalty to accommodate the Department of Homeland Security, but the potential mandatory sale of 38 acres in the District raises legitimate concerns. We will continue to work with everyone, including the gentlewoman from the District, to address these concerns when we conference with the Senate on this matter.

The bill before us is imperfect. It still needs some work, but a lot of changes have been made to it. In a sense it is a reflection of the nature and the status of the Department of Homeland Security itself. Despite some of these flaws, though, the bill is a step in the right direction, and I urge my colleagues to support it.

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

Mr. HUNTER. Mr. Speaker, I do not believe we have anymore speakers. I would thank my colleague, an esteemed member of the committee, for his comments; and I believe he has one more speaker on his side. If he could go ahead and recognize that speaker, then we will close out very quickly.

Mr. LARSEN of Washington. Mr. Speaker, I yield 6½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

□ 1545

Ms. NORTON. Mr. Speaker, I appreciate the work of the gentleman from California (Mr. HUNTER), the chairman of the committee, and the gentleman from Washington (Mr. LARSEN) for bringing this bill to the floor. I support this bill.

I am very pleased that this question has been settled by the commitment of the Department of Homeland Security to make its home in the District of Columbia. It is unthinkable that the Department of Homeland Security of our country should be elsewhere. I commend Secretary Ridge for his personal involvement in this decision. I am a member of both of the committees involved with this issue, the Select Committee on Homeland Security, I am not a member of the Committee on Armed Services, of course, and the Subcommittee on Public Buildings, Economic Development and Emergency Development of the Committee on Transportation and Infrastructure.

Since the Department was created 2 years ago, I have worked with both the Department of Homeland Security and the General Services Administration to identify suitable space in the District of Columbia to house the new Department. I am delighted that for now, and until the Committee on Transportation and Infrastructure reviews and approves housing plans, which the Department is in the process of drawing, the Department will be housed at the Naval complex on Nebraska Avenue.

The Department has spent considerable time in preparing a housing plan, but it is important to note that this is a department in formation, so the Department itself is having its difficulties thinking about how the Department will look 5 years out, 10 years out; and for that reason we have not held hearings to review the DHS's plan for what security elements will be included in headquarters operations. Members can imagine that they would have to be extraordinary.

My colleagues on the Committee on Transportation and Infrastructure in a bipartisan fashion shared that they all have concerns about the language contained in the title. The language is that this facilitates the establishment of a headquarters complex at the Nebraska Avenue complex. This may seem like a technical matter. I hope it is a technical matter.

We would hope if the director, after drawing his housing plan, were to decide that he wished to be elsewhere, the way in which the GSA operates is it goes and tries to find him space elsewhere. We do not even know how big this Department will be and if it will outgrow the Nebraska headquarters, so the notion that this is the headquarters could be read technically to mean they do not have the authority to move elsewhere.

By way of background, officials from the White House Office of Management and Budget, the Department of Homeland Security, the General Services Administration, and the Navy agreed to a three-step approach whereby: (1) the Nebraska Avenue complex would be transferred to GSA; (2) GSA would lease the space to homeland security; and (3) the Navy would be made whole for the expenses associated with its move from the site.

In fact, in February of this year, these officials met with the transportation committee staff on a bipartisan basis to review the details of this approach. That is the administration and the staff on both sides of the aisle meeting in the same room. The original bill title merely spoke about the use of the property by homeland security, not establishing permanent headquarters. Again, this is a very technical matter, but we have seen how technical matters can throw people off once they want to do something in the Congress. I am not making a major objection, but I want to go on the record to say that if Secretary Ridge says this is a whole lot smaller space than we need, I do not want us to say you are locked in by the language of the title. That is all I am bringing to Members' attention.

The Nebraska Avenue complex is 38 acres in northwest Washington. It contains 33 mostly unconnected buildings, over 1,000 parking spaces, and 556,000 square feet of office space. Many of the buildings are old, one dating back to 1916, many constructed in the 1920s. The site is not nearly as secure as it has to be for the agency with the highest security mission.

Currently, there are 1,300 personnel at the site, almost evenly split between Navy personnel and DHS personnel. Eventually DHS intends to house 1,986 personnel at the site; at least that is what they think now. Those personnel are now housed in mostly leased space in over 5 million square feet of space in the District and the region.

Given the enormous impact DHS will have on the government's administrative costs, and the impact it will have on the District and the region, more thought and attention should be given to establishing a headquarters in the District of Columbia. I have to assume that the decision of the Secretary would be controlling, it always is, when we look for space for an agency.

The bill also contains a mandatory sale provision of the property in the event the Navy is not fully reimbursed for its moving cost. A sale of such magnitude in the District of Columbia should be consistent with provisions of the Property Act, and not an act conducted solely by the Navy.

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

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

I thank the gentlewoman from the District of Columbia (Ms. NORTON) and also the gentleman from Washington (Mr. LARSEN) for their comments. I think we do have 22 agencies coming together in this Homeland Security Department. Obviously it is a major, major challenge to put this team together. We are taking the first step, and that is getting an appropriate area in Washington, D.C. to headquarter this team.

I want to commend Mr. Ridge and Asa Hutchinson and the gentleman from Washington (Mr. LARSEN), who is helping us on this legislation, and the gentlewoman from the District of Columbia (Ms. NORTON) for everything she has done.

Mr. OBERSTAR. Mr. Speaker, I would like to thank the House Armed Services Committee for making changes, at the request of the Transportation and Infrastructure Committee, to H.R. 4322, a bill to transfer the Nebraska Avenue Naval Complex ("Complex") in Washington, DC, to General Service Administration ("GSA") for the purpose of permitting GSA to use the Complex to house the Department of Homeland Security ("DHS"). One important change clarifies that the Department of Navy will transfer the property to the "jurisdiction, custody, and control" of GSA. These terms clarify that GSA will have the same authority over the Complex as it does over other government facilities.

However, I regretfully note that the title of the amended bill includes an error that suggests that the bill is establishing the DHS headquarters. Although the bill title does not have legislative effect, I wish to make clear that this bill does not establish a headquarters

for DHS. It would be premature to do so because there has been no analysis of the pros and cons of the Complex, compared to other possible sites. DHS will continue to be housed in the Complex facility while DHS and GSA prepare a long-term housing plan for the Department of Homeland Security to be submitted for approval to the Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works. Through that process, the Committee will determine an appropriate permanent headquarters location for DHS in the District of Columbia.

While the Nebraska Avenue Naval Complex adequately serves DHS as an interim facility, there are many serious deficiencies associated with its aging buildings and the fact that the facility's 33 buildings are scattered across a 38-acre site. Moreover, building and telecommunication security is not optimal. DHS, GSA, and the Transportation Committee will consider these and other issues as we examine a long-term housing plan and headquarters location for DHS.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4322, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A Bill to provide for the transfer of the Nebraska Avenue Naval Complex in the District of Columbia to facilitate the establishment of the headquarters for the Department of Homeland Security, to provide for the acquisition by Department of the Navy of suitable replacement facilities, and for other purposes.''.

A motion to reconsider was laid on the table.

## PROVIDING RAPID ACQUISITION AUTHORITY TO SECRETARY OF DEFENSE TO RESPOND TO COMBAT EMERGENCIES

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4323) to amend title 10, United States Code, to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies.

The Clerk read as follows:

H.R. 4323

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

**SECTION 1. RAPID ACQUISITION AUTHORITY TO RESPOND TO COMBAT EMERGENCIES.**

(a) IN GENERAL.—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

**''§ 2410p. Rapid acquisition authority to respond to combat emergencies**

''(a) RAPID ACQUISITION AUTHORITY.—The Secretary of Defense may rapidly acquire, in accordance with this section, equipment needed by a combatant commander to eliminate a combat capability deficiency that has resulted in combat fatalities.

''(b) PROCESS FOR RAPID ACQUISITION.—Not later than 30 days after the date of the enactment of this section, the Secretary of Defense shall develop a process for the rapid acquisition authority provided by subsection (a) and submit to Congress a detailed explanation of the process, including procedures to be followed in carrying out the process. The process shall provide for the following:

''(1) A requirement that the process may be used only to acquire the minimum amount of equipment needed until the needs of the combatant commander can be fulfilled under existing acquisition statutes, policies, directives, and regulations.

''(2) A goal of awarding a contract for the equipment within 15 days after receipt of a request from a commander.

''(3) In a case in which the equipment cannot be acquired without an extensive delay, a requirement for an interim solution to minimize the combat capability deficiency and combat fatalities until the equipment can be acquired.

''(4) Waiver of the applicability of all policies, directives, and regulations related to—

''(A) the establishment of the requirement for the equipment;

''(B) the research, development, test, and evaluation of the equipment; and

''(C) the solicitation and selection of sources, and the award of the contract, for procurement of the equipment.

''(5) Such other procedures or requirements as the Secretary considers appropriate.

''(c) WAIVER OF CERTAIN STATUTES.—For purposes of exercising the authority provided by subsection (a) with respect to equipment, laws relating to the following shall not apply:

''(A) The establishment of the requirement for the equipment.

''(B) The research, development, test, and evaluation of the equipment.

''(C) The solicitation and selection of sources, and the award of the contract, for procurement of the equipment.

''(d) LIMITATIONS.—The rapid acquisition authority provided by subsection (a) may be used only—

''(1) after the Secretary of Defense, without delegation, determines in writing that there exists a combat capability deficiency that has resulted in combat fatalities; and

''(2) to acquire equipment in an amount aggregating not more than $100,000,000 during a fiscal year.

''(e) SOURCE OF FUNDS.—For acquisitions under this section to be made during any fiscal year, the Secretary may use any funds made available to the Department of Defense for that fiscal year.

''(f) NOTIFICATION TO CONGRESS AFTER EACH USE OF AUTHORITY.—The Secretary of Defense shall notify the congressional defense committees within 15 days after each use of the authority provided by subsection (a). Each such notice shall identify the equipment to be acquired, the amount to be expended for such acquisition, and the source of funds for such acquisition.

''(g) COMBATANT COMMANDER.—In this section, the term 'combatant commander' means the commander of a unified combatant command with authority for the conduct of operations in a specific area of responsibility or who otherwise has authority to conduct operations at the direction of the President or Secretary of Defense.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2410p. Rapid acquisition authority to respond to combat emergencies.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, on April 21, 2004, the Committee on Armed Services held an open hearing on the performance of the DOD acquisition process in support of force protection for combat forces, an area which is of extreme importance to all Americans, and especially to our 138,000-plus troops serving in Iraq and the troops who are serving in Afghanistan, and obviously other places around the world where our forces are exposed to terrorist operations and the dangers thereof.

Mr. Speaker, as a result of the testimony that we received in this hearing, it became very clear that under the special circumstances, a change in the acquisition process is required. When a combat commander submits an urgent requirement for equipment that directly relates to preventing combat fatalities, it should not take 6 months to process the commander's request. Because of the oversight role that Congress plays and of course the interest that any administration, the executive branch, has in the acquisition process and the many billions of dollars which flow through the military acquisition process, it is understandable that our acquisition process is rather slow moving.

There are combatant requirements that are set up by the field commanders. Those are scrubbed by a number of requirements, bodies, including the joint chiefs, and the service that attends that particular area. There is a competitive bidding process which carries with it its own appeals process. And as a result of that, when we have a requirement that emanates from field conditions, from a threat that is posed by the enemy on the battlefield, it can take months and months and months before America can respond to that particular challenge.

Right now we are seeing some of that, and we are seeing rapid tactical changes by our adversaries in the field in Afghanistan and Iraq and other places. Very simply, Mr. Speaker, we have to be able to react quickly. We need to be able to come up with not necessarily the 100 percent solution, but maybe the 80 percent solution while we are researching and developing and putting out contracts in this very measured pace that the present acquisition system takes.

So the trust that is given to the people of the United States Congress by the soldiers and families is that we provide them with the necessary systems and equipment to accomplish their mission at any time, anywhere in the world. In keeping this trust, we must be honest in our assessment of whether we are doing everything in our power to not only give them everything that they need to accomplish their mission but we give it to them when they need it, in other words, to be able to act quickly to tactical changes by our adversaries.

H.R. 4323 does that. It says that a combatant commander makes a request from the field and that request emanates from combat fatalities, that the contract award should not take more than 15 days from the time that urgent request is made from the field. This is not intended to knock out the normal acquisition process. It is intended as a quick-start bridge to the normal acquisition process that gets something in the field quickly, whether it is armor for our troops, new types of munitions, new types of surveillance, but gets something in the field quickly that will have an immediate salutary effect on the casualty rate.

As I said before, we do not need to have the 100 percent solution. In many cases, the 80 percent solution would draw down that casualty rate very substantially. This is a very narrow, but important, piece of legislation. It is the right thing to do for our troops.

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

Mr. LARSEN of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise today in favor of H.R. 4323, a bill to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies. This is a bill that passed the Committee on Armed Services under the leadership of the gentleman from California (Mr. HUNTER) last month on a voice vote, and I urge its support here.

I might also note that this is just one other example of the laser-like focus of the gentleman from California (Mr. HUNTER) on getting the kinds of tools and resources our troops in the field need. This is one example of that. We have seen it in other subcommittee hearings, the gentleman coming to encourage the Department of Defense to do all it can as quickly as possible to get our troops what they need as quickly as possible.

We all know the importance of body armor and armored vehicles for our soldiers in Iraq. These capabilities save lives, but the Department's acquisition system often is not agile enough to get these capabilities in the field when we need them. In fact, a recent hearing in the Committee on Armed Services showed the acquisition system is in many ways badly broken when it comes to getting our troops what they need when they need it.

This bill will go a long way to meeting the deficiencies in the current system. It requires the Secretary of Defense to develop a process within 30 days of enactment for the rapid acquisition of equipment needed by a combatant commander to eliminate a deficiency that has resulted in combat fatalities.

□ 1600

The goal is to award the contract within 15 days or to provide an interim solution if there will be a substantial delay.

To get these capabilities to our troops in the field fast, we allow the department to waive acquisition laws relating to competition. This is something we should take seriously given the problems in Iraq and elsewhere with the lack of competition for contracts. But the authority in this bill is narrowly drawn and is used to prevent the deaths of our soldiers, sailors, airmen and Marines. There is congressional notification so that we can watch how the authority is used.

All of us in Congress appreciate the tremendous sacrifice of our servicemen and women. We are providing enormous amounts of money to ensure that they have the best training and equipment they need to complete their missions in Iraq, Afghanistan and around the world. This authority will ensure that the department can get that equipment to them as quickly as we should and fix the deficiencies in the acquisition system. We owe that to our troops. I urge support for this bill.

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

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

Once again I want to thank the distinguished gentleman from Washington for his leadership on this bill, also, and all the Members, Republican and Democrat, who worked on this. This is truly a bipartisan product.

Mr. Speaker, I include for printing in the CONGRESSIONAL RECORD two letters: One is a letter from the Committee on Government Reform waiving jurisdiction over H.R. 4323 and the second letter is my response dated today.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
*Washington, DC, May 23, 2004.*

Hon. DUNCAN HUNTER,
*Chairman, Committee on Armed Services, 2120 Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN: On May 11, 2004, we introduced H.R. 4323, a bill to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies. The Committee on Armed Services ordered this bill reported on May 12. As you know, H.R. 4323 contains provisions within the jurisdiction of the Committee on Government Reform under Rule X of the Rules of the House of Representatives—specifically, the subsection entitled ''Waiver of Certain Statutes.''

Because of our desire to move this legislation expeditiously, I will waive consideration of the bill by the Committee on Government Reform. By agreeing to waive this consideration of the bill, the Committee does not waive its jurisdiction over H.R. 4323. In addition, the Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request for conferees by the Committee on H.R. 4323 or similar legislation.

I request that you include this letter in the Congressional Record during consideration of the legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

TOM DAVIS,
*Chairman.*

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HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
*Washington, DC, June 14, 2004.*

Hon. THOMAS DAVIS,
*Chairman, Committee on Government Reform, United States House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4323, a bill to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies.

I agree that the Committee on Government Reform has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Government Reform is not waiving its jurisdiction. Further, this exchange of letters will be included in the Congressional Record during consideration of the legislation on the House floor.

With best wishes.

Sincerely,

DUNCAN HUNTER,
*Chairman.*

Mr. Speaker, I also want to thank our staff who worked on this bill and who came back from their trips, and almost every member of our committee has been to Iraq, a number of them to Afghanistan. The need to get equipment to the field quickly is a concern that we all have. I want to thank the staff folks also who took these trips and attended many long and weary hours moving around in various forms of transportation in Iraq and Afghanistan, talking with the troops about equipment, about what we do; that is, supplying the tools to get the job done and helping to work up this legislation. Again I thank the gentleman from Washington and our great staff on the Committee on Armed Services.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4323.

The question was taken.

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

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

The yeas and nays were ordered.

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

## HONORING THE MEMBERS OF THE ARMY MOTOR TRANSPORT SERVICE THAT SERVED DURING WORLD WAR II FOR THEIR SERVICE AND CONTRIBUTION TO THE ALLIED ADVANCE FOLLOWING THE D–DAY INVASION

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 439) honoring the members of the Army Motor Transport Service that served during World War II and participated in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D-Day invasion, as amended.

The Clerk read as follows:

H. CON. RES. 439

Whereas June 6, 2004, the 60th anniversary of the World War II D-Day invasion of Normandy, France, was observed by Americans with numerous commemorations of the sacrifices of those who fought to preserve the liberty and freedom of the people of the United States;

Whereas commemoration of those sacrifices and the recollection of those who served should include all who served, including those who performed critical logistics functions;

Whereas after the breakout from the beachheads at Normandy following the D-Day landings, Allied forces began a rapid advance across France, with the result that advancing units in many cases began to outrun their supplies of fuel, food, and ammunition;

Whereas on August 21, 1944, in response to the need for resupply of rapidly advancing forces, the Army Motor Transportation Service created a trucking operation called the Red Ball Express which began operations on August 25, 1944;

Whereas the Red Ball Express was a massive convoy effort to speed supplies to the Allied armies advancing across France;

Whereas the convoy system stretched from Normandy to Paris and eventually to the front in the northeastern borderland of France;

Whereas by ensuring that United States and other Allied soldiers were properly resupplied, the Red Ball Express played a major role in the defeat of Nazi Germany;

Whereas members of the Red Ball Express persevered through arduous driving conditions and constant threats of ground and aerial ambushes and performed their duties with precision and efficiency;

Whereas the Red Ball Express was in operation for 82 days and, by the time Red Ball Express operations were concluded in November 1944, Red Ball Express truckers had delivered over 410,000 tons of fuel, ammunition, food, and other essential supplies for the Allied forces to succeed in Europe;

Whereas, during World War II, many commanders believed that African-Americans were not suitable for combat duties and relegated them to service, support, and supply missions;

Whereas the majority of Red Ball Express drivers were African-Americans;

Whereas the success of the Allied advance through France was made possible by the soldiers who drove the supply trucks; and

Whereas the members of the Army Motor Transport Brigade who participated in the Red Ball Express contributed unselfishly to the war effort despite the indignities and double standards that they endured: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That Congress honors the members of the Army Motor Transport Brigade who during World War II served in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D-Day invasion in Normandy, France.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HUNTER).

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, when called to prosecute a war, Americans have always brought a number of important qualities to the war fight. Leadership, courage, teamwork and commitment are but a few examples of the inherent characteristics of American warriors that make us a feared adversary. One only has to look at the record of our forces fighting in Iraq today to understand that our society is still producing men and women who have the ''right stuff.''

I would suggest that another vital warfighting skill that is a great American strength is the ability to organize. While the present day military can cite many examples of superb achievements in organization, House Concurrent Resolution 439 reminds us of one of the great examples of military organization from World War II, the Red Ball Express, and the great Americans who made it work to defeat Nazi tyranny.

The Red Ball Express was the massive effort to resupply Allied armies as they advanced through Europe after D–Day. Following the breakout from Normandy and the French hedgerow country at the end of July 1944, the First Army under General Bradley and the Third Army under General Patton began to race north and east from St. Lo, France. I might add, Mr. Speaker, that Helen Tracy, who was General Patton's secretary in World War II and was with him when he died in Germany shortly after the war, is a member of my staff and we are very proud of Helen. I hope that she is watching this order with respect to the Red Ball Express.

In this first 100 percent internal combustion engine war, gasoline was the key to continued success on the battlefield. As U.S. and French troops entered Paris at the end of August 1944, the two armies were consuming 800,000 gallons of gasoline each day and had exhausted their reserve supplies.

On August 21, 1944, the Army Motor Transport Service responded to the challenge with a trucking operation called the Red Ball Express. Within days, over 900 trucks were trekking the 700 miles round trip from St. Lo to Paris and the front lines to the northeast carrying the gasoline, ammunition and other supplies needed to keep the armies on the move. At a speed of 25 miles per hour and distance of 60 yards apart, the trucks moved 24 hours a day along the dedicated route marked with red balls, an old railroad symbol for priority freight. By mid-November, when the operation ended, the Red Ball Express truckers had delivered over 410,000 tons of gas, oil, lubricants, ammunition, food and other essentials using nearly 6,000 vehicles at the peak of operations. This amazing example of organization only became a reality because those 6,000 trucks were driven by men who possessed all those other qualities I mentioned earlier, leadership, courage, teamwork and commitment. Fatigue, weather and enemy ground and air attacks all took their toll, but these men were determined not to let General Patton or General Bradley down. They knew what was at stake and they were in the fight as much as any combat soldier.

Three-quarters of those soldiers driving that hazardous route were African Americans serving in segregated truck companies and quartermaster units. Most of these dedicated men would have preferred to be assigned combat duties, but they were denied that opportunity. Notwithstanding having been dealt a hand not of their own choosing, they accepted the role they had been given and did it with a warrior's spirit, a spirit that we would now recognize as authentically American.

The men that refused to allow the Red Ball Express to fail, and particularly those who were African American, deserve more than a footnote in our military history. The outstanding performance of the African Americans who endured the dangers and hardships of the Red Ball Express was a source of great pride and reflected credit on their race during a time when few chose to acknowledge their immense contribution to the war effort.

Mr. Speaker, I commend the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for introducing this resolution. The Red Ball Express was a great moment in our country's military history. I am grateful for the opportunity to speak on the issue.

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

Mr. LARSEN of Washington. Mr. Speaker, I rise in support of this concurrent resolution.

Mr. Speaker, I rise in support of House Concurrent Resolution 439. Introduced by the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON, this bill honors the participants of the "Red Ball Express", an Army Motor Transport Brigade that served during World War II.

The Red Ball Express was the code name of a huge convoy operation which began on August 21, 1944, to provide provisions and

supplies to American and Allied soldiers fighting their way across Europe following their successful landing at Normandy.

The convoy system stretched from Normandy to Paris and eventually to the front of the northeastern borderland of France. The 82-day convoy got its name because the route that was used was marked with red balls.

Members of the Army Motor Transportation Brigade that comprised the Red Ball Express were constantly on the road. An average day for these dedicated troops meant 900 fully loaded vehicles driving around the clock. These trucks often traveled during the night in blackout conditions at speeds higher than 25 miles an hour to meet the growing demand for food and supplies, all while facing constant threats from ground ambushes and aerial bombing by the enemy.

What is most remarkable about the Red Ball Express are the soldiers who served in this brigade. Nearly seventy-five percent of the drivers were African-Americans who were denied the opportunity to serve in combat units, and whose families and loved ones were being denied the very freedoms and rights that they were fighting for in Europe.

Yet, these patriotic Americans persevered and succeeded. Many stories were written about their achievements, and their ability to overcome obstacles. These dedicated soldiers truly ''shocked and awed'' all those who depended upon them. At the peak of the Red Ball Express a round trip took nearly 54 hours and stretched nearly 400 miles to the First army.

When the Red Ball Express ended in mid-November 1944, over 412,000 tons of fuel, ammunition, food and other essential supplies had been delivered to troops on the front line. The success of the American and Allied offensive in France was due to the achievements of these outstanding soldiers.

Mr. Speaker, I urge my colleagues to support this resolution that honor the members of the Red Ball Express for their service during World War II.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the prime sponsor of this resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, let me thank the leadership of this committee for facilitating the bringing of this resolution to the floor. I rise in strong support of House Concurrent Resolution 439 and encourage my colleagues to join me.

June 6 marked the 60th anniversary of D–Day, the Allied invasion of World War II that marked a decisive moment in the defeat of Hitler and Nazi Germany. While we commemorate the valiant heroics and sacrifices of the individuals who fought to preserve our liberty, I ask my colleagues to join me in recognizing a group whose contributions have existed in the shadows since 1944, the Army Motor Transport Service, code named the Red Ball Express. The Red Ball Express, a predominantly African-American outfit, was a massive 82-day convoy effort that supplied the Allied armies moving through Europe. The convoy system expressed from St. Lo in Normandy to Paris and eventually to the front along France's northeastern borderland.

Persevering through arduous driving conditions and ambushes, members of the Red Ball Express performed their duties with utmost precision and efficiency. Their dedication sustained thousands of Allied troops during some of the most difficult periods of World War II. When the program ended in mid-November 1944, Red Ball truckers had delivered nearly 500,000 tons of fuel, lubricants, ammunition, food and other vital essentials needed for Allied success within the European theater.

In spite of the indignities, putdowns and double standards that they endured, members of the Red Ball Express contributed unselfishly to winning this century's greatest fight for freedom. I met several of them during the World War II celebration here this past Memorial Day holiday who are very proud of being a part of this group. Historically, no group of Americans endured what African Americans endured in uniform during World War II. They proudly defended America with no guarantee that their own freedom would be defended on their return home. This Nation's debt to African-American servicemen and women who served under those conditions can never be fully repaid but at a minimum we should certainly honor their service.

I urge my colleagues to join me in bringing this group's contributions out of the shadows and support House Concurrent Resolution 439.

Mr. LARSEN of Washington. Mr. Speaker, to reiterate, I do also urge support on our side of the aisle for H. Con. Res. 439.

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

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

I want to thank the gentleman from Washington and the gentlewoman from Texas for such an articulate description of what these great public servants did for our country.

I am reminded also, Mr. Speaker, I checked with our contractors the other day. In Iraq right now, we have private contractors like the gentleman who just escaped from the terrorists driving those trucks through Ambush Alley as they come up through Iraq facing those deadly IEDs, and RPG and AK–47 attacks. I am reminded that some 37 of those contractors from one company, from Halliburton, who were bringing supplies and food to our people up in northern Iraq have been killed in action so far. That is a dangerous, deadly run.

By the same token, it was a dangerous and deadly run in World War II. Keeping that gasoline in those tanks so that that spearhead of steel could continue to drive the Nazis back was everything. Being able to continue the momentum from the landing at Normandy and the hedgerow fighting was an absolute key to our victory. Once again, I want to thank the gentlewoman for her very articulate support of this resolution and the gentleman from Washington.

Mr. RODRIGUEZ. Mr. Speaker, this year commemorates the 60th anniversary of D–Day, a pivotal point in World War II and a unique moment in time when coordination and valor forged unprecedented advancement of the Allied forces against the Axis powers. As we remember the courageous veterans whose foresight and sacrifice brought about a landmark in the struggle for Democracy, I rise today to honor the Motor Transport Service, code named the ''Red Ball Express.'' The heroism of the lesser-known group of veterans has been under-celebrated, but their impact is eternally felt.

For 82 long days, fighting adverse driving conditions and sleep depravation, the men of the Red Ball Express transported 500,000 tons of fuel and ordinance to forward depots throughout France. Though this immense effort lasted only three months, from August 25 to November 16, 1944, the mission of the Motor Transport Service was perhaps the most crucial to the capture of occupied France. This massive convoy effort afforded the Allied troops the means and mobility to successfully complete the campaign in the European Theater.

Composed of 80 percent African Americans, the men of the Red Ball Express met the most uncertain of risks to defend the freedom we cherish today. The altruism of these men in service is astounding. Their vision and hope for all humanity, during those 82 days, broke through barricades of tyranny and ignorance to bring liberty to new heights.

Colonel John S.D. Eisenhower wrote of their noble behavior; ''the Spectacular nature of the advance was due in as great a measure to the men who drove the Red Ball trucks as to those who drove the tanks.''

It is when extraordinary conflict has plagued our Nation, that we have witnessed the most astonishing acts towards peace—when the ideals of country have been tirelessly challenged, that the firmest of principles have forged a clear path. And it is when soldiers have faced disheartening adversity, that patriots have shown unabated courage of heart. Despite hardship and slight, the men of the ''Red Ball Express'' acted bravely in a time of fear and unselfishly in this unique moment in history when they were needed the most.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 439, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution honoring the members of the Army Motor Transport Brigade who during World War II served in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D-Day invasion of Normandy, France.''.

A motion to reconsider was laid on the table.

## CONGRATULATING TAMPA BAY LIGHTNING FOR WINNING 2004 STANLEY CUP

Mr. PUTNAM. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 668) congratulating the Tampa Bay Lightning for winning the 2004 National Hockey League Stanley Cup championship and for their outstanding performance during the entire 2003–2004 season, as amended.

The Clerk read as follows:

H. RES. 668

Whereas the Tampa Bay Lightning hockey team has been in existence for 12 seasons;

Whereas on June 7, 2004, the Tampa Bay Lightning won their first National Hockey League Stanley Cup championship by defeating the Calgary Flames hockey team, 4 games to 3;

Whereas head coach John Tortorella led the team to the pinnacle of success;

Whereas John Tortorella was awarded the Jack Adams Award as the National Hockey League's coach of the year after guiding the Tampa Bay Lightning to the Southeast Division title and a top seed in the Eastern Conference with a franchise-best record of 106 points;

Whereas team player Brad Richards was awarded the Conn Smythe Trophy as the most valuable player of the 2004 Stanley Cup playoffs, leading all scorers this postseason by scoring 12 goals and assisting on 14 others;

Whereas Brad Richards, who was the tenth highest scorer in the National Hockey League's regular season, scoring 79 points with 26 goals and 53 assists and incurring just 12 penalty minutes, also was awarded the Lady Byng Trophy for combining sportsmanship with a high standard of play;

Whereas team captain Dave Andreychuk is a symbol of inspiration and greatness to the entire Tampa Bay Lightning organization and fans everywhere by winning the Stanley Cup for the first time during his 22 years in the National Hockey League;

Whereas team player Martin St. Louis was awarded the Hart Trophy as the National Hockey League's 2003–2004 most valuable player during the regular season and the Art Ross Trophy as the League's highest scorer during the regular season, amassing 94 points with 38 goals and 56 assists;

Whereas the Tampa Bay Lightning hockey team is the first hockey team from the State of Florida to win the Stanley Cup; and

Whereas the entire Tampa Bay community is proud of the Tampa Bay Lightning and their extraordinary season and tremendous accomplishment: Now, therefore, be it

*Resolved,* That the House of Representatives—

(1) congratulates the Tampa Bay Lightning hockey team for winning the 2004 National Hockey League Stanley Cup championship and for their outstanding performance during the entire 2003–2004 season;

(2) recognizes the achievements of the Tampa Bay Lightning players, coaches, owners, and staff who were instrumental in bringing the Stanley Cup to Tampa Bay; and

(3) congratulates the Tampa Bay community as it celebrates its second major sports championship in less than two years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. PUTNAM) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

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

GENERAL LEAVE

Mr. PUTNAM. 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 resolution under consideration.

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

There was no objection.

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

I want to thank my good friend and colleague from Tampa, Florida (Mr. DAVIS) for authoring this resolution and on behalf of the entire Florida delegation and frankly the entire State of Florida, we are delighted to be here to honor an outstanding team.

Mr. Speaker, today I rise to pay tribute to the Tampa Bay Lightning organization, Coach John Tortorella, general manager Jay Feaster, owner Bill Davidson and the entire team on their victory in the Stanley Cup finals.

□ 1615

They all deserve credit for this remarkable achievement, made all the more remarkable by the fact that it is a hockey team in Florida, Mr. Speaker.

The Stanley Cup is North America's oldest professional trophy, but this year's final belonged to the NHL's youngest generation. The Tampa Bay Lightning had won just one playoff series before this season and is the first of the eight franchises added since 1991 to win the coveted cup.

The Tampa Bay Lightning entered the National Hockey League in 1992; and 12 years later, through hard work, class, a strong work ethic, and determination, they are Stanley Cup champions.

Two years ago, few could have imagined the Lightning making the playoffs, much less winning the cup. Before last season, Sports Illustrated rated Tampa Bay as the worst of the NHL's 30 teams. Defying the experts, the Lightning went on to win the Southeast division and accumulated the second most regular season points in the NHL. Now the Lightning has proven itself to be the best team in all of hockey.

Many deserve credit for this remarkable achievement and for turning this team into world champions: Coach John Tortorella for his brilliant leadership and ensuring the team remained focused, motivated, and prepared; owner Bill Davidson for having invested the resources necessary to put a winner on the ice; Captain Dave Andreychuk, who at the age of 40 had played the most games in the NHL without winning the cup; Brad Richards, who won the Conn Smythe Trophy as the playoffs' most valuable player; goal tender Nikolai Khabibulin, also known as the Bulin Wall, for his countless saves; Martin St. Louis, for winning the Hart Trophy as the league's Most Valuable Player; and all the Tampa Bay Lightning players and personnel who worked tirelessly on and off the ice all year to make their dreams become a reality.

Most importantly, I congratulate the fans who have given so much to this team. Through years of suffering, the Lightning fans' determination and patience have paid off. This is truly a victory for the fans.

I commend the champion Tampa Bay Lightning for a wonderful and magical run this year and for all their achievements this season. The people of Florida and the entire Tampa Bay region are proud of them. They have demonstrated to us all that hard work, perseverance, and unity are the foundation of success.

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

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

It is my great pleasure to take the time today to congratulate the Tampa Bay Lightning for winning the 2004 National Hockey League Stanley Cup championship and to salute them for their outstanding performance throughout the season.

Though only in the league for 12 seasons, the Lightning have quickly ascended to the pinnacle of their sport and won the hearts not only of their hometown fans in Tampa Bay but of fans all over the world. Tampa Bay fans respect that the team plays hockey the way it is supposed to be played, with hard work, discipline, and teamwork.

Special mention must be made of team captain Dave Andreychuk. After playing in one of the roughest professional leagues in the world for 21 years, retiring must have seemed the logical step to take. Instead, this true team leader rejoined his teammates for an outstanding 22nd season.

It is not always the case in sports that the most deserving team wins. Fortunately, the Lightning of Tampa Bay have been awarded the Stanley Cup for their valiant play. The Tampa area is famous for its scorching lightning and the Tampa community sure hopes this Lightning will strike twice.

Mr. Speaker, I yield such time as he may consume to the good gentleman from Florida (Mr. DAVIS), the author of the resolution.

Mr. DAVIS of Florida. Mr. Speaker, I am here with the gentleman from Florida (Mr. PUTNAM) on behalf of several representatives from the Tampa Bay area to add a few words of pride and satisfaction at this remarkable achievement. Yes, we heard that right. A Florida hockey team in the Tampa Bay area is taking the Stanley Cup home, a truly remarkable feat.

The Tampa Bay area is also considered the lightning capital of the world. Not many people know that. And this victory in the Stanley Cup confirms that we are a capital of the world now in hockey because of the Tampa Bay Lightning. In just 12 seasons, this team has succeeded after 23 games in a playoff series in 2 months in winning the Stanley Cup.

I would like to also highlight some of the remarkable individual feats that the gentleman from Florida (Mr. PUTNAM) alluded to: the sensational saves of goalie Nicolai Khabibulin to maintain a one-goal lead in one of the key games; the work of Dave Andreychuk, who was mentioned, he played for 22 years, waited this long to win the Stanley Cup, setting a tie in terms of the longest amount of service before winning the Stanley Cup; Brad Richards, the MVP of the Stanley Cup playoffs with 12 goals and 14 assists; the scoring touch of Ruslan Fedotenko, who scored both goals in Game 7 against Calgary; Martin St. Louie, who is only 5 foot 9 inches tall, but makes up for that with tremendous height and heart, scored the thrilling goal in the second overtime in Game 6 with Calgary.

Many of these players I mentioned and others received awards. Our Coach Tortorella was honored with the Jack Adams Award as the National Hockey League's coach of the year based on this record. There are many teams that have played in the NHL far longer than the Tampa Bay Lightning who have yet to obtain the Stanley Cup. That is what makes this victory all the sweeter.

I would just close by saying that the Tampa Bay Lightning did not just win the Stanley Cup. They won with class, with style, with grace, which I might add is hard to do sometimes in the fiercely competitive world of hockey. They reflected on the outside what all of us in the Tampa Bay area knew was on the inside, that we represent a community with a lot of heart, a lot of determination, a lot of perseverance, and I want to join the gentleman from Florida (Mr. PUTNAM) and other representatives in the Tampa Bay area in congratulating the owner, Bill Davidson; the general manager, Jay Feaster; the coach; the players; the entire Lightning organization; and all the fans of Tampa Bay for a job well done.

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

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

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

On behalf of a very proud Tampa Bay area, an area that has been growing an awful lot of champions in a variety of sports over the last several years, I urge adoption of House Resolution 668.

Mr. BILIRAKIS. Mr. Speaker, I rise to congratulate the Tampa Bay Lighting for winning the 2004 Stanley Cup.

The Lighting is a remarkable success story. Many people, including me, wondered whether this expansion team could compete against traditional hockey powerhouses when they joined the league 12 years ago. We wondered whether a sport played primarily in Canada and the northern-most regions of America could survive in an area where sand and sun are the two top attractions. We wondered whether the community would embrace a team dominated by foreign players playing a sport with rules unfamiliar to many of us.

The answer to these questions is a resounding yes. The Lighting has shown what can be accomplished when you combine skill with hard work, determination, and an unyielding will to win. Tampa Bay won the Eastern Conference championship this year, posting a stellar 46–22–8–6 record along the way. Then they defeated perennial hockey powers New York Islanders, Montreal Canadians, and Philadelphia Flyers to reach the Stanley Cup finals.

The Lightning then endured a grueling seven game final against a talented Calgary team which used its physical-style of play to batter and bruise the boys from Tampa Bay. Goalie Nikolai Khabibulin posted one strong game in goal after another. The under-sized but over-achieving Right Winger, Martin St. Louis—once a Flame—rifled shot after shot by and around Calgary defenders. His remarkable season ended with being named league MVP. Center Vincent Lecavalier played with a toughness which inspired his teammates, as did Left Winger Ruslan Fedotenko, who despite being slammed head-first into the boards in game five, returned to score both of Tampa Bay's goals in game seven.

I want to congratulate Tampa Bay's coach, John Tortorella, for devising a winning strategy and keeping his charges together during the season's many tough times. I also want to commend Brad Richards, winner of the Conn Smythe Trophy for finals MVP, and Dave Andreychuk, the team's captain, who finally hoisted the Cup after an exemplary 22 year career.

I am proud that Tampa Bay's players won with class and its fans celebrated with sportsmanship. The Lightning refused to engage in the thuggery and cheap shots which contributed to Calgary's demise. Their fans showed that you can celebrate victory and revel in championship without the rioting, looting, and lawlessness in which fans in other so-called big-time sports cities engage. Let there be no doubt; Tampa is a big-time sports city, one whose teams and fans set a standard which others would do well to follow.

Mr. Speaker, I am proud to represent the hard-working men and women of the Tampa Bay area in Congress. I am especially gratified that two of its professional sports teams, the Buccaneers and now the Lightning, have reached the pinnacle of their professions and shown the spirit, determination, and sportsmanship that have come to exemplify Tampa Bay, or as others should call it, Titletown. I commend the Lightning on winning the 2004 Stanley Cup and for capturing the imagination and hearts of a city along the way. I wish them well in next season's title defense.

Ms. GINNY BROWN–WAITE of Florida. Mr. Speaker, I rise today to praise the Tampa Bay Lightning hockey team, coaches and staff as 2003–2004 champions of the National Hockey League.

One week ago today, the ''Ning'' skated to a game seven victory and won the coveted, 112-year-old championship trophy: ''Lord Stanley's Cup.''

I'd also like to recognize the outstanding, devoted fans of the Tampa Bay area.

This year's team showed the spirit, work ethic, tenacity and sportsmanship that is illustrative of the Central Florida community they live in.

The players, coaches and staff not only provide the fans with a great sense of community by uniting them and providing entertainment, many of them give back to the community by volunteering in schools, hospitals and other community centers.

On behalf of the thousands of loyal Lightning fans I represent in the suburbs north of Tampa, I am delighted to recognize the Tampa Bay Lightning for winning the Stanley Cup last week.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Florida (Mr. PUTNAM) that the House suspend the rules and agree to the resolution, H. Res. 668, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

## HONORING FORMER PRESIDENT GEORGE HERBERT WALKER BUSH ON HIS 80TH BIRTHDAY

Mr. CARTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 653) honoring former President George Herbert Walker Bush on the occasion of his 80th birthday, as amended.

The Clerk read as follows:

H. RES. 653

Whereas President George Herbert Walker Bush served as the Forty-First President of the United States and brought to the White House a dedication to traditional American values and a commitment to use American strength as a force for good;

Whereas, during his Presidency, the Communist empire dissolved, the Soviet Union ceased to exist, and the Berlin Wall fell;

Whereas, during his Presidency, American troops overthrew the corrupt regime of General Manuel Noriega;

Whereas President George H.W. Bush rallied the United States people, the United Nations, and Congress and sent over 500,000 American military personnel, who were joined by approximately 200,000 military and other personnel from allied nations, as part of Operation Desert Storm, to defeat Iraqi President Saddam Hussein's million-man army which invaded Kuwait and threatened to move into Saudi Arabia;

Whereas President Bush and his very able Secretary of State secured military and financial support from the United Nations, resulting in many nations participating, for the first time ever, in paying their share of the cost of a major war;

Whereas, during World War II, George H.W. Bush answered the call to duty by enlisting in the armed forces on his 18th birthday, becoming the youngest pilot in the Navy when he received his wings, and flying 58 combat missions, including being shot down by Japanese antiaircraft fire and rescued by a United States submarine, for which he was awarded, among other decorations, the Distinguished Flying Cross for bravery in action;

Whereas George H.W. Bush continued his commitment to public service by serving two terms as a Representative in the United

States Congress from Texas, serving as Ambassador to the United Nations, Chairman of the Republican National Committee, Chief of the United States Liaison Office in the People's Republic of China, and Director of the Central Intelligence Agency;

Whereas George H.W. Bush campaigned for the Republican nomination for President in 1980 and thereafter was chosen by Ronald Reagan to be his running mate, and subsequently served as Vice President of the United States with responsibility for several domestic areas, including Federal deregulation and anti-drug programs; and

Whereas, in 1988, George H.W. Bush won the Republican nomination for President and was elected as the Forty-First President of the United States, probably brought the greatest portfolio to the office of the Presidency since Thomas Jefferson, and served our Nation for four years with distinction and integrity: Now, therefore, be it

*Resolved*, That the House of Representatives honors former President George H.W. Bush on the occasion of his 80th birthday on June 12, 2004, extends its congratulations and best wishes to him and to his family, former First Lady Barbara Bush, and his children, President George W. Bush, the Honorable Jeb Bush, Neil Bush, Marvin Bush, and Dorothy Bush Koch, and pays tribute to his lifetime of service on behalf of the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. CARTER) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. CARTER).

GENERAL LEAVE

Mr. CARTER. 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 resolution under consideration.

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

There was no objection.

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

Mr. Speaker, last week was a somber one for America. The Nation mourned the loss of its beloved 40th President, Ronald Wilson Reagan. All heard numerous revealing accounts of President Reagan's leadership, compassion, and humor.

One of the most touching stories told during the past week was one by the one-time political rival of President Reagan, who ultimately became a close associate and friend. The story took place when President Reagan was recuperating at George Washington University Hospital following the assassination attempt on his life on March 30, 1981, just over 2 months after he took office.

The story went like this: ''Days after being shot, weak from wounds, (President Reagan) spilled water from a sink, and entering the hospital room, aides saw him on his hands and knees wiping water from the floor. (The President) worried that his nurse would get in trouble.''

Mr. Speaker, the eloquent speaker of these words was George H.W. Bush at President Reagan's funeral last Friday at the National Cathedral. Many people may not have heard that President George Bush, Bush ''41,'' turned 80 years of age on Saturday because of the Nation's week-long celebration of President Reagan's life, which overshadowed President Bush's birthday. But today the House returns to its normal legislative business as we consider House Resolution 653 that honors President George H.W. Bush on the occasion of his 80th birthday.

Mr. Speaker, few Presidents have ever moved into the White House as qualified to lead this Nation as one of Texas's most distinguished citizens, George Herbert Walker Bush. As the youngest pilot in the Navy, he was awarded the Distinguished Flying Cross after flying 58 combat missions during World War II before returning home to graduate as a member of Phi Beta Kappa at Yale University, where he also captained the baseball team.

After college, he became a successful businessman in west Texas, earned two terms as a Member of this House, and served such high-profile positions as ambassador to the United Nations, ambassador to China, chairman of the Republican National Committee, and Director of the Central Intelligence Agency.

In 1980 George H.W. Bush was elected as part of the national Republican ticket with Ronald Reagan and served as Vice President for 8 years. Vice President Bush became President Bush 41 when he was elected in 1988. In the White House, President Bush was perhaps best known for working to inspire a ''kinder, gentler America'' at home and leading the Nation to free Kuwait overseas. Following the August 1990 invasion of Saddam Hussein's Iraqi forces, President Bush rallied the world community, the U.S. Armed Forces, and the American people to dislodge Saddam Hussein's army from its control of neighboring Kuwait.

I want to thank the gentleman from Texas (Mr. HALL), my good friend, for introducing this meaningful resolution that wishes our 41st President, George Herbert Walker Bush, a happy 80th birthday, and that birthday was on Saturday, June 12. And on Sunday, June 13, I watched him jump out of an airplane at College Station, and he still has got plenty of spark.

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

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

Mr. Speaker, many of us looked in awe as former President George Herbert Walker Bush parachuted from a plane yesterday to celebrate his 80th birthday. Today I am pleased to join my colleagues to celebrate the entire life of our former President on his 80th birthday.

Born into a family known for its tradition of public service and having served his country in many important posts, George Bush enlisted in the armed services at the age of 18. The youngest pilot in the Navy when he earned his wings, George Bush flew 58 combat missions during World War II. So we can see the former President was only continuing what he had first done as a young pilot when he parachuted from that plane yesterday.

After being shot down during a mission in the Pacific, he was awarded the Distinguished Flying Cross for bravery in action. As President, George H.W. Bush presided over the Nation through major events in our history. These events included the dissolution of the Soviet Union; the tearing down of the Berlin Wall; and the first war with Iraq, Operation Desert Storm. Through all of these events, President Bush served his country with remarkable dedication.

Today it is my privilege to thank him for his hard work for our country and to wish him a happy 80th birthday.

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

□ 1630

Mr. CARTER. Mr. Speaker, I know the gentleman from Texas (Mr. HALL) wanted to be here very badly for consideration of H. Res. 653 today, but his flight was delayed, which I had a bad experience with that last week so I know exactly what he is going through, and he is unable to be present. But I want to highly commend him for putting forth this resolution and doing all the work on this resolution.

Mr. Speaker, I urge all Members to support the adoption of House Resolution 653.

Mr. HALL. Mr. Speaker, I rise in support of H. Res. 653, honoring former President George Herbert Walker Bush on the occasion of his 80th birthday on June 12.

Thousands of friends and supporters celebrated the former President's birthday in Houston and in College Station this past weekend. In true George H.W. Bush style, the former President capped the festivities in college Station by jumping from an airplane above his presidential library at Texas A&M University and earning his U.S. Army parachutist wings. He had trained to make a solo jump, but wind and cloud conditions required that it be a tandem jump. With a practice jump made earlier Sunday, Mr. Bush has now made five jumps, earning the parachutist badge. One of those jumps was a solo skydive on his 75th birthday, and we can only assume that he is likely to consider another solo jump in the future.

This ability to rise to any challenge—fearlessly and with a sense of determination—characterizes the life of our Forty-first President, who dedicated a lifetime to public service and probably brought to the Nation's highest office the greatest portfolio of any President since Thomas Jefferson.

His service began during World War II, when he enlisted in the armed forces on his 18th birthday and was the youngest pilot in the Navy when he received his wings. He flew 58 combat missions and was shot down by Japanese anti-aircraft fire and rescued by a United States submarine, for which he was awarded the Distinguished Flying Cross.

His service to his country continued as a Unites States Representative from Texas for

two terms. Thereafter he served as Ambassador to the United Nations, Chairman of the Republican National Committee, Chief of the United States Liaison Office in the People's Republic of China, and Director of the Central Intelligence Agency.

From 1980 through 1988, he served President Ronald Reagan and our Nation with distinction as Vice President, with responsibility for multiple areas of government. His eloquent tribute to Mr. Reagan at the National Cathedral last Friday reflected his great friendship and working relationship with President Reagan as well as the late President's values and sense of humor.

In 1988 George H.W. Bush won the Republican nomination for President and was elected as the Forty-First President of the United States. His Administration was marked by a magnitude of historic change as well as challenge. During his Presidency, building on the policies and achievements of President Reagan and previous Administrations, the Communist empire dissolved, the Soviet Union ceased to exist, and the Berlin Wall fell.

During his Presidency, American troops overthrew the corrupt regime of General Manuel Noriega. And during his Administration President Bush launched what would become one of the most successful military campaigns of the late 20th century—Operation Desert Storm. President Bush rallied the United States, Congress, and the United Nations in a campaign that would defeat Iraqi President Saddam Hussein's million-man army which invaded Kuwait and threatened to move into Saudi Arabia. Over 500,000 American military personnel were joined by 200,000 military and other personnel from allied nations, and the cost of the war was shared by many nations who participated.

I remember this time well, not only for what it meant to our Nation, but because it also occurred during a time of personal challenge for my family. On the day that President Bush announced Desert Storm—just before he went on national television to announce the campaign—he took time from the immense pressures of the day to call and extend his best wishes to my family who were gathered at M.D. Anderson Cancer Center in Houston. This gesture speaks volumes about his character and the compassion he demonstrated in countless ways and in his Points of Light vision for the country. It is one of the most poignant moments in my family's life and one for which I will be eternally grateful.

George H.W. Bush has been my friend for many years. We were both Navy pilots, and we are from the same generation and close to the same age. He has been an inspiration to me and to so many, as he gave so much of himself to his country—and at the same time also was a devoted husband to Barbara and a great father to his children, our current President George W. Bush, the Honorable Jeb Bush, Neil Bush, Marvin Bush, Dorothy Bush Koch, and for a brief but precious time to his little girl, Robin, who died tragically in early childhood.

Mr. Speaker, today I am honored to join my colleagues in the House of Representatives to pay tribute to former President George H.W. Bush for his lifetime of service on behalf of our Nation and to honor him on the occasion of his 80th birthday. May God continue to bless him and his family—and may he be blessed with the opportunity to make another solo jump.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Texas (Mr. CARTER) that the House suspend the rules and agree to the resolution, H. Res. 653, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

## RECOGNIZING AND HONORING SERVICE OF THOSE WHO VOLUNTEER TIME TO PARTICIPATE IN FUNERAL HONOR GUARDS AT INTERMENT OR MEMORIALIZATION OF DECEASED VETERANS OF UNIFORMED SERVICES OF UNITED STATES AT NATIONAL CEMETERIES

Mr. BROWN of South Carolina. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 260) recognizing and honoring the service of those who volunteer their time to participate in funeral honor guards at the interment or memorialization of deceased veterans of the uniformed services of the United States at national cemeteries across the country.

The Clerk read as follows:

H. CON. RES. 260

Whereas it is important that the Nation provide proper respect and fitting recognition to deceased veterans;

Whereas members of the uniformed services of the United States make significant contributions to the general welfare of the United States;

Whereas the furnishing of an honor guard at the interment or memorialization of a deceased veteran shows the proper respect to those who have passed away after serving their country;

Whereas the family of a deceased veteran may request an honor guard service and deserves the comfort of knowing that a respectful service will take place; and

Whereas currently there are many demands placed on active duty units across the country and there are not enough active duty honor guard units available to perform these important services: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That Congress hereby recognizes and honors the service of those outside the active components of the Armed Forces who volunteer their time to participate in funeral honor guards at the interment or memorialization of deceased veterans of the uniformed services of the United States at national cemeteries across the country, as exemplified by the proud work performed by the members of numerous patriotic organizations across the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. BROWN) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. BROWN).

GENERAL LEAVE

Mr. BROWN of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 260.

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

There was no objection.

Mr. BROWN of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 260, to recognize and honor the service of those who volunteer their time to represent the military at veterans' funerals.

Approximately 1,800 veterans of our Armed Forces die every day. Eleven hundred of them are World War II veterans. An average of 236 burials take place each weekday at the various VA national cemeteries located throughout the country. The families of many of these veterans request that their military service be recognized as they are laid to rest.

A grateful Nation has assigned the Department of Defense the responsibility for responding to those family requests through its military funeral honors program. However, because active duty service members are not always available, the Department must rely on volunteers to provide the appropriate honors in about one-third of the requests. The remainder are performed by active duty and reserve service members of the five military branches or National Guard members.

Since 2001, the law has required that at least two members of the funeral honors detail be members of the Armed Forces, and at least one of them be a member of the branch of service in which the deceased veteran served. The remainder of the honor guard may consist of members of the Armed Forces or members of veterans organizations or other organizations approved by the Secretary of Defense. At a minimum, the honor detail performs a ceremony that includes the folding and presenting of the American flag to the veteran's next of kin and the playing of Taps.

Mr. Speaker, according to the Department of Defense, the number of volunteers who participate with the military in performing military funeral honors at both national and private cemeteries increased from 27,767 in 2000, to 51,688 in 2003. Given the demands being placed on those currently serving on active duty, this increased volunteer participation is indispensable to meeting our obligation to honor the service of each deceased veteran.

Thus, it is an appropriate time that we recognize and thank those volunteers. They are indeed proud and patriotic veterans who selflessly give back to their comrades and provide comfort to the veteran's family and friends. As any veteran will tell you, their allegiance to the military and its service members does not end when they are discharged from service. This is a bond that lasts for a lifetime.

Mr. Speaker, I want to thank my good friend the gentlewoman from California (Mrs. BONO) for introducing concurrent resolution, and I urge my colleagues to support it.

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

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

Mr. Speaker, I rise in support of House Concurrent Resolution 260. This important measure recognizes and honors the service of individuals who volunteer as honor guards during funeral and memorial services at national cemeteries.

I thank the gentleman from New Jersey (Chairman SMITH), the ranking member, the gentleman from Illinois (Mr. EVANS), and my good friend, the chairman of the Subcommittee on Benefits, the gentleman from South Carolina (Mr. BROWN), for their steady leadership of veterans issues in the committee.

I also want to commend the gentlewoman from California (Mrs. BONO) for her work on this resolution, and I want to thank all my colleagues who helped to bring this before us today. Additionally, I would like to recognize the gentlewoman from California (Ms. MILLENDER-MCDONALD) for her work on a similar resolution that recognizes the United States Army Volunteer Reserve for its distinguished service to veterans and their families.

Mr. Speaker, it is my honor to represent the Second Congressional District in the State of Maine. My State has one of the highest percentage of veterans populations in the country. I am sure that they support this resolution and join me when I say that the veterans of this Nation deserve nothing less than an honorable and dignified final resting place.

I would like to personally recognize the 23 members of Maine's honor guard for their service. Ten of these individuals are currently deployed and we pray for their quick and safe return. These 23 soldiers serve above and beyond their normal duties to participate in the honor guard, performing over 50 missions a year. Without their effort and sacrifice, our Nation would not shine so bright and we would not live as free as we do today.

Sadly, Mr. Speaker, many of the brave men and women who put on the uniform to protect us during World War II and the Korean War are passing away every day. We also find ourselves engaged in hostilities in Afghanistan, Iraq and around the world, and, because of this, we are now burying veterans of a new generation much too soon.

Mr. Speaker, it is our responsibility to provide our brave men and women in uniform an honorable and dignified memorial service. Indeed, without the sacrifice of these volunteer honor guards, we would have a more difficult time fulfilling our responsibility. I thank them for their service and appreciate their efforts.

Mr. Speaker, I support this measure, and I urge all Members to do so.

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

Mr. BROWN of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 260.

Mrs. BONO. Mr. Speaker, I rise today in support of H. Con. Res. 260, which I introduced last year on behalf of myself and Representatives HENRY BROWN, MIKE BILIRAKIS, KEN CALVERT, JIM DEMINT, JOHNNY ISAKSON, JERRY LEWIS, JOHN SHADEGG and ZACH WAMP. This resolution recognizes and honors the important service of those who volunteer their time to participate in funeral honor guards. These volunteers serve at the interment or memorialization of deceased veterans of the uniformed services of the United States at national cemeteries across the country.

A veteran's family may request the presence of active duty military personnel to provide honor guard services at their loved one's funeral. Unfortunately at times like this when our military is so desperately needed overseas, there is a shortage of available active duty personnel who can perform this duty. Numerous veteran volunteers help fill this void and perform the honor guard duty themselves. These volunteers are once again answering our Nation's call by honoring the military service of their fellow veterans. I feel it is incumbent upon Congress to recognize the service of volunteer honor guards as well as the continuing contribution that these individuals make to our Nation and the families of their fallen brethren.

I would like to specifically honor the many of my district's military retirees who are members of Semper Fi No. 1, an organization that performs volunteer honor guard services at Riverside National Cemetery and has been a driving force behind the creation of volunteer honor guard service throughout the Nation. I am proud to represent the many military retirees who serve as volunteer honor guards.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. BROWN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 260.

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

A motion to reconsider was laid on the table.

## MODIFYING CERTAIN DEADLINES FOR MACHINE-READABLE, TAMPER-RESISTANT ENTRY AND EXIT DOCUMENTS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4417) to modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents.

The Clerk read as follows:

H.R. 4417

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

**SECTION 1. MODIFICATION OF CERTAIN DEADLINES FOR MACHINE-READABLE, TAMPER-RESISTANT ENTRY AND EXIT DOCUMENTS.**

Section 303 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1732) is amended, in each of subjections (b)(2)(A), (c)(1), and (c)(2), by striking ''2004,'' and inserting ''2005,''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4417.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4417. The Visa Waiver Program allows travelers from certain designated countries to come to the United States as temporary visitors without having to obtain a non-immigrant visa. There are currently more than 10 million foreign visitors entering the United States every year under this program.

Since its creation in 1986, the program has greatly facilitated travel to the United States from participating foreign countries. Through reciprocal arrangements, American international travelers also benefit with greater ease of travel.

The Visa Waiver Program was established on the premise that nationals from participating countries pose little security risk or threat of overstaying their period of admittance, which under the current program is a maximum of 90 days. After the tragic events of September 11, we recognize that a traveler from a visa waiver country can pose a serious threat, especially when the country of origin differs from the country that issues the passport used to enter our country.

It was, in part, to address threats like this that I offered the Enhanced Visa Security and Visa Entry Reform Act of 2002. The act requires the Visa

Waiver Program countries to certify that they have established systems to issue their nationals machine-readable passports that are tamper-resistant and incorporate biometric identifiers that comply with the biometric identifier standards established by the International Civil Aviation Organization.

The act sets a firm deadline of October 26, 2004, after which anyone applying for admission to the United States under the program, with passports issued after that date, must present a passport that meets these standards or otherwise obtain a visa from a United States embassy or consulate overseas.

This requirement will close several security loopholes. First, it will allow the Department of Homeland Security inspectors at ports-of-entry to determine whether a passport properly identifies its bearer. This will combat terrorist imposters and prevent them from defeating lookout lists on which they are posted.

Second, it will make passports much harder to alter or counterfeit.

Third, in conjunction with the installation of scanners at ports-of-entry to read these passports and the completion of exit controls, the DHS can track the arrival and departure of travelers and identify those who overstay their visas.

My goal as author of this act in selecting the October 2004 deadline was to compel countries to act promptly to modernize their passports. I have written to the foreign governments participating in the Visa Waiver Program to ascertain how soon they will be ready to issue biometric passports. I regret that most visa waiver countries will not meet the October 2004 deadline.

However, many are making significant progress and have indicated that the October 2005 deadline is reachable. An example is Belgium, which had one of the weakest passport regimes in Europe, and now has so completely revised its approach that it is the first visa waiver country to meet the new biometric requirements. Belgium has also recently won the Interpol award for the best passport security. Likewise, Austria, Denmark and Slovenia have working prototypes of biometric passports and will begin issuing them as soon as the European Union sets its internal standards for member countries.

Nonetheless, the Secretaries of Homeland Security and State have testified before the House Committee on the Judiciary that most visa waiver countries are still resolving privacy issues, chip durability concerns and production and procurement delays. Accordingly, they asked for legislation to extend the biometric passport deadline.

To minimize the risk of extending the deadline, the administration has initiated security procedures that begin in September of this year. Specifically, the Department of Homeland Security will begin fingerprinting each traveler from the Visa Waiver Program countries so as to strengthen current abbreviated inspection process for visa waiver travelers.

H.R. 4417 simply extends the October 26, 2004, deadline by one year. While this extension provides more time to meet the requirement, this additional breathing space should not lead visa waiver countries nor our own government to become complacent.

The committee will conduct bipartisan oversight to ensure that the Department of State and the Department of Homeland Security are working as hard as they can to get their own systems ready to validate biometric passports when they are presented at ports-of-entry. While the visa waiver countries are committing their resources and intellectual talent to comply with our new requirements for identity, our own government should do no less.

I also expect that the State Department will step up pressure on visa waiver countries to meet the new October 2005 deadline instead of providing erroneous assurances that Congress will again provide an extension should they fail to meet the new date.

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On the other hand, it is also crucial that we enact this legislation expeditiously in order to provide our own travel and tourism industry the certainty they need to plan events for the coming months that involve large numbers of travelers from the visa waiver countries.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I am pleased that the gentleman from Wisconsin (Chairman SENSENBRENNER) and I can join forces to make a necessary adjustment in our immigration and homeland security laws that would ensure that the millions of Americans who work in the travel industry do not suffer while we continue to improve new immigration security technologies.

Today we are considering legislation to extend by 1 year the requirement that travelers from visa waiver countries present biometric machine-readable passports at United States ports of entry. A 1-year extension will allow business visitors and tourists from the 27 nations in the visa waiver program to continue to make plans for the near future with currently valid passports and travel to the United States while technology is improved.

Using biometric passports will make us safer, but only if the technology is effective, durable, and part of a globally interoperable system that is compatible between nations. A 1-year extension will give Congress and the State Department more time to assess the very important questions of protecting privacy and ensuring efficient processing, while continuing to make serious steps toward a system that will secure our ports and national security.

As we balance serious threats to national security with our needs to protect our liberty, we must adhere to our fundamental values as an open society. Most visitors come with goodwill, contribute to our economy, share their knowledge, learn about our culture, and spread the promise of democracy and freedom around the world.

Mr. Speaker, I urge my colleagues to join the gentleman from Wisconsin (Chairman SENSENBRENNER) and me in supporting this legislation to ensure that the benefit of travel and exchange are not lost in the war on terror.

Mr. CASE. Mr. Speaker, I rise today in support and as a cosponsor of H.R. 4417, which will extend for one year the deadline for countries to continue eligibility in our Visa Waiver Program by issuing passports which are both machine-readable and also include biometric identifiers.

I do so with a clear focus on tourism, the primary industry in my state. According to the State of Hawaii Department of Business, Economic Development and Tourism, in 2002, tourists spent more than $11 billion during their vacations in the state. A significant part of these expenditures come from international tourists. And while facilitated international travel is essential not only to recreational tourism, it is also key to international commerce, especially from Asia, and to the education in Hawaii of foreign nationals, a major and growing component of our economy.

Each day, thousands of visitors arrive to Hawaii from foreign destinations, including those countries in the Visa Waiver Program (VWP). The tourism industry not only in my state, but every state in the Nation, faces grave consequences if this extension is not granted. According to the State Department, if the deadline is not extended, it expects to process an additional 5 million visas in 2005 alone. This will cripple our embassies and consulates worldwide, compound the existing program of visa issuance, and spell great hardship not only for the travel industry but also business and commerce in general throughout the United States.

The Patriot Act justifiably legislated the machine-readable passport requirement for VWP travelers, and additionally gave the Secretary of State authority to postpone the effective date. However, the Secretary of State lacks further authority to extend the deadline on his own. The Secretary of State, working with the Secretary of Homeland Security, has granted a postponement only until October 26, 2004 of the date by which VWP travelers from 21 countries must present a machine-readable passport at a U.S. port of entry to be admitted to the United States without a visa. Another year is needed; only Congress can extend the deadline, and we must do so passing this legislation today.

While most of the VWP countries are located in Western Europe, there are several countries in the Asia-Pacific Rim which will benefit from an extension of the October 26, 2004 deadline, including Australia, New Zealand, Singapore, Brunei, and Japan. These are the countries of most concern to my home.

Mr. Speaker, I share some additional thoughts from key officials within my State's tourism industry. The Director of the State of Hawaii Department of Business Economic Development and Tourism, Mr. Theodore E. Liu,

recently wrote that his department is ''in total support of extending [the deadline of] the Visa Waiver Program countries to have machine readable passports.'' The President and Chief Executive Officer of the Hawaii Tourism Agency, Mr. Rex D. Johnson, wrote that the implementation of ''the program before countries are ready to comply would undoubtedly create mass confusion in international travel.''

To be clear, I support the overall requirement of machine-readable passports as well as the use of biometrics on travel documents, both American and international. And I call upon the executive branch to place biometrics upon a machine-readable American passport as quickly as possible, because biometrics can assist not only our country, but every country, to ensure that the person listed on the passport is the same person who presents the passport upon entering the country. As a biometric identifier is an electronic scan of a physical feature or features, including an eye, hand, fingerprint, or face, use of a biometric identifier allows an immigration inspector to know for certain that the person appearing before him or her is the same person to whom a passenger or visa was issued.

But, Mr. Speaker, given the current situation, we must extend the deadline at least this one year. I therefore agree with the proposal of chairman and ranking member of the Judiciary Committee, the chairman and ranking member of the International Relational Committee, and others, and implore my colleagues to support this bipartisan bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the visa waiver program (VWP) allows nationals from 27 countries to enter the United States as nonimmigrant visitors for business or pleasure without first obtaining a visa from a U.S. consulate office. This facilitates international travel and commerce and eases consular office workloads. Last year, approximately 13.5 million visitors entered the United States under this program.

The Enhanced Border Security and Visa Entry Reform Act of 2002 mandated that by October 26, 2004, the government of each VWP country must certify that it has established a program to issue machine-readable passports that are tamper-resistant and incorporate a biometric identifier. This only would apply to new passports that are issued after the October 26, 2004, deadline.

While all 27 VWP countries have a program in place to develop a machine readable, biometric passport, few of the countries will be in a position to start issuing them by the deadline. The required technical and interoperability standards have not yet been completed by the International Civil Aviation Organization (ICAO). Preliminary ICAO standards were released in May 2003, but they failed to address some key issues, including interoperable chip security standards and interoperable reader standards. Also, ICAO's decision to make facial recognition technology the standard passport biometric was not made until May 2003, leaving VWP countries only 17 months to move a biometric passport from design to production, a process that normally takes years. It is apparent that very few VWP countries will be able to meet the deadline for incorporating the biometric identifiers. H.R. 4417 would extend the deadline for one year. If more time is needed, we can revisit the issue when that deadline approaches.

If the deadline is not extended, the participating countries that fail to meet it will lose the privilege of participating in the program, and the nationals of those countries will need visas to enter the United States. The State Department has estimated that this would result in the need to process an additional 5 million visas.

I am concerned about the effect that even a temporary disruption of the visa waiver program could have on the international tourist industry. In the year 2000, the State of Texas alone received revenue from the international tourist industry that totaled $3,751.3 million. This included $410.6 million on public transportation, $111.1 million on automobile transportation, $1,029.2 million on lodging, $731.4 million on food services, $320.2 million on entertainment and recreation, and $1,148.9 million in general trade. The numbers for the entire country would be much larger. A major reduction in such revenue would have an adverse impact on the economy of our country.

Consequently, I urge you to vote for H.R. 4417 to extend the deadline.

Mr. LANTOS. Mr. Speaker, I rise in support of this legislation.

I want to thank the Chairman of the Judiciary Committee for his leadership in this area. The visa waiver program is a critically important program, under which countries that send citizens that do not engage in visa fraud or overstay their visas do not have to obtain visas to visit our country for business or tourism. It has proven to be a very effective program for dealing with the increased global travel of the past few decades.

However, I firmly agree with my good friend from Wisconsin that citizens from countries who do not have to go through the visa process should have secure, tamper-proof passports to ensure that the visa waiver program is not abused by individuals who try to enter our country with counterfeit passports. Indeed, the statutory deadline of October 26, 2004 in the Enhanced Border Security Act of May 2002 encouraged International Civil Aviation Organization to accelerate its ongoing efforts in the development of uniform standards for secure passports, including the use of biometric data in such passports. Given the progress so far, I have no objection to an extension of this current statutory deadline to allow countries to implement these standards.

However, I believe that the Congress should seriously consider a two-year extension rather than the one-year extension in the current bill. I understand that ICAO did not complete preliminary biometric standards using facial recognition technology until May 2003 and is on only now finalizing these standards. In order for the new passports and the technology needed to read these passports to become mature and to be fully tested, as well as producing the new passports and acquiring and deploying the devices necessary to read the new passports, more than the one year extension being approved today may well be necessary.

In this context, I think it may well be prudent to consider moving towards a two-year extension as this legislation moves through the legislative process, and I would support that approach. if we do not, I predict we will be back here at the same time next year, approving a further one year extension.

I want to once again thank my good friend from Wisconsin for his leadership on this issue and urge my colleagues to support this legislation at this time.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4417.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## RECOGNIZING THAT FLAG DAY ORIGINATED IN OZAUKEE COUNTY, WISCONSIN

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 662) recognizing that Flag Day originated in Ozaukee County, Wisconsin.

The Clerk read as follows:

H. RES. 662

Whereas on June 14, 1777, the Stars and Stripes was officially adopted as the national flag of the United States;

Whereas in 1885, Bernard John Cigrand, a school teacher from Waubeka, Wisconsin, urged the students at the public school in Fredonia, Wisconsin, to observe June 14 as ''Flag Birthday'';

Whereas Mr. Cigrand placed a ten inch 38-star flag in an inkwell and instructed his students at Stony Hill School to write essays on what the flag meant to them;

Whereas on May 30, 1916, President Woodrow Wilson issued a Presidential Proclamation that officially established June 14 as Flag Day; and

Whereas on August 3, 1949, President Truman signed an Act of Congress designating June 14 of each year as National Flag Day: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) urges the people of the United States to study, reflect on, and celebrate the importance of the flag of the United States;

(2) encourages the people of the United States to display the flag of the United States in accordance with the provisions of chapter 1 of title 4, United States Code; and

(3) recognizes that Flag Day originated in Ozaukee County, Wisconsin.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. 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 House Resolution 662 currently under consideration.

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

There was no objection.

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

Mr. Speaker, it is with great honor that I rise in support of this resolution recognizing Flag Day, which is celebrated each year on this day, June 14.

The American flag is the symbol of hope, freedom, and unity. The flag symbolizes the resolve of our country and demonstrates our ability to overcome adversity. As we encounter new challenges, we are reminded of the men and women who have fought to defend and preserve the values that the flag represents. These men and women serve as a testament to our great Nation. They made their sacrifice because of their belief in our country and the values we hold so dear. There is no greater symbol of that sacrifice than the American flag.

Flag Day originated in 1885 with a school teacher named Bernard John Cigrand in Ozaukee County, Wisconsin. Cigrand, inspired by love for his adopted country, placed a 38-star flag in the inkwell of his classroom and instructed his students at Stony Hill School to write essays on what the flag meant to them. Cigrand's enthusiasm for the flag sparked the interest of his students, but it did not stop there. Cigrand also spent numerous hours writing to magazines and newspapers emphasizing the good that would come out of a holiday celebrating the flag. Without his hard work and dedication, Flag Day would not exist. For his efforts, Cigrand was cited by President Bush in his 2001 Flag Day proclamation as one of the first to push for a national celebration for the flag.

Although it began in a small, one-room schoolhouse in Wisconsin, Flag Day gained popularity in 1889 when George Balch, a schoolteacher in New York City, organized activities celebrating the American flag. It was later adopted by the State Board of Education in New York. The Flag Day celebrations expanded to Philadelphia where it was celebrated by the Betsy Ross House in 1891. The following year, the New York Society of Sons celebrated Flag Day.

Although pockets of the country celebrated Flag Day, it did not become an official holiday until 1916 when it was officially established by the proclamation of President Woodrow Wilson. Even though Flag Day was celebrated nationally after this proclamation, it was not until August 3, 1949, that President Truman signed an act of Congress which officially designated June 14 as National Flag Day.

One of the many important events honoring the American flag occurs each year right where Flag Day began. People from all over Wisconsin turn out to raise their flags and celebrate this day. Individuals line the streets in Waubeka to watch parades that feature marching and dancing bands. Different versions of the flag are on display, including a 30-star flag which symbolizes the addition of Wisconsin to the Union. There is no other place in the country where people more enthusiastically celebrate the American flag than Waubeka, Wisconsin.

Today, as people across the country raise their American flags to celebrate the resolve of our great Nation, I ask my colleagues to join me in celebrating National Flag Day and recognizing Ozaukee County, Wisconsin, as the birth of Flag Day.

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

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

Mr. Speaker, I rise in support of the resolution offered by the distinguished chairman of the Committee on the Judiciary.

The gentleman's resolution recognizes the efforts of Bernard John Cigrand, a schoolteacher from Waubeka, Wisconsin, who, in 1885, urged his students to observe June 14 as Flag Birthday.

That effort, at a time when the flag had only 38 stars, developed into Flag Day, which President Truman signed into law on August 3, 1949.

As we observe Flag Day, and we consider this resolution, I hope all Americans would, as the resolution urges, reflect on the values that the flag represents: the rights of all Americans under the law to free speech, free press, and freedom of assembly; religious liberty; the right to face their accusers in court; to be secure in their homes and papers; to be free from cruel and unusual punishment; and the right to due process of law.

It is those values and this Nation which fought to protect these rights, that make the flag such a potent symbol. I hope that as we celebrate Flag Day, Mr. Speaker, we will all take time to celebrate what the flag represents.

I thank the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary, for bringing this resolution forward; and I urge my colleagues to support it.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him also for being such a strong advocate for protecting the flag and our heritage.

Mr. Speaker, today we observe Flag Day, a day, as previous speakers have indicated, we commemorate the adoption of our flag on June 14, 1777. This past weekend, I walked in the Flag Day parade in Appleton, Wisconsin, and to this unbiased observer, the largest and grandest such celebration in America. We celebrated the Stars and Stripes. It was red, white and blue as far as the eye could see, and on display were the patriotism and pride that those colors evoke in every American heart. We celebrated because this flag remained standing as we fought for our independence, fought to remain one Nation, as we fought the great wars of liberty; and it remains standing proudly as we continue to fight for freedom today. No matter the era, no matter the challenge, this symbol of our great Nation and our values is there, proud and free, for all the world to see.

As a Wisconsinite, I am proud to say that it was a schoolteacher from Wisconsin who began this celebration. How appropriate. Today is a day on which we should take a minute to stop, to look at our grand old flag, and to reflect upon what it means. We should also reflect upon the sacrifice that so many have made in so many lands far away to ensure that Old Glory will fly free and proud for generations to come.

Ms. EDDIE BERNICE JOHNSON. Mr. Speaker, today, June 14, we celebrate Flag Day—a special time for all Americans to reflect upon, the important symbolism for which "Old Glory" stands.

Whenever we see our Nation's flag, we are reminded of what it stands for—the freedom to speak, worship, and believe as we choose.

On this particular Flag Day, I stand in honor of all our soldiers who are carrying out the real meaning of our flag in Iraq, in Afghanistan, in South Korea, in Haiti and in Asia.

The pledge to the flag is a spoken commitment to all that we as Americans hold dear: "I pledge allegiance to the flag of the United States of America. One nation, under God, with freedom and justice for all!"

It is a promise of hope, not only to us, but to the world. It should never be said lightly, nor be disparaged.

We have a lot to be proud of in this country and the flag symbolizes to us and the world what is best about America.

It speaks of tolerance, compassion, diversity, unity, and mutual respect. It is a reflection of the totality of America.

As we honor the red, white, and blue today, we should all recognize how lucky we are to be citizens of the country that the Stars and Stripes represents.

Mr. CARDIN. Mr. Speaker, I rise today to commemorate Flag Day, June 14.

Flag Day has a particularly special meaning this year, as many of our troops are serving overseas as part of the global war against terrorism. I stand behind our brave men and women who have performed admirably in Iraq, Afghanistan, and elsewhere around the globe. They have made tremendous sacrifices on behalf of their country and have served longer deployments than expected.

The Flag of the United States continues to stand for democracy and freedom throughout the world. The Continental Congress approved the design of a national flag 227 years ago today. The American flag, in its current form, first flew over the Capitol in 1818. The flag has been altered twenty-seven times over the years. The current version dates to July 4, 1960, when Hawaii became the 50th state.

Our flag symbolizes the union between the states and federal government, as we the people of the United States seek to form a more perfect union, as envisioned in our Constitution. Since 1916, when President Woodrow Wilson issued a presidential proclamation declaring June 14 Flag Day, Americans have

commemorated the adoption of the Stars and Stripes by celebrating this special day in our Nation's history.

Flag Day also holds a special place in the history of Baltimore, Maryland, which I am privileged to represent in the House of Representatives. In 1814 in Baltimore at Fort McHenry, this Nation, this young Nation, won its second war of independence. It was the beginning of the end of the War of 1812. Francis Scott Key 190 years ago wrote his inspirational poem that became our National Anthem.

As we continue our global war on terrorism, and face a continuing threat on our shores, Francis Scott Key wrote some words that are helpful for us on this Flag Day:

''From the terror of flight or the gloom of the grave.
And the Star-Spangled Banner in triumph doth wave.''

We survived the attack by a hostile power and became the strongest Nation in the world, and we will survive this attack on our democratic principles, and we will grow even stronger. Let us remember on this Flag Day the values we hold dear, and that we are willing to fight for—and even die for—these values of liberty, democracy and justice. Our flag will continue to symbolize this eternal struggle, as we seek to secure the blessings of liberty for our fellow Americans and for all humankind.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, I urge the adoption of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 662.

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

A motion to reconsider was laid on the table.

## CONGRATULATING THE BRIGHAM YOUNG UNIVERSITY MEN'S VOLLEYBALL TEAM FOR WINNING THE 2004 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I-II MEN'S VOLLEYBALL CHAMPIONSHIP

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 643) congratulating the Brigham Young University men's volleyball team for winning the 2004 National Collegiate Athletic Association Division I-II men's volleyball championship.

The Clerk read as follows:

H. RES. 643

Whereas on May 8, 2004, the Brigham Young University men's volleyball team won its third national championship in 6 years by overcoming a 10–6 deficit in game 5 to defeat Long Beach State University;

Whereas the Brigham Young University men's volleyball team achieved a 29–4 overall win-loss record, marking the second highest single season win total in Brigham Young University's volleyball history;

Whereas Tom Peterson, the head coach of the men's volleyball team, became the first men's volleyball coach in the National Collegiate Athletic Association's history to win a national championship with 2 different schools;

Whereas team member Carlos Moreno earned the distinction of being selected the Mountain Pacific Sports Federation Player of the Year, the American Volleyball Coaches Association Division I–II National Player of the Year, the Mountain Pacific Sports Federation Tournament Most Valuable Player, and the National Collegiate Athletic Association Tournament Most Outstanding Player; and

Whereas the American Volleyball Coaches Association selected junior Carlos Moreno and senior Fernando Pessoa for the All-America teams with first-team honors, while senior Joe Hillman and sophomore Victor Batista received second-team citations: Now, therefore, be it

*Resolved*, That the House of Representatives congratulates the Brigham Young University men's volleyball team for winning the 2004 National Collegiate Athletic Association Division I–II men's volleyball championship.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 643.

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

There was no objection.

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

Mr. Speaker, it gives me great pleasure to rise in support of House Resolution 643. I want to thank my good friend and colleague, the gentleman from Utah (Mr. CANNON), for bringing this resolution forward. This resolution honors the Brigham Young University men's volleyball team for winning the 2004 National Collegiate Athletic Association Division I-II men's volleyball championship.

Mr. Speaker, the mission of my alma mater, Brigham Young University, is to ''develop students of faith, intellect, and character who have the skills and the desire to continue learning and to serve others throughout their lives.'' One of the ways that the university accomplishes this mission is by developing and supporting a first-class athletics program.

And so today we recognize this first-class athletics program and give special recognition to the national champion Cougars for winning its third national men's volleyball championship in 6 years by overcoming a 10–6 deficit in game five to defeat Long Beach State University. BYU men's volleyball team will enter next season's competition after marking the second highest single season win total in its volleyball history after achieving a 29-and-4 overall win-loss record.

In addition to the inspiring team victory, four players distinguished themselves from the team by being named to All-American teams at the conclusion of the season. Carlos Morento and Fernando Pessoa were recognized by the American Volleyball Coaches Association for first-team honors; and their teammates, Joe Hillman and Victor Batista, received second-team citations.

Coach Tom Peterson also deserves praise for becoming the first men's volleyball coach in the NCAA's history to win a national championship with two different schools.

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The distinction earned by these individuals and the remarkable repeat victories of the team reflect the dedication of each player, the leadership of Coach Tom Peterson, and the support of family, friends and fans.

I extend my congratulations to each of the hard working players on the successful Cougar team, to Coach Peterson and to Brigham Young University. I am happy to join my colleagues in honoring the accomplishment of this team and wish them continued success.

Once again, I strongly support House Resolution 643 and ask my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H. Res. 643 introduced by the gentleman from Utah (Mr. CANNON), a resolution congratulating Brigham Young University for winning the Division I-II volleyball national championship.

The regular season and the championship tournament truly gave BYU an exciting run to the national championship. I want to extend my hardy congratulations to the head coach Tom Peterson and all of the BYU athletes.

BYU won a school record 21 consecutive matches during the regular season showcasing their true championship spirit.

Winning this national championship has brought national acclaim to Brigham Young University and its student athletes. I am sure this national championship will give the university and its fans something to treasure for years to come.

Mr. CANNON. Madam Speaker, I rise today to congratulate the Brigham Young University men's volley ball team for winning the 2004 NCAA Division I-II men's volleyball championship.

As you may know, Brigham Young University is located in the 3rd district of Utah, and it has been my pleasure to represent the University and its student body for the past 8 years. This is the third national championship in men's volleyball that BYU has won in 6 years by overcoming a 10–6 deficit in game 5 to defeat Long Beach State University.

The team achieved a 29–4 overall record for the season, marking the second highest single season win total in BYU volleyball history. I would especially like to congratulate the Cougars head coach, Tom Peterson, who became the first men's volleyball coach in NCAA history to win a national championship with 2 different schools.

The entire team deserves recognition for winning the national championship, but I would like to take a moment and recognize a few players whose abilities have garnered extra honors. Seniors Fernando Pessoa and Joe Hillman received first and second team All-American honors, respectively, and sophomore Victor Batista also received second-team honors. Junior Carlos Moreno earned the distinction of being selected the Mountain Pacific Sports Federation Player of the Year, the American Volleyball Coaches Association Division I-II National Player of the Year, the Mountain Pacific Sports Federation Tournament Most Valuable Player, and the NCAA Tournament Most Outstanding Player.

Madam Speaker, I again congratulate the BYU Men's Volleyball team on its championship.

Mr. MATHESON. Madam Speaker, I rise today to congratulate the Brigham Young University men's volleyball team on their 2004 NCAA National Collegiate Men's Volleyball Championship. I am pleased to join my colleagues in cosponsoring this bill and encourage all of my colleagues in the House to support it. The Brigham Young University men's volleyball team made history before they ever set foot onto the court for the 2004 NCAA championship game. The Cougars regular season successes included a new school record of 21 straight victories, a 16–1 home court win-loss record, ten straight weeks on the USA Today/AVCA Coaches Top 15 Poll, and an average fan base of 2,600 at home court appearances.

The Cougars entered the NCAA Final Four as the top seed and the Mountain Pacific Sports Federation regular and season tournament champions. They defeated Lewis University, the defending national champions, during the semi-final match. This win led the Cougars to their fourth appearance in six years in the NCAA championship match, where they overcame a 10–6 deficit in game five to defeat Long Beach State University to win the national championship.

I congratulate the BYU men's volleyball team and Coach Tom Peterson on their championship season and wish them continued success as the build upon these accomplishments in the years to come.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the resolution, H. Res. 643.

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

A motion to reconsider was laid on the table.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

## IMPROVING ACCESS TO ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES ACT OF 2004

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4278) to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4278

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004''.

**SEC. 2. AMENDMENT TO THE ASSISTIVE TECHNOLOGY ACT OF 1998.**

The Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.) is amended to read as follows:

**''SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

''(a) SHORT TITLE.—This Act may be cited as the 'Assistive Technology Act of 1998'.

''(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

''Sec. 1. Short title; table of contents.
''Sec. 2. Findings and purposes.
''Sec. 3. Definitions.
''Sec. 4. Grants to States for purchase of assistive technology devices and assistive technology services.
''Sec. 5. Grants to States for protection and advocacy related to assistive technology.
''Sec. 6. Administrative provisions.
''Sec. 7. National activities.
''Sec. 8. Authorization of appropriations.

**''SEC. 2. FINDINGS AND PURPOSES.**

''(a) FINDINGS.—Congress finds the following:

''(1) Disability is a natural part of the human experience and in no way diminishes the right of individuals to—

''(A) live independently;

''(B) enjoy self-determination and make choices;

''(C) benefit from an education;

''(D) pursue meaningful careers; and

''(E) enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of society in the United States.

''(2) Technology is one of the primary engines for economic activity, education, and innovation in the Nation, and throughout the world. The commitment of the United States to the development and utilization of technology is one of the main factors underlying the strength and vibrancy of the economy of the United States.

''(3) As technology has come to play an increasingly important role in the lives of all persons in the United States, in the conduct of business, in the functioning of government, in the fostering of communication, in the conduct of commerce, and in the provision of education, its impact upon the lives of individuals with disabilities in the United States has been comparable to its impact upon the remainder of the citizens of the United States. Any development in mainstream technology would have profound implications for individuals with disabilities in the United States.

''(4) Over the last 15 years, the Federal Government has invested in the development of statewide comprehensive systems to help individuals with disabilities gain access to assistive technology devices and services. This partnership with States provided an important service to individuals with disabilities by strengthening the capacity of each State to assist individuals with disabilities of all ages with their assistive technology needs.

''(5) Substantial progress has been made in the development of assistive technology devices, including adaptations to existing devices that facilitate activities of daily living, that significantly benefit individuals with disabilities of all ages. These devices and adaptations increase the involvement, and reduce expenditures associated with, programs and activities that facilitate communication, ensure independent living and functioning, enable early childhood development, support educational achievement, provide and enhance employment options, and enable full participation in community living and recreation for individuals with disabilities.

''(6) Despite the success of the Federal-State partnership in providing access to assistive technology and services, there is a continued need to provide information about the availability of assistive technology, advances in improving accessibility and functionality of assistive technology, and appropriate methods to secure and utilize assistive technology in order to maximize their independence and participation of individuals with disabilities in society.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to support State efforts to improve the provision of assistive technology to individuals with disabilities through comprehensive statewide programs of technology-related assistance, for individuals with disabilities of all ages, that are designed to—

''(A) increase the availability of, funding for, access to, provision of, and training about assistive technology devices and assistive technology services;

''(B) increase the ability of individuals with disabilities of all ages to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by human service agencies or between settings of daily living (for example, between home and work);

''(C) increase the capacity of public agencies and private entities to provide and pay for assistive technology devices and assistive technology services on a statewide basis for individuals with disabilities of all ages;

''(D) increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, and authorized representatives, in decisions related to the provision of assistive technology devices and assistive technology services;

''(E) increase and promote coordination among State agencies, between State and local agencies, among local agencies, and between State and local agencies and private entities (such as managed care providers), that are involved or are eligible to be involved in carrying out activities under this Act;

''(F) increase the awareness and facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures, that facilitate the availability or provision of assistive technology devices and assistive technology services; and

''(G) increase awareness and knowledge of the benefits of assistive technology devices and assistive technology services among targeted individuals and the general population; and

''(2) to provide States with financial assistance that supports programs designed to

maximize the ability of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to obtain assistive technology devices and assistive technology services.

**"SEC. 3. DEFINITIONS.**

''In this Act:

''(1) ADVOCACY SERVICES.—The term 'advocacy services', except as used as part of the term 'protection and advocacy services', means services provided to assist individuals with disabilities and their family members, guardians, advocates, and authorized representatives in accessing assistive technology devices and assistive technology services.

''(2) AMERICAN INDIAN CONSORTIUM.—The term 'American Indian Consortium' has the meaning given the term in section 102(1) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 and that is established to provide protection and advocacy services for purposes of receiving funding under subtitle C of title I of such Act.

''(3) ASSISTIVE TECHNOLOGY.—The term 'assistive technology' means technology designed to be utilized in an assistive technology device or assistive technology service.

''(4) ASSISTIVE TECHNOLOGY DEVICE.—The term 'assistive technology device' means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

''(5) ASSISTIVE TECHNOLOGY SERVICE.—The term 'assistive technology service' means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes—

''(A) the evaluation of the assistive technology needs of an individual with a disability, including a functional evaluation of the impact of the provision of appropriate assistive technology and appropriate services to the individual in the customary environment of the individual;

''(B) services consisting of purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;

''(C) services consisting of selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;

''(D) coordination and use of necessary therapies, interventions, or services with assistive technology devices, such as therapies, interventions, or services associated with education and rehabilitation plans and programs;

''(E) training or technical assistance for an individual with disabilities, or, where appropriate, the family members, guardians, advocates, or authorized representatives of such an individual; and

''(F) training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.

''(6) CAPACITY BUILDING AND ADVOCACY ACTIVITIES.—The term 'capacity building and advocacy activities' means efforts that—

''(A) result in laws, regulations, policies, practices, procedures, or organizational structures that promote consumer-responsive programs or entities; and

''(B) facilitate and increase access to, provision of, and funding for, assistive technology devices and assistive technology services,

in order to empower individuals with disabilities to achieve greater independence, productivity, and integration and inclusion within the community and the workforce.

''(7) COMPREHENSIVE STATEWIDE PROGRAM OF TECHNOLOGY-RELATED ASSISTANCE.—The term 'comprehensive statewide program of technology-related assistance' means a consumer-responsive program of technology-related assistance for individuals with disabilities, implemented by a State, and equally available to all individuals with disabilities residing in the State, regardless of their type of disability, age, income level, or location of residence in the State, or the type of assistive technology device or assistive technology service required.

''(8) CONSUMER-RESPONSIVE.—The term 'consumer-responsive'—

''(A) with regard to policies, means that the policies are consistent with the principles of—

''(i) respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities;

''(ii) respect for the privacy, rights, and equal access (including the use of accessible formats) of such individuals;

''(iii) inclusion, integration, and full participation of such individuals in society;

''(iv) support for the involvement in decisions of a family member, a guardian, an advocate, or an authorized representative, if an individual with a disability requests, desires, or needs such involvement; and

''(v) support for individual and systems advocacy and community involvement; and

''(B) with respect to an entity, program, or activity, means that the entity, program, or activity—

''(i) is easily accessible to, and usable by, individuals with disabilities and, when appropriate, their family members, guardians, advocates, or authorized representatives;

''(ii) responds to the needs of individuals with disabilities in a timely and appropriate manner; and

''(iii) facilitates the full and meaningful participation of individuals with disabilities (including individuals from underrepresented populations and rural populations) and their family members, guardians, advocates, and authorized representatives, in—

''(I) decisions relating to the provision of assistive technology devices and assistive technology services to such individuals; and

''(II) decisions related to the maintenance, improvement, and evaluation of the comprehensive statewide program of technology-related assistance, including decisions that affect capacity building and advocacy activities.

''(9) DISABILITY.—The term 'disability' means a condition of an individual that is considered to be a disability or handicap for the purposes of any Federal law other than this Act or for the purposes of the law of the State in which the individual resides.

''(10) INDIVIDUAL WITH A DISABILITY; INDIVIDUALS WITH DISABILITIES.—

''(A) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means any individual of any age, race, or ethnicity—

''(i) who has a disability; and

''(ii) who is or would be enabled by an assistive technology device or an assistive technology service to minimize deterioration in functioning, to maintain a level of functioning, or to achieve a greater level of functioning in any major life activity.

''(B) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than one individual with a disability.

''(11) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), and includes a community college receiving funding under the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

''(12) PROTECTION AND ADVOCACY SERVICES.—The term 'protection and advocacy services' means services that—

''(A) are described in part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6041 et seq.), the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.), or section 509 of the Rehabilitation Act of 1973; and

''(B) assist individuals with disabilities with respect to assistive technology devices and assistive technology services.

''(13) SECRETARY.—The term 'Secretary' means the Secretary of Education.

''(14) STATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(B) OUTLYING AREAS.—In sections 4(c) and 5(b):

''(i) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(ii) STATE.—The term 'State' does not include the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(15) TARGETED INDIVIDUALS.—The term 'targeted individuals' means—

''(A) individuals with disabilities of all ages and their family members, guardians, advocates, and authorized representatives;

''(B) individuals who work for public or private entities (including insurers or managed care providers), that have contact with individuals with disabilities;

''(C) educators and related services personnel;

''(D) technology experts (including engineers);

''(E) health and allied health professionals;

''(F) employers; and

''(G) other appropriate individuals and entities.

''(16) TECHNOLOGY-RELATED ASSISTANCE.—The term 'technology-related assistance' means assistance provided through capacity building and advocacy activities that accomplish the purposes described in any of subparagraphs (A) through (G) of section 2(b)(1).

''(17) UNDERREPRESENTED POPULATION.—The term 'underrepresented population' means a population that is typically underrepresented in service provision, and includes populations such as persons who have low-incidence disabilities, persons who are minorities, poor persons, persons with limited-English proficiency, older individuals, or persons from rural areas.

''(18) UNIVERSAL DESIGN.—The term 'universal design' means a concept or philosophy for designing and delivering products and services that are usable by people with the widest possible range of functional capabilities, which include products and services that are directly usable (without requiring assistive technologies) and products and services that are made usable with assistive technologies.

**"SEC. 4. GRANTS TO STATES FOR PURCHASE OF ASSISTIVE TECHNOLOGY DEVICES AND ASSISTIVE TECHNOLOGY SERVICES.**

''(a) GRANTS TO STATES.—The Secretary shall award grants, in accordance with this section, to States to maintain comprehensive statewide programs of technology related assistance to support programs that

are designed to maximize the ability of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to obtain assistive technology devices and assistive technology services.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—

''(A) REQUIRED ACTIVITIES.—Except as provided in subparagraph (C), any State that receives a grant under this section shall use a portion of the funds made available through the grant to carry out the activities described in subparagraphs (A) and (B) of paragraph (2).

''(B) DISCRETIONARY ACTIVITIES.—Any State that receives a grant under this section may use the funds made available through the grant to carry out the activities described in subparagraph (C) or (D) of paragraph (2).

''(C) SPECIAL RULE.—Any State in which financial support for the activities described in subparagraph (A) or (B) of paragraph (2) is provided from State or other resources shall not be required to expend the funds provided under the grant to carry out the activities described in subparagraph (A) or (B), as the case may be. Such financial support shall be comparable to the amount of the grant the State would otherwise have expended for such activities.

''(2) STATE-LEVEL ACTIVITIES.—

''(A) STATE FINANCE SYSTEMS.—The State shall support activities to increase access to, and funding for, assistive technology devices and assistive technology services, including the development of systems to provide assistive technology devices and assistive technology services to individuals with disabilities of all ages, and that pay for such devices and services, such as—

''(i) the development of systems for the purchase, lease, other acquisition, or payment for the provision of assistive technology devices and assistive technology services; or

''(ii) the establishment of alternative State or privately funded systems of subsidies for the provision of assistive technology devices or assistive technology services, such as—

''(I) a low-interest loan fund;

''(II) an interest buy-down program;

''(III) a revolving loan fund;

''(IV) a loan guarantee or insurance program;

''(V) a program operated by a partnership among private entities for the purchase, lease, or other acquisition of assistive technology devices or assistive technology services; or

''(VI) another mechanism approved by the Secretary.

''(B) DEVICE LOAN PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out device loan programs that support the short-term loan of assistive technology devices to individuals, employers, public agencies, public accommodations, or others seeking to meet the needs of targeted individuals, including to comply with the Individuals with Disabilities Education Act, the Americans with Disabilities Act of 1990, and section 504 of the Rehabilitation Act of 1973.

''(C) DEVICE REUTILIZATION PROGRAMS.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device reutilization programs that provide for the exchange, recycling, or other reutilization of assistive technology devices, which may include redistribution through device and equipment loans, rentals, or gifts.

''(D) DEVICE DEMONSTRATION PROGRAM.—The State shall directly, or in collaboration with public or private entities, carry out assistive technology device demonstration programs that provide for the ability of targeted individuals to learn about the use and operation of assistive technology devices.

''(3) STATE LEADERSHIP ACTIVITIES.—

''(A) IN GENERAL.—Any State that receives a grant under this section may use up to 40 percent of the funds made available through the grant to carry out the activities described in subparagraph (B).

''(B) REQUIRED ACTIVITIES.—The State shall support—

''(i) public awareness activities designed to provide information to targeted individuals relating to the availability and benefits of assistive technology devices and assistive technology services, including—

''(I) the development and dissemination of information relating to—

''(aa) the nature of assistive technology devices and assistive technology services;

''(bb) the appropriateness of, cost of, availability of, evaluation of, and access to, assistive technology devices and assistive technology services; and

''(cc) the benefits of assistive technology devices and assistive technology services with respect to enhancing the capacity of individuals with disabilities of all ages to perform activities of daily living;

''(II) the development of procedures for providing direct communication between providers of assistive technology and targeted individuals, which may include partnerships with the State and local workforce investment system established under the Workforce Investment Act of 1998, State vocational rehabilitation centers, public and private employers, or elementary and secondary public schools; and

''(III) the development and dissemination, to targeted individuals, of information about State efforts related to assistive technology; and

''(IV) the distribution of materials to appropriate public and private agencies that provide social, medical, educational, employment, and transportation services to individuals with disabilities.

''(ii) technical assistance and training on—

''(I) the development of training materials and the conduct of training in the use of assistive technology devices and assistive technology services;

''(II) providing technical assistance, including technical assistance concerning how—

''(aa) to consider the needs of an individual with a disability for assistive technology devices and assistive technology services in developing any individualized plan or program authorized under Federal or State law; and

''(bb) to increase consumer participation regarding assistive technology devices and assistive technology services; and

''(III) the enhancement of the assistive technology skills and competencies of—

''(aa) individuals who work for public or private entities (including insurers and managed care providers), who have contact with individuals with disabilities;

''(bb) educators and related services personnel;

''(cc) technology experts (including engineers);

''(dd) health and allied health professionals;

''(ee) employers; and

''(ff) other appropriate personnel; and

''(iii) outreach and support to statewide and community-based organizations that provide assistive technology devices and assistive technology services to individuals with disabilities or that assist individuals with disabilities in using assistive technology devices and assistive technology services, including a focus on organizations assisting individuals from underrepresented populations and rural populations, and further including support such as outreach to consumer organizations and groups in the State to coordinate efforts to assist individuals with disabilities of all ages and their family members, guardians, advocates, or authorized representatives, to obtain funding for, access to, and information on evaluation of assistive technology devices and assistive technology services.

''(C) AUTHORIZED ACTIVITIES.—The State may support the operation and administration of the activities in paragraph (2), through interagency coordination to develop and promote the adoption of policies that improve access to assistive technology devices and assistive technology services for individuals with disabilities of all ages in the State and that result in improved coordination among public and private entities that are responsible or have the authority to be responsible, for policies, procedures, or funding for, or the provision of assistive technology devices and assistive technology services to, such individuals.

''(4) INDIRECT COSTS.—Not more than 10 percent of the funds made available through a grant to a State under this section may be used for indirect costs.

''(5) PROHIBITION.—Funds made available through a grant to a State under this section shall not be used for direct payment for an assistive technology device for an individual with a disability.

''(6) STATE FLEXIBILITY.—

''(A) IN GENERAL.—Notwithstanding paragraph (1)(A) and subject to subparagraph (B), a State may use funds that it receives under a grant under this section to carry out any of the activities described in paragraph (2).

''(B) SPECIAL RULE.—Notwithstanding paragraph (3)(A), any State which exercises its authority under subparagraph (A) may not use more than 30 percent of the funds made available through the grant to carry out the activities described in paragraph (3)(B).

''(c) AMOUNT OF FINANCIAL ASSISTANCE.—

''(1) GRANTS TO OUTLYING AREAS.—From the funds appropriated under section 8(a) for any fiscal year for grants under this section, the Secretary shall make a grant in an amount of not more than $105,000 to each eligible outlying area.

''(2) GRANTS TO STATES.—From the funds described in paragraph (1) that are not used to make grants under paragraph (1), the Secretary shall make grants to States in accordance with the requirements described in paragraph (3).

''(3) CALCULATION OF STATE GRANTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall allocate funds to each State for a fiscal year in an amount that bears the same ratio as the population of the State bears to the population of all States.

''(B) MINIMUM ALLOTMENT.—A State shall receive an amount under a grant for a fiscal year that is not less than the amount the State received under the grant provided under title I of this Act (as in effect on the day before the date of the enactment of the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004) for fiscal year 2004.

''(C) RATABLE REDUCTIONS.—

''(i) IN GENERAL.—If amounts made available to carry out this section for any fiscal year are insufficient to meet the minimum allotment requirement for each State under subparagraph (B) for such fiscal year, the Secretary shall ratably reduce such amounts for such fiscal year.

''(ii) ADDITIONAL FUNDS.—If additional funds become available for making payments described under this subsection for any such fiscal year, the amounts that were reduced under clause (i) shall be increased on the same basis as such amounts were reduced.

''(d) LEAD AGENCY.—

''(1) DESIGNATION.—To be eligible to receive a grant under this section, the Governor of the State shall designate in accordance with paragraph (2) a lead agency to administer the grant under this section.

''(2) ELIGIBLE ENTITIES.—For purposes of paragraph (1), the Governor of the State may designate one of the following:

''(A) The State agency responsible for the administration of vocational rehabilitation in the State.

''(B) A commission, council, or other official body appointed by the Governor.

''(C) A public-private partnership or consortium.

''(D) A public agency (including the office of the Governor, a State oversight office, a State agency, a public institution of higher education, or other public entity).

''(E) A council established under Federal or State law.

''(F) An organization described in section 501(c)(3) of Internal Revenue Code of 1986 and exempt from tax under section 501(a) of that Act.

''(G) Another appropriate office, agency, entity, or organization.

''(3) DUTIES OF THE LEAD AGENCY.—The duties of the lead agency shall include—

''(A) submitting the application described in subsection (e) on behalf of the State;

''(B) administering and supervising the use of amounts made available under the grant received by the State under this section;

''(C) (i) coordinating efforts related to, and supervising the preparation of, the application described in subsection (e);

''(ii) coordinating, maintaining, and evaluating the comprehensive statewide program of technology-related assistance among public agencies and between public agencies and private entities, including coordinating efforts related to entering into interagency agreements; and

''(iii) coordinating efforts, especially efforts carried out with entities that provide protection and advocacy services described in section 5, related to the active, timely, and meaningful participation by individuals with disabilities and their family members, guardians, advocates, or authorized representatives, and other appropriate individuals, with respect to activities carried out under the grant;

''(D) delegating, in whole or in part, any responsibilities described in subparagraph (A), (B), or (C) to one or more appropriate offices, agencies, entities, or individuals; and

''(E) establishing a partnership or partnerships with private providers of social, medical, educational, employment, and transportation services to individuals with disabilities.

''(4) CHANGE IN LEAD AGENCY.—The Governor may change the lead agency of the State (to an agency other than the lead agency of the State as of the date of the enactment of the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004) if the Governor provides a justification in the application to the Secretary for such action. Nothing in this subsection shall be construed to require the Governor of a State to change the lead agency of the State to an agency other than the lead agency of such State as of the date of the enactment of the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004.

''(e) STATE APPLICATION.—

''(1) SUBMISSION.—Any State that desires to receive a grant under this section shall submit to the Secretary an application at such time and in such manner as the Secretary may specify.

''(2) CONTENT.—Each application shall contain, at a minimum, the following information:

''(A) PLANNED ACTIVITIES.—A description of those activities described in subsection (b)(2) that the State will carry out under the grant.

''(B) MEASURABLE GOALS.—A description of—

''(i) the measurable goals the State has set for addressing the assistive technology needs of individuals with disabilities in the State, including any measurable goals, and a timeline for meeting such goals, related to—

''(I) education, including goals involving the provision of assistive technology to individuals with disabilities that receive services under the Individuals with Disabilities Education Act;

''(II) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973;

''(III) telecommunication and information technology; and

''(IV) community living; and

''(ii) how the State will quantifiably measure the goals to determine whether the goals have been achieved.

''(C) INVOLVEMENT OF INDIVIDUALS WITH DISABILITIES OF ALL AGES AND THEIR FAMILIES.—A description of how individuals with disabilities of all ages and their families—

''(i) were involved in selecting—

''(I) the goals;

''(II) the activities to be undertaken in achieving the goals; and

''(III) the measures to be used in judging if the goals have been achieved; and

''(ii) will be involved in measuring whether the goals have been achieved.

''(D) STATE SUPPORT.—A description of those activities described in subsection (b)(2) that the State will support under the grant, including at a minimum the State's plans to provide financial support, consistent with subsection (b)(1), for the activities described in subparagraphs (A) and (B) of such subsection.

''(E) ASSURANCE.—An assurance that the physical location of the entity responsible for conducting the State activities under this Act meets the requirements of the Americans with Disabilities Act of 1990 regarding accessibility for individuals with disabilities.

''(F) OTHER INFORMATION.—Such other information as the Secretary may reasonably require.

**''SEC. 5. GRANTS TO STATES FOR PROTECTION AND ADVOCACY RELATED TO ASSISTIVE TECHNOLOGY.**

''(a) GRANTS TO STATES.—

''(1) IN GENERAL.—The Secretary shall make a grant to an entity in each State to support protection and advocacy services through the systems established to provide protection and advocacy services under the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000 et seq.) for the purposes of assisting in the acquisition, utilization, or maintenance of assistive technology or assistive technology services for individuals with disabilities.

''(2) SPECIAL RULE.—Notwithstanding paragraph (1), for a State that, on the day before the date of the enactment of the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004, was described in section 102(a)(2) of this Act, the Secretary shall make the grant to the lead agency designated under section 4(d). The lead agency shall determine how the funds made available under this section shall be divided among the entities that were providing protection and advocacy services in that State on that day, and distribute the funds to the entities. In distributing the funds, the lead agency shall not establish any further eligibility or procedural requirements for an entity in that State that supports protection and advocacy services through the systems established to provide protection and advocacy services under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.). Such an entity shall comply with the same requirements (including reporting and enforcement requirements) as any other entity that received funding under paragraph (1).

''(b) AMOUNT OF FINANCIAL ASSISTANCE.—

''(1) GRANTS TO OUTLYING AREAS AND AMERICAN INDIAN CONSORTIUM.—

''(A) OUTLYING AREAS.—From the funds appropriated under section 8(b) for any fiscal year, the Secretary shall make a grant in an amount of not more than $30,000 to each eligible system within an outlying area.

''(B) AMERICAN INDIAN CONSORTIUM.—From the funds appropriated under section 8(b) for any fiscal year, the Secretary shall make a grant in an amount of not more than $30,000 to the American Indian Consortium to provide services in the same manner as an eligible system described under this section. If the amount appropriated under section 8(b) for a fiscal year exceeds the amount appropriated under such section for the preceding fiscal year, then the amount referred to in the preceding sentence shall be increased for such fiscal year by the same percentage as such amount appropriated under section 8(b) exceeds the amount appropriated under such section for the preceding fiscal year.

''(2) GRANTS TO STATES.—For any fiscal year, after reserving funds to make grants under paragraph (1), the Secretary shall make allotments from the remainder of the funds in accordance with paragraph (3) to eligible systems within States to support protection and advocacy services as described in subsection (a). The Secretary shall make grants to the eligible systems from the allotments.

''(3) SYSTEMS WITHIN STATES.—

''(A) POPULATION BASIS.—Except as provided in subparagraph (B), from such remainder for each fiscal year, the Secretary shall make an allotment to the eligible system within a State of an amount bearing the same ratio to such remainder as the population of the State bears to the population of all States.

''(B) MINIMUMS.—Subject to the availability of appropriations to carry out this section, the allotment to any system under subparagraph (A) shall be not less than $50,000, and the allotment to any system under this paragraph for any fiscal year that is less than $50,000 shall be increased to $50,000.

''(4) REALLOTMENT.—Whenever the Secretary determines that any amount of an allotment under paragraph (3) to a system within a State for any fiscal year will not be expended by such system in carrying out the provisions of this section, the Secretary shall make such amount available for carrying out the provisions of this section to all other systems in the same proportion such amounts were first allocated to such systems.

''(5) CARRYOVER.—Any amount paid to an eligible system for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the subsequent fiscal year, except that program income generated from such amount shall remain available for two additional fiscal years and may only be used to improve the awareness of individuals with disabilities on the accessibility of assistive technology and assisting such individuals in the acquisition, utilization, or maintenance of assistive technology or assistive technology services.

''(c) REPORT TO SECRETARY.—An entity that receives a grant under this section shall

annually prepare and submit to the Secretary a report that contains such information as the Secretary may require, including documentation of the progress of the entity in—

''(1) conducting consumer-responsive activities, including activities that will lead to increased access, for individuals with disabilities, to funding for assistive technology devices and assistive technology services;

''(2) engaging in informal advocacy to assist in securing assistive technology and assistive technology services for individuals with disabilities;

''(3) engaging in formal representation for individuals with disabilities to secure systems change, and in advocacy activities to secure assistive technology and assistive technology services for individuals with disabilities;

''(4) developing and implementing strategies to enhance the long-term abilities of individuals with disabilities and their family members, guardians, advocates, and authorized representatives to advocate the provision of assistive technology devices and assistive technology services to which the individuals with disabilities are entitled under law other than this Act;

''(5) coordinating activities with protection and advocacy services funded through sources other than this Act, and coordinating activities with the capacity building and advocacy activities carried out by the lead agency; and

''(6) effectively allocating carryover funds described in subsection (b)(5) to improve the awareness of individuals with disabilities on the accessibility of assistive technology and assisting them in the acquisition, utilization, or maintenance of assistive technology or assistive technology services.

''(d) REPORTS AND UPDATES TO STATE AGENCIES.—An entity that receives a grant under this section shall prepare and submit to the lead agency the report described in subsection (c) and quarterly updates concerning the activities described in subsection (c).

''(e) COORDINATION.—On making a grant under this section to an entity in a State, the Secretary shall solicit and consider the opinions of the lead agency of the State designated under section 4(d) with respect to efforts at coordination, collaboration, and promoting outcomes between the lead agency and the entity that receives the grant under this section.

**''SEC. 6. ADMINISTRATIVE PROVISIONS.**

''(a) GENERAL ADMINISTRATION.—Notwithstanding any other provision of law, the Rehabilitation Services Administration in the Office of Special Education and Rehabilitative Services of the Department of Education shall be responsible for the administration of this Act.

''(b) REVIEW OF PARTICIPATING ENTITIES.—

''(1) IN GENERAL.—The Secretary shall assess the extent to which entities that receive grants pursuant to this Act are complying with the applicable requirements of this Act and achieving the quantifiable, measurable goals that are consistent with the requirements of the grant programs under which the entities applied for the grants.

''(2) PROVISION OF INFORMATION.—To assist the Secretary in carrying out the responsibilities of the Secretary under this section, the Secretary may require States to provide relevant information, including the information required under subsection (d).

''(c) CORRECTIVE ACTION AND SANCTIONS.—

''(1) CORRECTIVE ACTION.—If the Secretary determines that an entity fails to substantially comply with the requirements of this Act or to substantially make progress towards meeting the goals established under section 4(e)(2)(B) with respect to a grant program, the Secretary shall assist the entity through technical assistance funded under section 7 or other means, within 90 days after such determination, to develop a corrective action plan.

''(2) SANCTIONS.—An entity that fails to develop and comply with a corrective action plan as described in paragraph (1) during a fiscal year shall be subject to one of the following corrective actions selected by the Secretary:

''(A) Partial or complete withholding of funds under the grant program until such plan is developed and implemented.

''(B) Reduction in the amount of funding that may be used for indirect costs under section 4(b)(4) for the following year under the grant program.

''(C) Required redesignation of the lead agency designated under section 4(d) or an entity responsible for administering the grant program.

''(3) APPEALS PROCEDURES.—The Secretary shall establish appeals procedures for entities that are found to be in noncompliance with the requirements of this Act or have not substantially made progress towards meeting the goals established under section 4(e)(2)(B).

''(4) SECRETARIAL ACTION.—As part of the annual report required under subsection (d), the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

''(5) PUBLIC NOTIFICATION.—The Secretary shall notify the public by posting on the Internet website of the Department of Education of each action taken by the Secretary under paragraph (1) or (2). As a part of such notification, the Secretary shall describe each such action taken under paragraph (1) or (2) and the outcomes of each such action.

''(d) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than December 31 of each year, the Secretary shall prepare, and submit to the President and to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report on the activities funded under this Act to improve the access of individuals with disabilities to assistive technology devices and assistive technology services.

''(2) CONTENTS.—Such report shall include information on—

''(A) the type of alternative financing mechanisms used by each State under the program;

''(B) the amount and type of assistance given to consumers (who shall be classified by age, type of disability, type of assistive technology device or assistive technology service financed through the program, geographic distribution within the State, gender, and whether the consumers are part of an underrepresented population or rural population), including—

''(i) the number of applications for assistance received;

''(ii) the number of applications approved and rejected;

''(iii) the default rate;

''(iv) the range and average interest rate;

''(v) the range and average income of approved loan applicants; and

''(vi) the types and dollar amounts of assistive technology financed;

''(C) the number, type, and length of time of loans of assistive technology devices provided to individuals with disabilities, employers, public agencies, or public accomodations, including an analysis of the individuals with disabilities who have benefited from the device loan program;

''(D) the number, type, estimated value, and scope of device reutilization programs, including an analysis of the individuals with disabilities that have benefited from the device loan program;

''(E) the number and type of equipment demonstrations provided, including an analysis of individuals with disabilities who have benefited from the program;

''(F) a summary of the State plans and annual reports submitted by the States, including an analysis of the progress of the States in meeting their goals established in the State application;

''(G) the number of individuals who received training and the topics of such training;

''(H) the frequency and nature of technical assistance provided to State and local governmental agencies and other entities; and

''(I) the outcomes of interagency coordination and collaboration activities carried out by the State, as applicable, that support access to assistive technology including the type, purpose, and source of leveraged funding or other contributed resources from public and private entities.

''(e) EFFECT ON OTHER ASSISTANCE.—This Act may not be construed as authorizing a Federal or a State agency to reduce medical or other assistance available, or to alter eligibility for a benefit or service, under any other Federal law.

**''SEC. 7. NATIONAL ACTIVITIES.**

''(a) IN GENERAL.—Through grants, contracts, or cooperative agreements, awarded on a competitive basis, the Secretary is authorized to provide technical assistance to entities, principally entities funded under section 4 or 5.

''(b) INPUT.—In designing the program to be funded under this section, and in deciding the differences in function between national and regionally based technical assistance efforts carried out through the program, the Secretary shall consider the input of the directors of comprehensive statewide programs of technology-related assistance and other individuals the Secretary determines to be appropriate, especially—

''(1) individuals with disabilities who use assistive technology and understand the barriers to the acquisition of such technology and assistive technology services;

''(2) family members, guardians, advocates, and authorized representatives of such individuals; and

''(3) individuals employed by protection and advocacy systems funded under section 5.

''(c) AUTHORIZED ACTIVITIES.—The Secretary shall support activities designed to maximize the impact and benefit of assistive technology devices and assistive technology services for individuals with disabilities, including the following activities:

''(1) NATIONAL PUBLIC INTERNET SITE.—

''(A) ESTABLISHMENT OF INTERNET SITE.—The Secretary shall fund the establishment and maintenance of a National Public Internet Site for the purposes of providing to individuals with disabilities and the general public technical assistance and information on increased access to assistive technology devices, assistive technology services, and other disability-related resources.

''(B) ELIGIBLE ENTITY.—To be eligible to receive a grant or enter into a contract or cooperative agreement under subsection (a) to establish and maintain the Internet site, an entity shall be an institution of higher education that emphasizes research and engineering, has a multidisciplinary research center, and has demonstrated expertise in—

''(i) working with assistive technology and intelligent agent interactive information dissemination systems;

''(ii) managing libraries of assistive technology and disability-related resources;

''(iii) delivering education, information, and referral services to individuals with disabilities, including technology-based curriculum development services for adults with low-level reading skills;

''(iv) developing cooperative partnerships with the private sector, particularly with private sector computer software, hardware, and Internet services entities; and

''(v) developing and designing advanced Internet sites.

''(C) FEATURES OF INTERNET SITE.—The National Public Internet Site described in subparagraph (A) shall contain the following features:

''(i) AVAILABILITY OF INFORMATION AT ANY TIME.—The site shall be designed so that any member of the public may obtain information posted on the site at any time.

''(ii) INNOVATIVE AUTOMATED INTELLIGENT AGENT.—The site shall be constructed with an innovative automated intelligent agent that is a diagnostic tool for assisting users in problem definition and the selection of appropriate assistive technology devices and assistive technology services resources.

''(iii) RESOURCES.—

''(I) LIBRARY ON ASSISTIVE TECHNOLOGY.—The site shall include access to a comprehensive working library on assistive technology for all environments, including home, workplace, transportation, and other environments.

''(II) RESOURCES FOR A NUMBER OF DISABILITIES.—The site shall include resources relating to the largest possible number of disabilities, including resources relating to low-level reading skills.

''(iv) LINKS TO PRIVATE SECTOR RESOURCES AND INFORMATION.—To the extent feasible, the site shall be linked to relevant private sector resources and information, under agreements developed between the institution of higher education and cooperating private sector entities.

''(D) MINIMUM LIBRARY COMPONENTS.—At a minimum, the Internet site shall maintain updated information on—

''(i) how to plan, develop, implement, and evaluate activities to further extend comprehensive statewide programs of technology-related assistance, including the development and replication of effective approaches to—

''(I) providing information and referral services;

''(II) promoting interagency coordination of training and service delivery among public and private entities;

''(III) conducting outreach to underrepresented populations and rural populations;

''(IV) mounting successful public awareness activities;

''(V) improving capacity building in service delivery;

''(VI) training personnel from a variety of disciplines; and

''(VII) improving evaluation strategies, research, and data collection;

''(ii) effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services;

''(iii) successful approaches to increasing the availability of public and private funding for and access to the provision of assistive technology devices and assistive technology services by appropriate State agencies; and

''(iv) demonstration sites where individuals may try out assistive technology.

''(2) TECHNICAL ASSISTANCE EFFORTS.—The Secretary shall, on a competitive basis, make grants to, or enter into cooperative agreements with, eligible entities—

''(A) to address State-specific information requests concerning assistive technology from other entities funded under this Act and public entities not funded under this Act, including—

''(i) requests for state-of-the-art, or model, Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services;

''(ii) requests for examples of policies, practices, procedures, regulations, or judicial decisions that have enhanced or may enhance access to funding for assistive technology devices and assistive technology services for individuals with disabilities;

''(iii) requests for information on effective approaches to Federal-State coordination of programs for individuals with disabilities, related to improving funding for or access to assistive technology devices and assistive technology services for individuals with disabilities of all ages;

''(iv) requests for information on effective approaches to the development of consumer-controlled systems that increase access to, funding for, and awareness of, assistive technology devices and assistive technology services;

''(v) other requests for technical assistance from other entities funded under this Act and public entities not funded under this Act; and

''(vi) other assignments specified by the Secretary, including assisting entities described in section 6(b) to develop corrective action plans; and

''(B) to assist targeted individuals by disseminating information about—

''(i) Federal, State, and local laws, regulations, policies, practices, procedures, and organizational structures, that facilitate, and overcome barriers to, funding for, and access to, assistive technology devices and assistive technology services, to promote fuller independence, productivity, and inclusion in society for individuals with disabilities of all ages; and

''(ii) technical assistance activities undertaken under subparagraph (A).

''(d) ELIGIBLE ENTITIES.—To be eligible to compete for grants, contracts, and cooperative agreements under this section, entities shall have documented experience with and expertise in assistive technology service delivery or systems, interagency coordination, and capacity building and advocacy activities.

''(e) APPLICATION.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

**''SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

''(a) STATE GRANTS FOR ASSISTIVE TECHNOLOGY; NATIONAL ACTIVITIES.—There are authorized to be appropriated to carry out sections 4 and 7 of this Act $21,524,000 for fiscal year 2005 and such sums as may be necessary for each of fiscal years 2006 through 2010. Of the amount appropriated pursuant to the authorization of appropriations under this subsection for a fiscal year, not more than $1,235,000 may be made available to carry out section 7 of this Act.

''(b) STATE GRANTS FOR PROTECTION AND ADVOCACY.—There are authorized to be appropriated to carry out section 5 of this Act $4,419,000 for fiscal year 2005 and such sums as may be necessary for each of fiscal years 2006 through 2010.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Michigan (Mr. KILDEE ) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4278.

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

There was no objection.

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

Madam Speaker, I rise today in support of H.R. 4278, the Improving Access to Assistive Technology For Individuals With Disabilities Act of 2004.

This legislation reauthorizes and reforms the Assistive Technology Act, which was created in 1988. Since then the Federal Government has played an important role in helping States develop systems to provide access to assistive technology devices and services for individuals with disabilities.

The original intent of this program was to provide seed money to establish statewide systems to help individuals with disabilities access assistive technology. Since then, all 50 States, the District of Columbia, Puerto Rico, and the outlying areas have established systems of some design and scope.

In 1998, we added the alternative financing program as a competitive grant program and we have seen many States make wonderful progress in expanding the opportunities made available to individuals with disabilities.

The original law contained a sunset provision in which the funding for these deficits would expire after 10 years. However, the program has continued to receive funds for the past 6 years since the initial 10 years were completed. These funds are now running out, and it is necessary to reauthorize this act to ensure that these programs continue to meet the needs of individuals with disabilities.

The Federal funds distributed to States over the last 16 years have allowed States to set up the needed infrastructure to support assistive technology systems. To continue the success of the assistive technology programs and to ensure that Federal money is used to best provide services to individuals with disabilities, significant reform of the Assistive Technology Act is needed.

This bill shifts the focus of the program to provide greater direct benefit to individuals with disabilities. Our goal is to help States gets more assistive technology directly into the hands of the individuals with disabilities. This new focus expands the reach of the State programs by moving away from support of administration activities and emphasizing the importance of getting the technology itself to the individuals with disabilities that need it.

I know that this will help States continue to make progress in their efforts

to expand access to assistive technology and that increasing numbers of individuals with disabilities will be able to participate in society more fully every day.

Although we are refocusing the program, we certainly recognize the importance of State flexibility, and our bill maintains that important element of this program.

We direct States to focus their efforts to putting the technology into the hands of individuals with disabilities, but allow them the freedom to decide how they would go about that and which efforts will work best in their State to accomplish that goal.

States have two options in regard to their expenditures of Federal funds. In one option States could allocate 70 percent of the resources to State level activities and spend no more than 30 percent on State level activities. State level activities are more focused on directly giving individuals with disabilities assistive technology access and services, while State leadership activities are more administrative. Under this option, the States would have full flexibility to select the activities in each category that they would support.

In the other option, States would choose to spend 60 percent of the resources on State level activities and no more than 40 percent on State leadership activities. However, the State would be required to support two particular State level activities, the alternative financing program and the device loan program. I believe that the increased focus on State level activities coupled with the State flexibility will drastically improve the program and the assistance in services it provides to individuals with disabilities.

I am pleased with the changes that H.R. 4278 makes to the Assistive Technology Act, and I believe they will greatly improve the lives of those affected by a disability. In crafting this legislation, we worked with our friends across the aisle, our friends in the disability community, and our State directors. I believe we have come up with a creative proposal that will give States significant flexibility while also ensuring that the focus of the program does shift in the right direction. The reforms we have crafted in this bill respond to the concerns of the critics of this program, and it will place the program on solid footing for continued and future success.

I would like to thank the gentleman from Michigan (Mr. KILDEE) and his staff for the long hours that have gone into this process so far. I would also like to thank the gentleman from Minnesota (Mr. RAMSTAD) and the gentleman from Rhode Island (Mr. LANGEVIN) for their support of this important legislation. As cochairs of the Disability Caucus, they know the importance of this legislation and we are glad to have their support today. I am very pleased with this bill, and I am glad to say we have been able to come together in a bipartisan way to improve this important program.

I would also like to thank our friends in the disability community for working with us so diligently throughout this process. Your support for this legislation is valued, and it is important that this has been such an open and deliberative process.

I strongly support H.R. 4278, the Improving Access for Individuals With Disabilities Act of 2004, and I urge my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of H.R. 4278. The bill is a culmination of many months of bipartisan efforts to reauthorize the Assistive Technology Act.

This law is an important component in ensuring that individuals with disabilities can access assistive technology to attend school, to maintain employment, and to live independently.

As Members know, this bill is critically needed. This legislation finally ensures that States grant programs can counts on a stable source of Federal funds to support their operations. The last reauthorization of the Assistive Technology Act in 1998 sunset the State grant program. For the past 3 years, many States have wondered whether a certain year would be the last year of Federal funding. This bill erases this doubt by ensuring that all States will be eligible for funding through 2010.

I want to mention the inclusion of the American Indian Consortium as a funded protection and advocacy system under this legislation. Individuals with disabilities in Indian Country are some of the most disadvantaged when it comes to the ability to access assistive technology. This bill will provide resources to this consortium to ensure the needs of Native Americans seeking assistive technology are represented.

This provision alone will have a tremendously positive impact on Indian Country. The momentum behind this bill would not have been possible without a real bipartisan effort to move this bill. I want to thank particularly the gentleman from Ohio (Mr. BOEHNER), the gentleman from California (Mr. MCKEON), and the gentleman from Delaware (Mr. CASTLE), its former governor, for his hard work on this bill, and I want to thank their staffs for working closely with my staff.

We have truly created a bill that will improve the ability of individuals with disabilities to access assistive technology. This legislation is an excellent example of what we can accomplish if we put our efforts into working together.

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

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

Madam Speaker, before I yield back the balance of my time, I would like to thank the gentleman from Michigan (Mr. KILDEE). I do not work with him as much as I used to but he has always been wonderful to work with. A lot of the work on this bill, as the gentleman and I both know, was done by the gentleman from California (Mr. MCKEON), who deserves a tremendous amount of the credit for bringing this together. But the gentleman from Michigan's (Mr. KILDEE) help and that of the amiable gentleman from California (Mr. MCKEON) is tremendous in pulling together partisan interests and differing interests and bringing them together to allow legislation like this to move forward.

I would encourage all of the Members to support it.

Mr. HOYER. Madam Speaker, technology has become tremendously important in everyone's daily lives, but there are perhaps few places where technology plays as important a role in an individual's daily life than for individuals with disabilities.

That is why I am pleased to be a cosponsor and strong supporter of the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004, considered in the House of Representatives today.

Assistive technology devices and adaptations are critical to ensuring that individuals with disabilities can live with independence and pursue work, education, communication and other aspects of daily living.

Since the Assistive Technology Act was enacted in 1998, assistive technology state grants have provided funds to states to start-up and establish systems for distributing assistive technology devices and services. States have since made significant progress in building and improving these systems. The Maryland Technology Assistance Program, for example, provides a low-interest loan program to help people gain access to and afford critical technologies.

The previous authorization originally included a sunset provision to phase out the state assistance grants. However, as it has become clear that technology was increasingly important and that this program provided crucial assistance, support has grown to make this program permanent.

I am pleased that over the past several years, we have been able to include language in the Labor-HHS-Education bill to waive the sunset provision and adequate funding, so that states would not have to eliminate their programs.

With this important reauthorization bill, we will no longer have to include this language on an annual basis, and individuals with disabilities can be confident that this program will continue to provide states with needed assistance.

I am also pleased that this bill has been written to revise the program with greater focus on providing direct benefits to individuals with disabilities.

I hope all of my colleagues will support this bipartisan legislation.

Mr. CASTLE. Madam Speaker, I rise in support of H.R. 4278, the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004, and thank the gentleman from California (Mr. MCKEON) for his work.

The legislation before us today is key to helping thousands of individuals across the country gain access to assistive technology devises and services.

The use of assistive technology can help a child attend school, an adult seek and maintain employment, and individuals of all ages with disabilities participate more fully in society. Every day, the lives of countless individuals with disabilities are made better through access to assistive technology. Assistive technology helps individuals meet the challenges they face every day, and through the use of assistive technology individuals with disabilities can overcome almost any obstacle they face.

With initial passage of the Assistive Technology Act, and past reauthorizations, the job of the state AT projects was one of information and outreach, making people aware of technology options. This reauthorization focuses on how we can enhance these services. However, this legislation by encouraging AT projects across the country to build on other success stories across we can help more people with disabilities to learn, work, and be active participants in their community. One key way H.R. 4278 accomplishes this is through an increased focus on helping individuals actually acquire the assistive technologies that greatly improve their quality of life.

I am particularly proud of the AT work done in Delaware. The Delaware Assistive Technology Initiative connects Delawareans with the technologies that provide many with the opportunity to learn, work, play, and participate in community life safely and independently. Delawareans with disabilities count on the Initiative for access to technology for product demonstration and trial use, for information and consultation about equipment and funding resources, and for the coordination of resources among agencies and organizations. The Initiative runs a used equipment exchange service, publishes an informative newsletter, and helps people connect with the appropriate technology, financial assistance, and skills training. The Initiative has no eligibility limitations, other than Delaware residency. It serves infants through older persons, and addresses the needs of people with any type of disabling condition. There is no other source in Delaware that could replace these services and supports. The staff, and their counterparts in other states, are intimately familiar with the barriers that people with disabilities still encounter relative to employment, education, and community living. Assistive technology and universal design are often keys to access, opportunity, and achievement in all of these arenas, and the Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004 will help to ensure that access leads to opportunity, and that opportunity results in enhanced employment, academic achievement, and community life.

I urge my colleagues to support this reauthorization.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the bill, H.R. 4278, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## EXPRESSING SENSE OF CONGRESS THAT KATHERINE DUNHAM BE RECOGNIZED FOR HER GROUNDBREAKING ACHIEVEMENTS IN DANCE, THEATER, MUSIC, AND EDUCATION, AS WELL AS HER WORK AS AN ACTIVIST STRIVING FOR RACIAL EQUALITY THROUGHOUT THE WORLD

Mr. CASTLE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 62) expressing the sense of Congress that Katherine Dunham should be recognized for her groundbreaking achievements in dance, theater, music, and education, as well as for her work as an activist striving for racial equality throughout the world.

The Clerk read as follows:

H. CON. RES. 62

Whereas Katherine Dunham was born on June 22, 1909, and began formal dance training in her late teens;

Whereas, in the 1930s, Katherine Dunham revolutionized American dance by incorporating the roots of black dance and ritual, and by transforming these elements into choreography accessible to all through the Katherine Dunham Technique;

Whereas Katherine Dunham completed her bachelor's degree in social anthropology at the University of Chicago, was a pioneer in the use of folk and ethnic choreography, and was one of the founders of the anthropological dance movement;

Whereas Katherine Dunham utilized her dance career and public status to draw attention to issues of segregation and the civil rights movement;

Whereas Katherine Dunham founded Les Ballet Negre in 1931, the first black ballet company in the United States;

Whereas Les Ballet Negre became known as the Katherine Dunham Dance Company, touring in more than 60 countries during the 1940s;

Whereas Katherine Dunham was a dancer, choreographer, and director on Broadway, and was the first black choreographer at the Metropolitan Opera;

Whereas, in 1945, Katherine Dunham founded the Dunham School of Dance and Theatre in Manhattan, thereby providing a centralized location for students to immerse themselves in dance technique while also studying topics in the humanities, languages, ethics, philosophy, and drama;

Whereas, in 1967, Katherine Dunham established the Performing Arts Training Center in East St. Louis, Missouri, which enrolled high-risk youth into its programs in fine, performing, and cultural arts;

Whereas Katherine Dunham founded the Katherine Dunham Centers for Arts and Humanities in 1969, and the Katherine Dunham Museum and Children's Workshop in 1977;

Whereas Katherine Dunham went on a 47-day hunger strike in 1993 to call attention to the welfare of Haitians, thereby shifting public opinion concerning the United States' relations with Haiti, and helping to precipitate the return of Haiti's first democratically elected president;

Whereas Katherine Dunham has received 10 honorary doctorates and numerous awards, including the Presidential Medal of Arts, the French Legion of Honor, the NAACP's Lifetime Achievement Award, and the Kennedy Center Honor's Award; and

Whereas Katherine Dunham continues to be an activist, teacher, and mentor to young people throughout the world: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress that Katherine Dunham should be recognized for her work as a teacher, dancer, choreographer, and actress, for her dedication to improving the opportunities in the arts that are available to the Nation's youth, and for her lifelong commitment to humanitarian causes around the world.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Ohio (Mr. RYAN ) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 62.

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

There was no objection.

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

Madam Speaker, I rise in strong support of H. Con. Res. 62. Madam Speaker, I rise in support of this legislation which expresses the sense of Congress that Katherine Dunham should be recognized for her groundbreaking achievements in dance, theater, music, and education, as well as for her work as an activist striving for racial equality throughout the world.

Katherine Dunham has been called the matriarch of black dance. Her unprecedented blend of cultural anthropology with the artistic genre of dance in the early 1930s produced groundbreaking forms of movement and in the United States established black dance as an art form in its own right.

She was born on June 22, 1909 and began formal dance training in her late teens. She completed her Bachelor's Degree in social anthropology at the University of Chicago, was a pioneer in the use of folk and ethnic choreography, and was one of the founders of the Anthropological Dance Movement.

Katherine Dunham utilized her dance career and public status to draw attention to issues of segregation and the civil rights movement. In 1945, Katherine Dunham founded the Dunham School of Dance and Theater in Manhattan, thereby providing a centralized location for students to immerse themselves in dance technique while also studying topics in the humanities, languages, ethics, philosophy and drama.

In 1967, Katherine Dunham established a performing arts training center in East St. Louis, Missouri, which enrolled high risk youth into its program in fine, performing and cultural arts.

In 1993, she went on a 47-day hunger strike to call attention to the welfare of Haitians, thereby shifting public opinion concerning the United States public relations with Haiti, and helping to precipitate the return of Haiti's first democratically elected President.

□ 1715

During her career Katherine Dunham was a dancer, choreographer and a director on Broadway and was the first black choreographer at the Metropolitan Opera. She has received 10 honorary doctorates and numerous awards, including the Presidential Medal of Arts, the French Legion of Honor, the NAACP's Lifetime Achievement Award and the Kennedy Center Honors Award.

She continues to be an activist, teacher and mentor to young people throughout the world. I urge my colleagues to support House Concurrent Resolution 62, which expresses the sense of Congress that Katherine Dunham should be recognized for her work as a teacher, dancer, choreographer and actress, for her dedication to improving the opportunities in the arts that are available to the Nation's youth and for her lifelong commitment to humanitarian causes around the world.

Madam Speaker, I reserve the balance of my time.

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

I rise today in support of H. Con. Res. 62. I support this resolution which honors Katherine Dunham. This renowned dancer was born in Illinois in 1909 and started studying dance in her early teens. She was one of the first African Americans to study at the University of Chicago, where she earned a doctorate degree in anthropology.

As part of a research fellowship, Dunham studied the anthropological roots of dance in the Caribbean. Her research led to the creation of the anthropological dance movement which focuses on folk, ethnic and cultural choreography.

In 1931, she started the first African-American ballet company in the United States. Later she joined the faculty of Southern Illinois University in Edwardsville, where she helped create a performing arts training center and established a dance anthropology program.

She went on to create a community-based arts education program for impoverished young people in East St. Louis, the St. Louis metropolitan region's only multi-disciplinary arts organization devoted to the study, appreciation and celebration of diverse cultures.

Throughout her illustrious career as one of the word's most respected dancers, choreographers and teachers, Ms. Dunham used her talents, fame and resources to call attention to social injustices at home and abroad.

In closing, Madam Speaker, Katherine was dedicated to improving the lives of America's youth and correcting the social injustices at home and around the world, using her fame to increase support for the civil rights movement and to fight injustices worldwide. She is a good example of a person who has followed her passion and used her success for the greater good. We need more Americans to follow her fine example.

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

Mr. CASTLE. Madam Speaker, I encourage each of our Members to support the resolution.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 62.

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

A motion to reconsider was laid on the table.

## EXPRESSING SENSE OF CONGRESS THAT LIONEL HAMPTON SHOULD BE HONORED FOR HIS CONTRIBUTIONS TO AMERICAN MUSIC

Mr. CASTLE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 63) expressing the sense of Congress that Lionel Hampton should be honored for his contributions to American music.

The Clerk read as follows:

H. CON. RES. 63

Whereas Lionel Hampton was one of the Nation's greatest jazz musicians, composers, and band leaders;

Whereas Lionel Hampton was one of the first musicians to play the vibraphone in jazz, setting the standard for mastery of that instrument;

Whereas Lionel Hampton nurtured and inspired many of the greatest performers of jazz music who would go on to fame in their own right;

Whereas Lionel Hampton shattered the racial barriers of his time when he was recruited to perform with the Benny Goodman band in the 1930s, creating for the first time an integrated public face of jazz music;

Whereas Lionel Hampton, with his performances around the world, was a musical ambassador of goodwill and friendship for the United States;

Whereas Lionel Hampton was never deterred by fame from contributing to the Harlem, New York, community that he viewed as his home;

Whereas Lionel Hampton was active in the development of affordable housing, among them Harlem's Gladys Hampton Houses, named after his late wife, the former Gladys Riddle;

Whereas Lionel Hampton performed at the White House under Republican and Democratic presidents and was honored with the Presidential Gold Medal by President Bill Clinton; and

Whereas Lionel Hampton was born in Louisville, Kentucky on April 20, 1908, and died in New York City on August 31, 2002: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of Congress that Lionel Hampton should be honored for his contributions to American music and for his work as an ambassador of goodwill and democracy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 63.

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

There was no objection.

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

I rise in strong support in H. Con. Res. 63, and H. Con. Res. 63 expresses the sense of Congress that Lionel Hampton should be honored for his contributions to American music.

Starting in the 1930s on the vibraphone as a contemporary of Louis Armstrong and Benny Goodman, and staying active into the 1990s, Lionel Hampton built one of the towering careers in jazz music. A multi-instrumentalist, Hampton also enjoyed unmatched popularity as a bandleader, showman and social activist.

As a musician his greatest impact was on the vibraphone, becoming the first great jazz improviser on the instrument. Over the years his big band featured some of the best known singers and musicians in jazz history, and it became one of the longest running and commercially successful institutions in jazz. He also recorded extensively in many all-star small group projects at both sideman and leader.

Hampton became one of America's most-beloved musical figures. His astonishing longevity and extroverted personality made him a favorite of everyone from ordinary music fans to world leaders.

Lionel Hampton shattered the racial barriers of his time when he was recruited to perform with the Benny Goodman band in the 1930s, creating for the first time an integrated public face of jazz music

As a composer and arranger, Hampton wrote more than 200 works, including the jazz standards Flying Home, Evil Gal Blues and Midnight Sun. He also composed a major symphonic work, King David Suite.

As a statesman, he was asked by President Eisenhower to serve as a goodwill ambassador for the United States, and his band made many tours in Europe, Africa, the Middle East and the Far East, generating a huge international following. President George

Bush, Senior, appointed him to the board of the Kennedy Center, and President Clinton awarded him the National Medal of the Arts.

As a businessman, he established two record labels, his own publishing company, and he founded the Lionel Hampton Development Corporation to build low-income housing in inner cities.

In his continuing role as an educator, he began working with the University of Idaho in the early 1980s to establish his dream for the future of music education. In 1985, the university named its jazz festival for him, and in 1987 the university's music school was named the Lionel Hampton School of Music.

Nearly 20 years later, the University of Idaho has developed an unprecedented relationship with Hampton by ensuring that his vision lives through the Lionel Hampton Center, a $60 million project that will provide a home for jazz, housing the university's jazz festival, its school of music and its international jazz collection, all designed to help teach and preserve the heritage of jazz.

House Concurrent Resolution 63 expresses the sense of Congress that Lionel Hampton should be honored for his contributions to American music and for his work as an ambassador of goodwill and democracy. I urge my colleagues to support the resolution.

Madam Speaker, I reserve the balance of my time;

Mr. RYAN of Ohio. Madam Speaker, I yield myself as much time as I may consume in order to support this resolution which honors Lionel Hampton.

This talented musician was born in Kentucky in 1908 and was raised in Chicago. He learned to play the drums while in school and later moved to Los Angeles to pursue a career in music. He is most famous for his work with the vibraphone, earning himself the nickname ''the king of vibes.''

In 1930, he joined the Benny Goodman Quartet, making them the first racially integrated group of jazz musicians. He also established the Lionel Hampton Orchestra. Sunny Side of the Street, Central Avenue Breakdown, his signature tune, Flying Home and Hamp's Boogie-Woogie all became top-of-the-chart best sellers.

Hampton visited many different countries as a goodwill ambassador for then President Dwight D. Eisenhower.

He created the Lionel Hampton Development Corporation in order to build low-income housing in the cities.

Hampton also worked with the University of Idaho to preserve and teach the history of jazz music to future generations.

He died on August 31, 2002.

In closing, it is fitting for Congress to honor Mr. Hampton's contributions to American music, to expanding low-income housing in our Nation's cities and for his work as a goodwill ambassador.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today as a supporter of H. Con. Res. 63, which honors and recognizes the life of the late Lionel Hampton. This is an honor that is well deserved for a man who dedicated his life not only to the performing arts but also to his community. I want to thank my distinguished colleague Representative CHARLES RANGEL for bringing this bill to the floor and giving appreciation to a truly outstanding human being.

As a jazz musician, Lionel Hampton made a positive impact on the world of jazz, as well as on American culture. Often called one of the greatest jazz musicians of our time, Lionel Hampton also proved outstanding as a composer and band leader. He set new standards for musicians across the world. Being a member of the Benny Goodman band he set a new standard for integration. By gaining mastery of the vibraphone, he set a new standard for jazz. Also known as the ''King of the Vibe,'' Hampton led his own orchestra, which gained popularity and recognition world-wide. Noteworthy musicians and producers like Quincy Jones are products of Lionel Hampton's Orchestra.

Lionel Hampton's work was praised by some of the highest leaders of the land. President Dwight D. Eisenhower asked Hampton to serve as the Goodwill Ambassador for the United States. Years later, President George Bush, Sr. appointed Hampton to the Board of the Kennedy Center, while a few years later President Bill Clinton awarded him the National Medal of the Arts.

An entrepreneur in his own right, Lionel Hampton launched two record labels, a publishing company and the Lionel Hampton Development Corporation. He also partnered with the University of Idaho, which named its School of Music the Lionel Hampton School of Music. And in 2006, the Lionel Hampton Center will be the home for jazz, housing the university's School of Music, the university's jazz festival and its International Jazz Collections.

Lionel Hampton took pride in his home in Harlem, New York, and used his platform and affection for his community to contribute to the development of affordable housing. His own Lionel Hampton Development Corporation led to such developments as the Gladys Hampton Housing project, named for his wife whom he married in 1936. Hampton's efforts in the housing arena should serve as an example to all, as he used his groundbreaking achievements to help others.

Although Lionel Hampton has been deceased for almost 2 years, his music and legacy are alive, thriving and deserving of congressional acknowledgment.

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

Mr. CASTLE. Madam Speaker, I encourage everyone to support the resolution. I have no further requests for time, and I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 63.

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

A motion to reconsider was laid on the table.

## REDESIGNATION OF AMERICAN INDIAN EDUCATION FOUNDATION

Mr. RENZI. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3504) to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education.

The Clerk read as follows:

H.R. 3504

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

**SECTION 1. REDESIGNATION OF AMERICAN INDIAN EDUCATION FOUNDATION.**

(a) REDESIGNATION.—Section 501(a) of title V of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bbb(a)), as added by Public Law 106–568, is amended by striking ''the American Indian Education Foundation'' and inserting ''a foundation to be known as the 'National Fund for Excellence in American Indian Education' (hereinafter referred to as the 'Foundation')''.

(b) CONFORMING AMENDMENTS.—Title V of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bbb), as added by Public Law 106–568, is amended—

(1) in the heading to read as follows:

**''TITLE V—NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION'';**

and

(2) in the heading of section 501 to read as follows:

**''SEC. 501. NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION.''.**

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3504, the bill under consideration.

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

There was no objection.

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

Madam Speaker, I should like to thank the gentleman from Ohio (Chairman BOEHNER) for scheduling this important legislation.

H.R. 3504 would redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian education. The American Indian Education Foundation was chartered by Congress under the Omnibus Indian Advancement Act in the 106th Congress. Its purpose is to further the educational opportunities of the American Indian students who attend BIA schools. This legislation was championed by the gentleman from Michigan (Mr. KILDEE).

Unfortunately, under passage of the Omnibus Indian Advancement Act, it

was discovered the name ''American Indian Education Foundation'' is already used by an existing nonprofit organization which holds the trademark to the name. Thus, the foundation Congress intended to establish cannot get incorporated unless we change the name.

This issue may be noncontroversial and technical in nature, but if we do not correct the organization's name, the fund's staff and board of directors cannot get to work on improving the education of American Indian students.

I would also like to thank at this time the leadership of America's first Native American college, the NA College, located in the Navajo Nation, for their advocacy and unwavering support in advancing the educational ideals of our Native American Indian students.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this bill makes an important technical change to the American Indian Foundation. I introduced this bill in the 106th Congress, and Congress established this foundation in that Congress to improve the education of Native Americans.

This bill would rename the existing American Indian Foundation as the National Fund for Excellence in American Indian Education. This is an important technical change that allows this foundation to avoid copyright conflicts with the previously existing foundation with the same name.

I urge Members to support myself and the gentleman from Arizona (Mr. RENZI) and this legislation.

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

Mr. RENZI. Madam Speaker, I have no other speakers at this time, and I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3504.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## SUPPORTING RESPONSIBLE FATHERHOOD AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN

Mr. OSBORNE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 66) supporting responsible fatherhood and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

The Clerk read as follows:

H. RES. 66

Whereas 40 percent of children who live in fatherless households in the United States have not seen their fathers in at least 1 year, and 50 percent of such children have never visited their fathers' homes;

Whereas approximately 50 percent of all children born in the United States spend at least half of their childhood in families without father figures;

Whereas 3 out of 4 adolescents in the United States report that they do not have adults in their lives that serve as positive role models;

Whereas children who are apart from their biological fathers are, in comparison to other children, 5 times more likely to live in poverty, and more likely to bring weapons and drugs into the classroom, commit other crimes, drop out of school, commit suicide, abuse alcohol or drugs, or become pregnant as teenagers;

Whereas the Federal Government spends billions of dollars to address these social ills and very little to promote responsible fatherhood;

Whereas children with fathers at home tend to do better in school, to be less prone to depression, and to have more successful relationships;

Whereas boys and girls alike demonstrate greater self-control and ability to take initiative when fathers are actively involved in their upbringing;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas the promotion of responsible fatherhood should not denigrate the standing or parenting efforts of single mothers, whose efforts are heroic, lessen the protection of children from abusive parents, cause women to remain in, or enter into, abusive relationships, or compromise the health or safety of a custodial parent;

Whereas a broad array of the Nation's leading family and child development experts agree that it is in the best interests of children and the Nation as a whole to encourage more two-parent families where the father is actively involved with his children;

Whereas in a study of fathers' interaction with their children in intact two-parent families, nearly 90 percent of the fathers surveyed said that being a father is the most fulfilling role a man can have;

Whereas according to a 1996 Gallup poll, 90.3 percent of Americans agree that fathers make a unique contribution to their children's lives;

Whereas married fathers are more likely to have a close, enduring relationship with their children than unmarried fathers; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the moral, academic, and spiritual development of children;

(2) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources to his children, recognizing that children need not only material support, but even more importantly, a secure and nurturing family environment;

(3) urges mothers to encourage fathers to play an active role in child-rearing;

(4) commends the millions of fathers who serve as wonderful, caring parents for their children;

(5) calls on fathers across the Nation to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children; and

(6) urges institutions and government entities at every level to promote public policies that encourage and support, and remove barriers to, responsible fatherhood.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from Ohio (Mr. RYAN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 66.

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

There was no objection.

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

Madam Speaker, I would first like to thank the gentleman from Oklahoma (Mr. SULLIVAN) for sponsoring this legislation and the gentleman from Ohio (Mr. BOEHNER), the chairman of the House Committee on Education and the Workforce, for supporting it.

Madam Speaker, we live in troubled times for young people. Over 36 years of coaching I saw cultural changes that negatively impacted children. The out-of-wedlock birth rate went from 5 percent in 1960 to roughly 33 percent today.

The United States has become the most violent nation in the world for young people in terms of homicide and suicide. Drug and alcohol addiction has increased dramatically. We currently have roughly 3 million teenage alcoholics and hundreds of thousands who are addicted to other types of drugs.

□ 1730

Teen pregnancy has skyrocketed.

The greatest single factor in this alarming transformation has been fatherlessness. There are currently 24 million fatherless children in the United States. Up to 60 percent of today's children will spend at least part of their childhood separated from their biological fathers, and many fathers who are present are emotionally absent because of work commitment and simple lack of interest in their children's lives.

Fatherless children have a great deal of trauma and dysfunction in their lives. They are much more likely to commit crimes and engage in substance abuse. Approximately 70 percent of prison inmates grew up without fathers. Fatherless children have lower grades and higher dropout rates. The dropout rate for fatherless children is roughly double that of other children. Fatherless children are five times more likely to live in poverty, are more likely to be promiscuous. And three out of four suicides take place in a home where a parent is absent, and psychiatric problems are four to five times more prevalent for fatherless children.

So when a dad walks out, it leaves a vacuum that is often filled with all of

the wrong stuff. This is the biggest threat that we experience in our culture today, so I would like to take this opportunity particularly to thank those fathers who do stay the course. While some have minimized the importance of fatherhood, the evidence is overwhelming that a father makes a unique contribution in the lives of his children.

It takes both a father and a mother living in a committed relationship to develop stable children and a strong culture. Some have denigrated the institution of marriage and said fathers really are somewhat irrelevant, and obviously the facts belie that. Fathers are critical, as are mothers, to a strong society.

Madam Speaker, I want to urge support to the National Center on Fathering created by Ken Canfield. Mentoring programs have been very important around the country to fill the gap in fatherlessness, and all of the initiatives which promote and strengthen fatherhood.

We currently see an encouraging increase in interest and recognition of the importance of fatherhood. I guess in what might otherwise be a rather bleak picture, this is somewhat of an encouraging sign. I urge adoption of House Resolution 66.

Madam Speaker, I reserve the balance of my time.

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

I am happy to rise in appreciation of fathers and in full support of Father's Day. Many people believe that Father's Day was started by greeting card companies to create another reason for people to buy greeting cards, but that is not so. The origination of Father's Day is generally credited to Mrs. John B. Dodd of Washington State. Mrs. Dodd wanted to honor her father, William Smart. Mr. Smart was a Civil War veteran whose wife, Mrs. Dodd's mother, died in childbirth with their sixth child. Mr. Smart never remarried and raised all six children by himself.

Beginning in 1919, Father's Day was celebrated unofficially on June 19, which was close to Mr. Smart's birthday. It was not until 1966 that Father's Day became an official American celebration when President Johnson signed a Presidential proclamation declaring the third Sunday in June Father's Day.

I am happy to join my colleagues on both sides of the aisle to honor the many, many wonderful fathers who have given children their time, knowledge and strength, and most of all their love; and I would like to take this opportunity to also thank and show great gratitude for the grandfathers who have in many of our lives, mine in particular, played a tremendous role and in many instances step in for the father who is not there.

There is something special about the grandfather because they are passing down from many generations, which is very enriching, I think, for many young people in our society today. And coming from a generation where there has been much divorce and many fathers who have not been around, I think this is a very appropriate resolution, and I am happy to show our appreciation to the gentleman from Nebraska (Mr. OSBORNE).

Madam Speaker, I reserve the balance of my time.

Mr. McINTYRE. Madam Speaker, I rise in strong support of H.J. Res. 66, a resolution that speaks to the importance of fathers and the role that they play in our society. I thank my colleague, Mr. Sullivan, for his work on this important matter.

Six days from now, our nation will celebrate the special place that fathers have in our country.

From helping with homework to playing ball, from reading a book to offering advice, and from praying with and just listening, each and every day fathers of all ages contribute to the mental, moral, physical and spiritual development of children, teenagers, and adults.

According to the National Fatherhood Initiative, children with involved, loving fathers are significantly more likely to do well in school, have a healthy self esteem, show empathy, exhibit good behavior, and avoid high risk activity such as drug use and criminal activity.

H.J. Resolution 66 recognizes the wonderful work that both parents do on behalf of their kids, and I encourage my colleagues to join with us as we all recommit ourselves to being the best father we can to children everywhere.

And in conclusion, I would like to publicly thank my father, Dr. Douglas McIntyre of my hometown of Lumberton, for the great example he has been to me and for the dedication and support he has shown in my every endeavor.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 66.

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

A motion to reconsider was laid on the table.

## AMENDMENT TO AGREEMENT BETWEEN UNITED STATES AND UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108–192)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to section 123d. of the Atomic Energy Act of 1954, as amended, the text of an amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended, and my written approval, authorization, and determination concerning the agreement. The joint unclassified letter submitted to me by the Secretaries of Energy and Defense that provides a summary position on the Amendment is also enclosed.

The Amendment extends for 10 years (until December 31, 2014) provisions that permit the transfer of nonnuclear parts, source, byproduct, special nuclear materials, and other material and technology for nuclear weapons and military reactors, and revises text, principally in the Security Annex, to be consistent with current policies and practices relating to personnel and physical security.

In my judgment, the proposed Amendment meets all statutory requirements. The United Kingdom intends to continue to maintain viable nuclear forces. In light of our previous close cooperation and the fact that the United Kingdom has committed its nuclear forces to the North Atlantic Treaty Organization, I have concluded that it is in our interest to continue to assist them in maintaining a credible nuclear force.

I have approved the Amendment, authorized its execution, and urge that the Congress give it favorable consideration.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 14, 2004.*

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 36 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

## AFTER RECESS

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

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

H.J. Res. 97, by the yeas and nays;

H. Res. 669, by the yeas and nays;

H.R. 4323, by the yeas and nays; and H. Res. 653, by the yeas and nays.

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

## APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, H.J. Res. 97.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the joint resolution, H.J. Res. 97 on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 372, nays 2, not voting 59, as follows:

[Roll No. 232]

YEAS—372

Abercrombie
Ackerman
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
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
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schrock
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NAYS—2

Flake
Paul

NOT VOTING—59

Aderholt
Andrews
Bell
Bilirakis
Brown, Corrine
Burr
Burton (IN)
Carson (IN)
Carson (OK)
Conyers
Crowley
Culberson
Davis (AL)
DeMint
Deutsch
Dooley (CA)
Edwards
Ehlers
Fattah
Ford
Frost
Garrett (NJ)
Gephardt
Graves
Gutierrez
Hoeffel
John
Kilpatrick
Lampson
Lantos
Lipinski
Lowey
Meehan
Millender-McDonald
Miller (FL)
Miller, George
Mollohan
Nadler
Neal (MA)
Nussle
Pallone
Pascrell
Payne
Pelosi
Peterson (PA)
Reyes
Rothman
Ruppersberger
Sanders
Schiff
Scott (VA)
Serrano
Shays
Taylor (NC)
Toomey
Velázquez
Watson
Woolsey
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TIBERI) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1857

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 232, had I been present, I would have voted "yea."

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the remainder of this series of votes will be conducted as 5-minute votes.

## EXPRESSING SENSE OF CONGRESS WITH RESPECT TO NEED TO PROVIDE PROSTATE CANCER PATIENTS WITH MEANINGFUL ACCESS TO INFORMATION ON TREATMENT OPTIONS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 669.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 669, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 377, nays 3, not voting 53, as follows:

[Roll No. 233]

YEAS—377

Abercrombie
Ackerman
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emanuel
Emerson
Engel
English
Eshoo

Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
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
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pastor
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—3

Flake
Paul
Shadegg

NOT VOTING—53

Aderholt
Bell
Bilirakis
Brown, Corrine
Burr
Burton (IN)
Carson (IN)
Carson (OK)
Conyers
Crowley
Culberson
Davis (AL)
DeMint
Deutsch
Dooley (CA)
Ehlers
Fattah
Ford
Frost
Gephardt
Graves
Gutierrez
Hoeffel
Hunter
John
Kilpatrick
Lampson
Lantos
Lipinski
Lowey
Meehan
Millender-McDonald
Miller (FL)
Miller, George
Mollohan
Nadler
Neal (MA)
Nussle
Pallone
Pascrell
Payne
Pelosi
Peterson (PA)
Reyes
Ruppersberger
Sanders
Serrano
Shays
Taylor (NC)
Toomey
Velázquez
Watson
Woolsey

□ 1905

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROVIDING RAPID ACQUISITION AUTHORITY TO SECRETARY OF DEFENSE TO RESPOND TO COMBAT EMERGENCIES

The SPEAKER pro tempore (Mr. TIBERI). The pending business is the question of suspending the rules and passing the bill, H.R. 4323.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4323, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 97, not voting 51, as follows:

[Roll No. 234]

YEAS—285

Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carter
Case
Castle
Chabot
Chocola
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Cunningham
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Edwards
Emerson
Engel
English
Etheridge
Evans
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Menendez
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stearns
Sullivan
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner (OH)
Turner (TX)
Upton
Van Hollen
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NAYS—97

Abercrombie
Ackerman
Allen
Baldwin
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boyd
Brady (PA)
Brown (OH)
Capps
Capuano
Cardoza
Chandler
Clay
Cummings
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Emanuel
Eshoo
Farr
Filner
Frank (MA)
Grijalva
Harman
Hastings (FL)
Hinchey
Holt
Hooley (OR)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kleczka
Kucinich
Langevin
Lee
Levin
Lewis (GA)
Lofgren
Lynch
Majette
Maloney
Markey
Matsui
McCollum
McDermott
McGovern
Meek (FL)
Meeks (NY)
Murtha
Napolitano
Oberstar
Obey
Olver
Owens
Pastor
Peterson (MN)
Rahall
Ross
Roybal-Allard
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Sherman
Slaughter
Solis
Stark
Stenholm
Strickland
Stupak
Thompson (CA)
Tierney
Udall (CO)
Udall (NM)
Visclosky
Waters
Watt
Waxman
Weiner
Wynn

NOT VOTING—51

Aderholt
Bell
Bilirakis
Brown, Corrine
Burr
Burton (IN)
Carson (IN)
Carson (OK)
Conyers
Crowley
Culberson
Davis (AL)
DeMint
Deutsch
Dooley (CA)
Ehlers
Fattah
Ford
Frost
Gephardt
Graves

Gutierrez
Hoeffel
John
Kilpatrick
Lampson
Lantos
Lipinski
Lowey
Meehan
Millender-McDonald
Miller (FL)
Miller, George
Mollohan
Nadler
Neal (MA)
Pallone
Pascrell
Payne
Pelosi
Peterson (PA)
Reyes
Ruppersberger
Serrano
Shays
Tancredo
Taylor (NC)
Toomey
Velázquez
Watson
Woolsey

□ 1925

Messrs. DELAHUNT, OWENS, PASTOR, DEFAZIO, Mrs. JONES of Ohio, Messrs. MARKEY, UDALL of Colorado, BISHOP of Georgia, Ms. MAJETTE, Messrs. JEFFERSON, BROWN of Ohio, STRICKLAND, DICKS, BECERRA, HASTINGS of Florida, Ms. ROYBAL-ALLARD, Messrs. SHERMAN, ALLEN, MEEK of Florida, Mrs. NAPOLITANO, Ms. LOFGREN, Messrs. CUMMINGS, DAVIS of Illinois, LEVIN, FARR, PETERSON of Minnesota, DINGELL, Ms. HARMAN, Ms. LINDA T. SÁNCHEZ of California, Messrs. WYNN, CARDOZA, MATSUI, STENHOLM, BOYD, FILNER, Ms. DEGETTE, and Ms. HOOLEY of Oregon changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## HONORING FORMER PRESIDENT GEORGE HERBERT WALKER BUSH ON HIS 80TH BIRTHDAY

The SPEAKER pro tempore (Mr. TIBERI). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 653, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CARTER) that the House suspend the rules and agree to the resolution, H. Res. 653, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 52, as follows:

[Roll No. 235]

YEAS—381

Abercrombie
Ackerman
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
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Inslee
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Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
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Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
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McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica
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Miller, Gary
Moore
Moran (KS)
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Musgrave
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Peterson (MN)
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Price (NC)
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Rahall
Ramstad
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Regula
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Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
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Weiner
Weldon (FL)
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NOT VOTING—52

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DeMint
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Fattah
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Reyes
Ruppersberger
Serrano
Shays
Taylor (NC)
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Turner (TX)
Velázquez
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So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was regrettably delayed in my return to Washington, DC and therefore unable to be on the House Floor for rollcall votes 232, 233, 234 and 235. Had I been here I would have voted "yea" for rollcall vote 232, "yea" for rollcall vote 233, "yea" for rollcall vote 234, and "yea" for rollcall vote 235.

## PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, personal reasons prevent me from being present for legislative business scheduled for today, Monday, June 14, 2004. Had I been present, I would have voted "yea" on H.J. Res. 97, legislation renewing the import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (rollcall No. 232); "yea" on H. Res. 669, a resolution expressing the sense of Congress regarding the need to provide prostrate cancer patients with meaningful access to information on treatment options (rollcall No. 233); "yea" H.R. 4323, providing the Secretary of Defense with rapid acquisition authority in times of combat emergencies (rollcall No. 234); and "yea" on H. Res. 653, a resolution honoring former President George Herbert Walker Bush on the occasion of his 80th birthday (rollcall No. 235).

## RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore (Mr. TIBERI) laid before the House the following resignation as a member of the Committee on Resources:

HOUSE OF REPRESENTATIVES,
*June 14, 2004.*

Hon. J. DENNIS HASTERT,
*Speaker of the House, U.S. Capitol, Washington, DC.*

DEAR MR. SPEAKER: Effective immediately, I hereby resign my seat on the Committee on

Resources, pending my appointment to the Committee on Government Reform.

Sincerely,

BETTY MCCOLLUM,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

## ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. MENENDEZ. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 670) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 670

*Resolved,* That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

COMMITTEE ON AGRICULTURE: Ms. Herseth (to rank immediately after Mr. Chandler).

COMMITTEE ON GOVERNMENT REFORM: Ms. McCollum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken tomorrow.

## ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES ACT OF 2004

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4061) to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, as amended.

The Clerk read as follows:

H.R. 4061

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2004''.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1)(A) According to estimates by the United Nations Children's Fund (UNICEF), there are more than 132,000,000 children in the world under the age of three.

(B) Of these children, 4,000,000 will die in their first month of life and another 7,000,000 will die each year before reaching the age of five. Thus an average of 30,000 children under the age of three die each day.

(2) According to a report developed by the United Nations Joint Programme on HIV/AIDS (UNAIDS), UNICEF, and the United States Agency for International Development, in 2001 there were more than 110,000,000 orphans living in sub-Saharan Africa, Asia, Latin America, and the Caribbean.

(3) Assessments carried out by the International Labor Organization (ILO) to investigate the situation of children who are working found that orphans are much more likely than non-orphans to be working in commercial agriculture, the domestic service industry, prostitution, as street vendors, or in industries that violate internationally recognized rights of children.

(4) Infants who are poor and malnourished are more likely to contract respiratory infections, diarrhea, measles, and other preventable diseases, and are less likely to receive needed health care.

(5) According to UNAIDS and UNICEF, by the end of 2001 there were an estimated 14,000,000 children under the age of 15 who had lost one or both parents to AIDS.

(6) As the number of HIV cases increases in sub-Saharan Africa and the Caribbean, as well as in Eastern Europe and Asia, the death rate from AIDS among adults in those regions is expected to increase. By 2010 the total number of children in those regions who will lose one or both parents to AIDS is expected to be approximately 30,000,000.

(7) One-third of children born from an HIV-infected mother develop HIV/AIDS. Few of these children have access to HIV/AIDS medications.

(8) Globally, more than 11,800,000 young people ages 15 to 24 were living with HIV/AIDS in 2001, and each day another 6,000 young people became infected with HIV. New estimates indicate that more than 70 percent of new HIV cases among this age group in sub-Saharan Africa are young women and girls.

(9) As their parents fall progressively sick from HIV/AIDS, children generally must take on an increasing number of responsibilities. Girls take responsibility for more household chores, often drop out of school, and care for their parents.

(10)(A) Without an adequate diet, individuals infected with HIV often die at an earlier age. Individuals with HIV become increasingly weak and fatigued, do not respond to drug treatment, and are prone to other illnesses such as malnutrition and tuberculosis (TB).

(B) Hunger can also cause previously HIV-negative people to engage in high-risk survival strategies that increase their chances of becoming infected with HIV.

(11) Extreme poverty and hunger coupled with the loss of one or both parents as a result of AIDS can force children from their families to a life on the streets, where the risk of HIV infection is extremely high.

(12)(A) A considerable number of United States and indigenous private voluntary organizations, including faith-based organizations, provide assistance to orphans and other vulnerable children in developing countries, especially children affected by HIV/AIDS.

(B) Many of these organizations have submitted applications for grants from the United States Agency for International Development in order to provide increased levels of assistance for orphans and other vulnerable children in developing countries but in most cases the Agency has not approved the applications.

(13)(A) Section 403(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25) establishes the requirement that for fiscal years 2006 through 2008, not less than 10 percent of amounts appropriated for HIV/AIDS assistance for each such fiscal year shall be expended for assistance for orphans and other vulnerable children affected by HIV/AIDS.

(B) Further, section 403(b) of Public Law 108–25 requires that at least 50 percent of such amounts shall be provided through nonprofit, nongovernmental organizations, including faith-based organizations, that implement programs on the community level.

(14)(A) It is essential that the United States Government adopt a comprehensive approach for the provision of assistance to orphans and other vulnerable children in developing countries.

(B) This comprehensive approach should ensure that important services, such as basic care, treatment for those children with HIV/AIDS, mental health and related services for those children affected by HIV/AIDS, school food programs, increased educational opportunities and employment training and related services, and the protection and promotion of inheritance rights, are made more accessible.

(C) This comprehensive approach should also ensure that government agencies and the private sector coordinate efforts to prevent and eliminate duplication of efforts and waste.

(15) As a result of the numerous United States Government programs under which assistance is specifically authorized or otherwise available for orphans and vulnerable children in developing countries, the United States Agency for International Development will be required to develop innovative methods for the conduct and monitoring of these programs, including through the collection, analysis, and reporting of information on the programs and the extent to which such programs provide assistance directly and indirectly to such children.

**SEC. 3. PURPOSE.**

The primary purpose of this Act, and the amendments made by this Act, is to provide assistance to orphans and other vulnerable children, especially such children affected by HIV/AIDS, and in particular, for such children in countries heavily affected by HIV/AIDS. To the maximum extent practicable, such assistance shall be provided for the direct benefit to such orphaned and vulnerable children.

**SEC. 4. ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES.**

Title V of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2201) is amended to read as follows:

**''TITLE V—ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN**

**''SEC. 241. FINDINGS; DECLARATION OF POLICY.**

''(a) FINDINGS.—Congress finds the following:

''(1) By 2010, HIV/AIDS will orphan more than 25,000,000 children worldwide.

''(2) Ongoing conflicts and civil wars in developing countries are adversely affecting children in these countries, the vast majority of whom currently do not receive humanitarian assistance or other support from the United States Government.

''(3) The United States Government currently administers assistance programs for orphans and other vulnerable children in developing countries. When requested by the Committee on International Relations of the House of Representatives to provide information on the overall number of orphans and other vulnerable children receiving assistance from the United States Agency for International Development in fiscal year 2002, the Agency was only able to report on its HIV/AIDS assistance program, under which the Agency provided assistance to 462,000 such orphans and other vulnerable children.

''(4) The United States Government should increase its efforts to provide assistance for orphans and other vulnerable children in developing countries, especially those children affected by HIV/AIDS or conflict.

''(5) The United States Agency for International Development should establish improved capacity to deliver assistance to orphans and other vulnerable children in developing countries through partnerships with private voluntary organizations, including faith-based organizations.

''(6) Further, the United States Agency for International Development should be the primary United States Government agency responsible for identifying and assisting orphans and other vulnerable children in developing countries.

''(b) DECLARATION OF POLICY.—Congress, recognizing that prompt and appropriate action by the United States to assist orphans and other vulnerable children in developing countries is an important expression of the humanitarian concern and tradition of the people of the United States, affirms the willingness of the United States to assist such orphans and other vulnerable children—

''(1) by providing assistance for the purpose of improving the health, nutritional, shelter, educational, economic, and psychological status of orphans and other vulnerable children in such countries; and

''(2) by providing humanitarian and protection assistance to such orphans and other vulnerable children affected by conflict or civil strife.

**''SEC. 242. ASSISTANCE TO PROVIDE BASIC CARE.**

''(a) FINDINGS.—Congress finds the following:

''(1) The need for individuals and local organizations in developing countries to assist households headed by children is necessary due to the increase in the number of such households. Millions of children in these types of households lack basic care, such as access to food and shelter.

''(2) Although families and extended families serve as the primary providers of care for these children, when these family care networks break down, and when communities are responsible for raising orphans, these children are cared for in a rich and nurturing environment and remain connected to the traditions and rituals of families and the community.

''(3) As the number of these children increases, the ability of communities to provide basic care for such children is limited. Assistance to support the provision of such basic care is therefore necessary in and of itself and also to facilitate the provision of other types of assistance for such children under this title.

''(b) ASSISTANCE.—

''(1) IN GENERAL.—The President is authorized to provide assistance for programs in developing countries to provide basic care for orphans and other vulnerable children.

''(2) ACTIVITIES SUPPORTED.—Assistance provided under paragraph (1) should be used—

''(A) to support individuals and local organizations, including teachers, social workers, and representatives from religious institutions and nongovernmental organizations, to mobilize their own resources through the strengthening of community care coalitions, networks, or support groups to provide basic care for orphans and other vulnerable children, including day care, food assistance, protection assistance, and home visits;

''(B) to increase the capacity of the community care groups described in subparagraph (A) to meet on a regular basis to identify orphans and other vulnerable children and to facilitate the provision of services; and

''(C) to ensure that the activities of community care groups described in subparagraph (A) include appropriate monitoring and supervision components.

''(3) DEFINITION.—In this subsection, the term 'protection assistance' means all appropriate measures to promote the physical and psychological security of an individual, provide equal access to basic services for the individual, and safeguard the legal and human rights and dignity of the individual.

**''SEC. 243. ASSISTANCE TO PROVIDE TREATMENT TO ORPHANS AND OTHER VULNERABLE CHILDREN WITH HIV/AIDS.**

''(a) FINDINGS.—Congress finds the following:

''(1) Approximately 2,500,000 children under the age of 15 worldwide have HIV/AIDS. Every day another 2,000 children under the age of 15 are infected with HIV.

''(2) In 2002, approximately 2,500,000 children were at risk for infection with HIV through mother-to-child transmission, which includes transmission at any point during pregnancy, labor, delivery, or breastfeeding.

''(3) To date, more than 4,000,000 children worldwide are estimated to have died from AIDS, primarily contracted through mother-to-child transmission. Every year, approximately 700,000 babies are infected with HIV, of which the majority are living in Africa.

''(4) In southern Africa HIV/AIDS is now the leading cause of death among young children, accounting for almost half of such deaths.

''(5) Research has shown conclusively that initiation in a timely manner of antiretroviral therapy for infants or young children with HIV/AIDS can preserve or restore their immune functions, promote normal growth and development, and prolong life.

''(6) Few international development programs specifically target the treatment of children with HIV/AIDS in developing countries. Reasons for this include the perceived low priority of pediatric treatment, a lack of pediatric health care professionals, lack of expertise and experience in pediatric drug dosing and monitoring, the perceived complexity of pediatric treatment, and mistaken beliefs regarding the risks and benefits of pediatric treatment.

''(b) ASSISTANCE.—

''(1) IN GENERAL.—The President is authorized to provide assistance for the treatment of orphans and other vulnerable children with HIV/AIDS in developing countries.

''(2) ACTIVITIES SUPPORTED.—Assistance provided under paragraph (1) should be used to carry out the following activities:

''(A) The treatment of orphans and other vulnerable children with HIV/AIDS through the provision of pharmaceuticals, including high-quality, low-cost antiretrovirals and other therapies, including generically manufactured pharmaceuticals where appropriate.

''(B)(i) The recruitment and training of individuals to provide the treatment described in subparagraph (A), including the recruitment and training of appropriate support personnel.

''(ii) Such training should include appropriate methodologies relating to initial diagnosis, appropriate dosages of pharmaceuticals, monitoring, medication adherence techniques, treatment for any complications resulting from such pharmaceuticals, and psychosocial support for vulnerable children and their caregivers.

''(C) Activities of medical laboratories relating to the treatment described in subparagraph (A), including assistance for the purchase of necessary equipment.

**''SEC. 244. ASSISTANCE TO PROVIDE PSYCHOSOCIAL SUPPORT TO ORPHANS AND OTHER VULNERABLE CHILDREN AFFECTED BY HIV/AIDS.**

''(a) FINDINGS.—Congress finds the following:

''(1) Many children who are orphaned as a result of AIDS blame themselves for the death of a parent and many children are separated from siblings, sometimes for life.

''(2) The trauma that results from the loss of a parent as a result of AIDS can trigger behavior problems of aggression or emotional withdrawal and negatively affect a child's performance in school and the child's social relations.

''(3) Children living in families affected by HIV/AIDS are often stigmatized, teased, and ostracized by peers.

''(4) Children living in families affected by HIV/AIDS who are most vulnerable are those children in households headed by children. In these households, trained community volunteers can play a major role through home visits.

''(5) In many African countries, religious leaders are mobilizing individuals and local organizations within the community to identify and respond to the psychosocial needs of those children affected by AIDS.

''(b) ASSISTANCE.—The President is authorized to provide assistance for programs in developing countries to provide culturally appropriate mental health services and psychosocial support for orphans and other vulnerable children, and their caregivers.

**''SEC. 245. ASSISTANCE FOR SCHOOL FOOD PROGRAMS.**

''(a) FINDINGS.—Congress finds the following:

''(1) In 2004, it is estimated that 125,000,000 children worldwide do not attend school, in part because of hunger and malnutrition, and the vast majority of these children are young girls.

''(2) School food programs, including take-home rations, in developing countries provide strong incentives for parents to send their children to school and ensure that they continue with their education. School food programs may reduce short-term hunger, improve cognitive functions, and enhance learning, behavior, and achievement.

''(3) In 2004, more than 8,000,000 children in sub-Saharan Africa are underweight compared to 1994. Malnutrition enhances the risk that orphans and other vulnerable children will be at risk for illness and infections, especially if these children are also infected with HIV.

''(4) Healthy members of families affected by HIV/AIDS in developing countries often leave the workforce to care for those family members with HIV/AIDS, which compounds the problem of access to food for the family. Food consumption has been shown to drop by as much as 40 percent in these families.

''(5)(A) Although a number of organizations seek to meet the needs of children who are orphaned or vulnerable as a result of HIV/AIDS, immediate and extended families continue to be the primary providers of care and support for these children, and they need direct assistance urgently.

''(B) According to a survey by the United States Agency for International Development, orphans and other vulnerable children relied on relatives for food support 74 percent of the time and on friends for food support 19 percent of the time.

''(b) ASSISTANCE.—

''(1) IN GENERAL.—The President is authorized to provide assistance for school food programs for orphans and vulnerable children in developing countries, especially in such countries heavily affected by HIV/AIDS.

''(2) ACTIVITIES SUPPORTED.—Assistance provided under paragraph (1) should be used

to purchase local or regional foodstuffs, where appropriate, for school food programs.

**"SEC. 246. ASSISTANCE TO INCREASE EDUCATIONAL OPPORTUNITIES AND PROVIDE EMPLOYMENT TRAINING.**

''(a) FINDINGS.—Congress finds the following:

''(1) The lack of financial resources in families affected by HIV/AIDS prevents many orphans and other vulnerable children in developing countries from attending school because of the requirement to pay school fees and other costs of education.

''(2) Such children, in particular young girls, are often forced to miss school in order to serve as caregivers to relatives with HIV/AIDS or assume adult responsibilities for providing for the family. Younger children who lose a parent also lose the opportunity to learn skills that they will need to support themselves as they grow older.

''(3) According to the International Labor Organization (ILO), approximately 250,000,000 children and adolescents ages 5 to 14 in developing countries are working part-time and approximately 120,000,000 children and adolescents ages 5 to 14 in developing countries are working full-time.

''(4) In many regions of Africa and other developing countries, non-formal education plays an important role to provide children who are unable to attend school with the employment and related life skills training such children need to survive.

''(5) Many organizations in Africa, including faith-based organizations, provide employment and related life skills training for older children to better prepare them to serve as caregivers for younger siblings.

''(6) Organizations that provide non-formal education can assist the thousands of children in developing countries who are not currently being assisted by families or communities and are struggling to survive.

''(b) ASSISTANCE.—

''(1) EDUCATION ASSISTANCE.—The President is authorized to provide assistance for programs in developing countries to decrease barriers to public primary school enrollment by eliminating school fees and other costs of education, especially in developing countries heavily affected by HIV/AIDS. Amounts made available to carry out this paragraph—

''(A) are authorized to be made available to the President for assistance or contributions to nongovernmental organizations and international organizations to achieve the purposes of this paragraph; and

''(B) shall not be used to pay school fees.

''(2) EMPLOYMENT TRAINING ASSISTANCE.—The President is authorized to provide assistance for programs in developing countries to provide employment training and related services for orphans and other vulnerable children who are of legal working age, especially for programs in developing countries heavily affected by HIV/AIDS.

**"SEC. 247. ASSISTANCE TO PROTECT AND PROMOTE INHERITANCE RIGHTS.**

''(a) FINDING.—Congress finds that orphans and other vulnerable children in developing countries, particularly children who are orphaned as a result of AIDS, are routinely denied their inheritance or encounter difficulties in claiming the land and other property which they have inherited.

''(b) ASSISTANCE.—The President is authorized to provide assistance in support of programs in developing countries to protect and promote the inheritance rights of orphans and other vulnerable children, particularly young girls and children who are orphaned as a result of AIDS.

**"SEC. 248. ADMINISTRATION OF ASSISTANCE.**

''(a) OFFICE FOR ORPHANS AND OTHER VULNERABLE CHILDREN.—

''(1) ESTABLISHMENT.—There is established within the United States Agency for International Development an Office for Orphans and Other Vulnerable Children (hereafter in this title referred to as the 'Office'), which shall be headed by a Director who shall be appointed by the Administrator of the Agency.

''(2) DUTIES.—The Office shall be responsible for carrying out this title.

''(b) APPROVAL OF APPLICATIONS.—Subject to the requirements of subsection (e), the Director of the Office shall be responsible for reviewing or approving all applications submitted to the United States Agency for International Development for assistance under this title, including applications submitted to field missions of the Agency.

''(c) PRIORITY.—In providing assistance under this title, priority should be given to assistance for developing countries in which the rate of HIV infection, as reported in the most recent epidemiological data for that country compiled by the United Nations Joint Programme on HIV/AIDS (UNAIDS), is at least 5 percent among women attending prenatal clinics or more than 15 percent among individuals in groups with high-risk behavior.

''(d) FORM OF ASSISTANCE.—Assistance under this title shall be provided in the form of—

''(1) grants, cooperative agreements, or contracts;

''(2) contributions to international organizations; or

''(3) assistance to the governments of developing countries.

''(e) COORDINATION.—The provision of assistance under this title for children who are orphaned as a result of HIV/AIDS, or are children with HIV/AIDS, shall be undertaken in accordance with section 104A of this Act and assistance relating to HIV/AIDS authorized under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), including section 102 of such Act concerning the coordination of HIV/AIDS programs.

''(f) OTHER ASSISTANCE.—

''(1) REVIEW OR APPROVAL OF OTHER USAID ASSISTANCE.—The Director of the Office shall be responsible for reviewing or approving—

''(A) each component of the annual plan of a mission, bureau, or other office of the United States Agency for International Development as the component relates to assistance for orphans or other vulnerable children in developing countries; and

''(B) each program, project, or activity relating to such assistance.

''(2) COORDINATION OF ALL U.S. GOVERNMENT ASSISTANCE.—The Director of the Office shall be responsible for ensuring coordination of all United States Government programs to provide assistance for orphans and other vulnerable children in developing countries.

**"SEC. 249. MONITORING SYSTEM.**

''(a) ESTABLISHMENT.—In order to maximize the sustainable development impact of assistance authorized under this title, the President shall establish a monitoring system that meets the requirements of subsection (b).

''(b) REQUIREMENTS.—The requirements referred to in subsection (a) are the following:

''(1) The monitoring system establishes performance goals for the assistance and expresses such goals in an objective and quantifiable form, to the extent feasible.

''(2) The monitoring system establishes performance indicators to be used in measuring or assessing the achievement of the performance goals described in paragraph (1).

''(3) The monitoring system provides a basis for recommendations for adjustments to the assistance to enhance the impact of the assistance.

**"SEC. 250. REPORT.**

''(a) REPORT.—Not later than December 31, 2005, and each December 31 thereafter, the President shall transmit to Congress a report that contains a detailed description of the implementation of this title for the previous fiscal year.

''(b) CONTENTS.—The report shall contain the following information:

''(1) For each grant, cooperative agreement, contract, contribution, or other form of assistance awarded or entered into under this title—

''(A) the amount of the grant, cooperative agreement, contract, contribution, or other form of assistance, the name of each recipient and each developing country with respect to which projects or activities under the grant, cooperative agreement, contract, contribution, or other form of assistance were carried out, and the approximate number of orphans and other vulnerable children who received direct or indirect assistance under the projects or activities; and

''(B) the results of the monitoring system with respect to the grant, cooperative agreement, contract, contribution, or other form of assistance.

''(2) For each grant, cooperative agreement, contract, contribution, or other form of assistance awarded or entered into under any provision of law other than this title for assistance for orphans and other vulnerable children in developing countries, the information described in paragraph (1)(A).

''(3) Of the total amounts of assistance made available in each such fiscal year for orphans and other vulnerable children, the percentage of assistance provided in support of orphans or other vulnerable children affected by HIV/AIDS.

''(4) Any other appropriate information relating to the needs of orphans and other vulnerable children in developing countries that could be addressed through the provision of assistance under this title or under any other provision of law.

**"SEC. 251. AUTHORIZATION OF APPROPRIATIONS; ADDITIONAL PROVISIONS.**

''(a) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—Of the amounts made available to carry out the provisions of law described in paragraph (2), there are authorized to be appropriated to the President to carry out this title such sums as may be necessary for each of the fiscal years 2005 and 2006.

''(2) PROVISIONS OF LAW.—The provisions of law referred to in paragraph (1) are the following:

''(A) The United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25) and the amendments made by that Act.

''(B) Any other provision of law under which assistance is authorized for orphans and other vulnerable children in developing countries.

''(b) ADDITIONAL PROVISIONS.—

''(1) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended and are in addition to amounts otherwise available for such purposes.

''(2) MINIMUM FUNDING REQUIREMENT.—Not less than 60 percent of amounts appropriated pursuant to the authorization of appropriations under subsection (a) for a fiscal year (other than amounts made available for assistance to eliminate school fees and other costs of education pursuant to section 246) shall be provided through United States or indigenous private voluntary organizations that implement programs on the community level. Amounts provided by for-profit entities to not-for-profit entities from assistance under this title shall not be considered for purposes of satisfying the requirement of this paragraph.

''(3) ASSISTANCE UNDER OTHER PROVISIONS OF LAW.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, amounts made available for assistance for orphans or other vulnerable children in developing countries under any provision of law other than this title may be provided to further the purposes of this title.

''(B) REPORT.—To the extent assistance described in subparagraph (A) is provided in accordance with such subparagraph, the President shall include, as part of the report required under section 250, a detailed description of such assistance and, to the extent applicable, the information required by subsection (b)(1)(A) of such section with respect to such assistance.

''(4) ADMINISTRATIVE EXPENSES.—Notwithstanding any other provision of law, amounts made available for assistance for orphans or other vulnerable children in developing countries under this title, or under any provision of law other than this title, may be made available for administrative expenses incurred in carrying out this title for a fiscal year in an amount not to exceed 7 percent of amounts made available for such fiscal year for such purpose under this title, or under such other provision of law, as the case may be.

**''SEC. 252. DEFINITIONS.**

''In this title:

''(1) AIDS.—The term 'AIDS' has the meaning given the term in section 104A(g)(1) of this Act.

''(2) CHILDREN.—The term 'children' means persons who have not attained the age of 18.

''(3) HIV.—The term 'HIV' has the meaning given the term in section 104A(g)(2) of this Act.

''(4) HIV/AIDS.—The term 'HIV/AIDS' has the meaning given the term in section 104A(g)(3) of this Act.

''(5) ORPHAN.—The term 'orphan' means a child deprived by death of one or both parents.

''(6) PSYCHOSOCIAL SUPPORT.—The term 'psychosocial support' includes care that addresses the ongoing psychological and social problems that affect individuals, their partners, families, and caregivers in order to alleviate suffering, strengthen social ties and integration, provide emotional support, and promote coping strategies.

''(7) VULNERABLE CHILDREN.—The term 'vulnerable children' includes children who are neglected, destitute, abandoned, homeless, disabled, suffering from malnutrition, are sexually exploited or abused, or are displaced or otherwise adversely affected by armed conflict.''.

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of the Assistance for Orphans and Other Vulnerable Childrens Act of 2004. This is an important bipartisan bill introduced by my good friend, the gentlewoman from California (Ms. LEE) and cosponsored by me as well as 84 other Members.

H.R. 4061 amends the Foreign Assistance Act of 1961 to create a new title, authorizing the provision of assistance to orphans and other vulnerable children in developing countries.

H.R. 4061 will prepare USAID for the important responsibility as established by Public Law 108–25, the United States leadership against HIV/AIDS, Tuberculosis and Malaria Act of 2003, which specifies that by the year 2006, not less than 10 percent of all HIV/AIDS monies must be programmed in support of the needs of orphans and vulnerable children affected by AIDS.

By the year 2010, Mr. Speaker, it is estimated that there will be 25 million children orphaned as a result of HIV/AIDS. Entire villages are already being affected by this pandemic. This bill recognizes that the United States Government will need to establish improved capacity to deliver assistance to such orphans and vulnerable children through partnerships with private voluntary organizations, including faith-based organizations.

H.R. 4061 will authorize the President to provide assistance for the care and the treatment of orphans and vulnerable children affected by HIV/AIDS. It encourages the use of community care councils, of responsible citizens to identify the needs of and assist orphans in their communities instead of sending them off to orphanages or institutions.

As the number of orphans increases, the ability of communities to provide basic care for their children is limited. Assistance to support the provisions of basic care by communities is necessary, in addition to the assistance furnished directly by U.S. agencies through the President's initiative on AIDS and Public Law 108–25.

This bill also encourages the use of assistance to eliminate school fees in developing countries. This practice results in keeping orphans and vulnerable children out of school. Children of all circumstances should be in school and not kept out if they are affected by or infected with HIV/AIDS.

This legislation establishes greater accountability within USAID by establishing an Office for Orphans and Vulnerable Children that will have oversight of all programs for such children, not just AIDS orphans. It will enable USAID to adopt a more comprehensive approach to assisting children through the work of its field missions and through centrally managed activities.

In summary, H.R. 4061 creates accountable mechanisms within USAID. It will also ensure that other U.S. assistance for orphaned and vulnerable children is accountable, measurable and coordinated. H.R. 4061 promotes accountability and effectiveness of existing United States foreign assistance.

I seek Members' support for this important legislation.

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

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

First of all let me just say I rise in support of this legislation. I want to thank the gentlewoman from Florida for her leadership and for her commitment to children throughout the world. Mr. Speaker, I also would like to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) along with my colleagues on the Committee on International Relations, the gentleman from California (Mr. ROHRABACHER), the gentlewoman from Minnesota (Ms. MCCOLLUM) and the gentleman from Iowa (Mr. LEACH) for joining me to craft this very clear and very forward-moving bipartisan compromise agreement. Also I would like to thank them for helping us get it to the floor today.

I also would like to thank our staffs for their work in crafting this bill, including Pearl Alice Marsh of the office of the gentleman from California (Mr. LANTOS), Christos Tsentas of my staff, and Peter Smith, who just recently actually left the Committee on International Relations. These members of our staffs and other staff on the Hill who have been working on this have worked on this not because it is part of their job only but because they really have a commitment to these children. I just want to thank them very much for their work.

I also would like to just mention briefly and thank the Global Action For Children Campaign and its members for working so passionately on behalf of this initiative.

This legislation seeks to better coordinate and comprehensively address the ever growing problem of orphans and vulnerable children in the developing world. As of 2001, an estimated 110 million children are living as orphans throughout sub-Saharan Africa, Latin America and the Caribbean. The rapid growth of HIV/AIDS in Africa and throughout the world has really dramatically impacted the number of children who are newly becoming orphans. In 2001, 34 million children, this is about 12 percent of all African children, were orphaned in sub-Saharan Africa. That is hard to imagine. Eleven million, or 32 percent of all African orphans, were orphaned as a result of AIDS. UNICEF recently released a report entitled ''Africa's Orphaned Generations'' on November 26, 2003. This report predicted that there would be, as the gentlewoman from Florida said, 20 million AIDS orphans in Africa by 2010 and that in a dozen countries 15 to 25 percent of children under 15 will have lost one or both parents to AIDS.

Today every 14 seconds another child is orphaned by AIDS. With parents dying at such an alarming rate, children are left quite frankly behind without food, without shelter, without education or protection. They are left to

fend for themselves. The global orphan crisis is a profound humanitarian disaster that will be felt for decades to come. This bill seeks to comprehensively address the growing global problem of orphans and vulnerable children by providing assistance to support the following activities:

Basic care through community care groups. Community care groups could be community care coalitions, they could be networks, they could be support groups, they could be orphanages but through the community is very important.

Treatment for HIV infected children is included in this bill.

Culturally appropriate psycho-social support which is very important for children who are orphans and who are vulnerable. That is included in this bill.

School food programs, lunch programs, nutrition programs, so important.

Expanding educational opportunities through the elimination of school fees.

Protecting inheritance rights for orphans and vulnerable children.

This bill seeks to do all of this and more under the new structure of a separate office within the United States Agency for International Development focused specifically on orphans and vulnerable children.

The bill was unanimously approved by the House Committee on International Relations on March 31. I am proud to say that we have bipartisan support, and now I believe it is nearly 100 Members of this body.

I strongly support the amendment which is in the nature of a substitute offered by the chairman and negotiated by our staffs, as it really does improve the bill in a number of very significant ways in order to address the real concerns of several Members and organizations, including USAID. We met several times with USAID, our staff, myself, and we have listened to their suggestions and have tried to incorporate as many of their suggestions into this amendment as we deemed possible. While I understand that the agency and some of the advocacy groups still have some concerns regarding the administrative provisions of the proposed Office for Orphans and Vulnerable Children, I believe that this compromise proposal really represents the best chance we have to deal with this issue in this Congress.

Each time, Mr. Speaker, that we bring a bill to the floor with regard to HIV/AIDS, like many of us here on this floor, we recognize that these bills are only but one small step forward. This bill is another one small step forward in addressing this pandemic. It is a step worthy of our support, a step that brings us closer to a solution.

Briefly let me just mention two bills which we have brought to this floor which were signed into law, which again were very small but significant steps: The Global AIDS and Tuberculosis Relief Act of 2000, signed by President Bill Clinton; and the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003, signed by President Bush. Our former colleague, Congressman Ron Dellums, sounded the alarms, suggested we look at an AIDS Marshall Plan and much of this AIDS Marshall plan we are looking at now as we move these very significant bills forward.

I am very proud of the fact that on this issue we have been able to work in a complete bipartisan fashion. We are committed to continue to work with USAID and our colleagues in the other body so that we can ensure that the needs of orphans and vulnerable children are properly taken care of through this bill. We have a moral duty, quite frankly, to provide for these children, these children who are really now victims of circumstance. As the world's most prosperous nation, we have an obligation to act. I am hopeful that as we pass this bill this evening we can encourage the other body to act quickly and to move this initiative forward so that we can get it enacted into law before the end of the 108th Congress.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish to add my appreciation to the gentlewoman from California for her leadership, compassion and spirit around these issues and to my friend and colleague the gentlewoman from Florida who has worked on these issues in her capacity, but also we share our passion through the Congressional Children's Caucus of which we both are chair and cochair on this very important journey to help children. I want to thank both of them for their leadership and acknowledge the pathway in which this legislation has taken.

I am reminded of the good work the staff has done and want to cite and associate myself with the gentlewoman from California's thanks to staff and to acknowledge, of course, again the gentleman from California (Mr. LANTOS) and his staff Alice Marsh; and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and her staff Cathleen Harrington because I want to remind our colleagues of a very important congressional mission that we were able to travel on led by the gentlewoman from California just about a summer ago when we visited these sites that saw firsthand vulnerable children.

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The gentlewoman from California (Ms. LEE), myself, and as well the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), we were led on what I thought was one of the more powerful stories. It was a follow-up to the Presidential mission that we went on in 1997 with the gentlewoman from California (Ms. LEE), myself, and the gentlewoman from Michigan (Ms. KILPATRICK), again, looking at the vulnerability of those facing the HIV epidemic and as well looking at the crisis of some 40 million children being orphaned in sub-Saharan Africa and Africa over the next 5 years.

We have now come full circle, and this legislation is an answer long overdue to a very serious crisis in the world; and specifically it emphasizes assistance for orphans and vulnerable children in developing countries, but I do not think anyone can understand the fullness of what we were dealing with until they can go see and touch those children, homeless, without grandparents, without extended family, children caring for children, living in conditions that are unacceptable for the young life that they are, 12-year-olds taking care of 2-year-olds and 3-year-olds, 4-year-olds taking care of an ailing and dying relative, going into a home and seeing a father lying dying and a parent taking care of them and that parent as well in a condition unacceptable to care for children.

This bill, I believe, is the beginning answer to the crisis and the call for help and mercy by those around the world, and I might emphasize that it is a no-nonsense bill. It gets down to the bottom line, with basic care through the community, treatment for HIV-infected children, culturally appropriate psychological support, school food programs, expanding educational opportunities through the elimination of school fees, and protecting inheritance rights.

It is important to note that according to the estimates by the United Nations Children's Fund, there are more than 132 million children in the world under the age of 3, many vulnerable and cannot take care of themselves. It is interesting that we even saw a case of a 4-year-old, however, left to take care of a dying relative. Of these children, 4 million will die in their first month of life, and another 7 million will die each year before reaching the age of 5. Thus, an average of 30,000 children under the age of 3 die each day.

Infants who are poor and malnourished are more likely to contract respiratory infections, diarrhea, measles, and other preventable diseases, and are less likely to receive needed benefit care.

This legislation goes right to the heart of the matter and provides this very needed office, this independent freestanding office, that can focus its attention and resources on the needs of children.

Children are not our tomorrows; they are our todays. And helping to educate children, helping to inspire children and heal children and provide them comfort gives our world a future. Extreme poverty and hunger coupled with the loss of one or both parents as a result of AIDS can force children from their families and to life on the streets where the risk of HIV infection has

been extremely high. But the psychological support is what I think is very crucial.

And let me just say that we should make note tonight that this is not just about HIV/AIDS but it is about conflict. And I have just recently returned from Afghanistan to see the children who have suffered because of conflict, some without their parents. This office will deal with the children of Afghanistan, the children in Sudan. I just came back from the region but also was able to be told of the stories of children in Iraq, when visiting a hospital there, seeing the conditions that they are in. Many of them lost their family members and their parents in the conflict. Afghanistan, their family members, their parents, in the conflict. Sudan now with some 400,000 displaced refugees, 30,000 people dying a day. A crisis beyond our imagination. Children being orphaned. This office will deal with the conflict that we face every day in this world. If we cannot help our children, then whom can we help?

I rise to support this legislation and ask my colleagues to enthusiastically support it because, as I said, our children are not our tomorrows; they are our todays. I ask unanimous support for this legislation.

I am pleased to be here as the House considers H.R. 4061, the Assistance for Orphans and Vulnerable Children in Developing Countries Act of 2004. This bill was introduced to address the growing global crisis affecting orphans and vulnerable children. This bipartisan bill has the support of over 100 Members of Congress, including myself.

As Chair of the Congressional Children's Caucus, I am cognizant of the special needs of children in developing countries, and they have always been a top legislative priority. As of 2001, an estimated 110 million children were living as orphans throughout sub-Saharan Africa, Asia, Latin America and the Caribbean. The rapid growth of the HIV/AIDS virus in Africa and throughout the developing world has dramatically impacted the number of children who are newly becoming orphans. Today, another child is orphaned by AIDS every 14 seconds. With parents dying at an alarming rate, children are left without food, shelter, education or protection.

According to estimates by the United Nations Children's Fund, UNICEF, there are more than 132 million children in the world under the age of 3. Of these children, 4 million will die in their first month of life and another 7 million will die each year before reaching the age of 5. Thus an average of 30,000 children under the age of 3 die each day.

According to a report developed by the United Nations Joint Programme on HIV/AIDS, UNAIDS; UNICEF; and the United States Agency for International Development, in 2001 there were more than 110 million orphans living in sub-Saharan Africa, Asia, Latin America, and the Caribbean.

Assessments carried out by the International Labor Organization, ILO, to investigate the situation of children who are working found that orphans are much more likely than non-orphans to be working in commercial agriculture, the domestic service industry, the commercial sex industry, as street vendors, or in industries that violate internationally recognized rights of children.

Infants who are poor and malnourished are more likely to contract respiratory infections, diarrhea, measles, and other preventable diseases, and are less likely to receive needed health care.

This bill creates a separate office within the United States Agency for International Development to better coordinate and focus our foreign assistance programs on orphaned and vulnerable children, especially children who are affected by HIV/AIDS. This new office would emphasize support for programs that are intended to provide a comprehensive response to the growing global crisis, including basic care through the community, treatment for HIV-infected children, psychosocial support services, expanding educational opportunities through the elimination of school fees and protection for the inheritance rights of orphans and vulnerable children.

This is truly a global crisis, and it demands our attention. I urge you to join in this support of this important initiative.

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

I thank the gentlewoman from Texas for her very eloquent statement, also for her leadership and her passion and for her commitment to children not only in our own country but throughout the world.

Let me take a minute, Mr. Speaker, to mention some of the projects actually that the gentlewoman from Texas (Ms. JACKSON-LEE), myself, and others have had the opportunity, a real privilege, to visit in Africa. We have become familiar with the work of many, many tireless individuals, committed individuals in Africa. We have met with many here in our own country. We have met on the Committee on International Relations and discussed these efforts. These individuals with barely a nickel have been able to do phenomenal work, and all of these projects that I am going to mention are led by very dynamic individuals who really continue to serve as a testament to what one person, one person, can accomplish when they have the determination and the compassion to care for their fellow human beings.

The first project, the Mother of Peace Orphanage Community in Mutoko, Zimbabwe, is one that I have become quite familiar with. Founded in 1994 by Ms. Jean Cornneck, or Mama Jean as some of us call her, the children call her that also and they are the ones who actually coined Mama Jean as her name because she truly is the mother of peace. The Mother of Peace Community provides care, support, and shelter to over 170 children. The community builds basic family-style homes, each accommodating two to three caregivers and 10 to 15 children who are brought up in Zimbabwean culture. At present there are 11 of these houses. Mother of Peace also benefits members of the adjacent rural community through its farming and building activities in the community.

It also plays a very huge role in the World Health Organization's Mutoko Poverty Alleviation and Sustainable Development Pilot Project. And I am proud to say that my own church, the Allen Temple Baptist Church, led by a great leader, Pastor J. Alfred Smith, Sr., has provided the impetus for the involvement of our community and the community in our country. And thanks to the leadership of Dr. Robert Scott and Gloria Cox Crowell, this church has set up an AIDS ministry to provide regular donations and to organize visits by our congregation to the orphanage community. It is an incredible program, and it is really a testament to how much good can be done on a shoestring budget by committed groups of people.

The second program that I would like to talk about is the Bwafwano Home-based Care Organization, run by Beatrice Chola, whom I met when I traveled to Zambia last year. Working as a nurse in the Chipata health center of Lusaka, Beatrice started Bwafwano back in 1996 when she saw that the health center was overrun with HIV and AIDS and also with TB-infected patients. She recognized the strain that the Chipata health center was under, and she saw that the needs of these HIV and TB-infected patients were not being met. So she joined with several other community members to found the Bwafwano Home-based Care Organization, which literally means ''helping one another.''

Today, thanks to her leadership, Bwafwano has mushroomed into a comprehensive community care organization offering medical services, volunteer testing and counseling for HIV, schooling, home-based care, and poverty reduction and income generation programs. Since its inception, Bwafwano has trained over 300 community health workers and is currently providing home-based care to over 1,300 HIV and AIDS patients and directly observed treatment to more than 180 TB-infected patients. In addition, the organization is caring for over 1,100 orphans and vulnerable children.

When I was there in August of last year, Beatrice was struggling to find just basic ways to provide school uniforms to the children that she was caring for, which was an impediment for these children to go to school, and the gentlewoman from Texas (Ms. JACKSON-LEE), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), and I met with these young people; and they were not able to go to school for one reason, and that is they did not have any uniforms. And I am proud to say and pleased to say that they do have their uniforms now so they can attend school just like any child in the community. Thankfully, again, as I said, she did receive the donation of about 300 school uniforms, but she still needs a lot of help.

And of course I would like to mention the Nyumbani orphanages in Nairobi, Kenya, and I know many of us are familiar with Nyumbani. Founded in 1992 by Father Angelo D'Agostino,

Nyumbani initially reached only a handful of orphans because of limited resources; but thanks to the unwavering commitment of Father D'Agostino, who worked hard to raise awareness about the needs of these orphaned children, Nyumbani now provides shelter and care and nutrition, education, psychological and social services to over 100 children on-site.

But the work of Nyumbani does not stop there, as they reach out to the surrounding community to provide major assistance to nearly 800 HIV-positive children who are part of the Lea Toto Community Outreach Program in the slums of Nairobi. With the care and the devotion of the staff and all of its volunteers, Nyumbani now saves lives of most of these children while providing a model of care for nations trying to deal with their own growing HIV/AIDS epidemic.

These three incredible programs, Mama Jean, Beatrice, Father Angelo D'Agostino, they are led by three dynamic and committed people; and they are proof that despite poverty, despite hardship, despite the odds, good programs can be created even in the most difficult settings. So it is programs like these that deserve our support.

We had the opportunity to travel to South Africa and Mozambique with Secretary of Health and Human Services Tommy Thompson in 2002. Once again it was a bipartisan delegation, and we visited several orphanages and saw exactly what many of the needs of these children were, and we took into consideration in writing this bill some of the recommendations and some of the ideas which we received not from ourselves necessarily but from what the African people told us, what African leaders, what the organizations told us that they needed. We are pleased to note that once again this has been a bipartisan effort.

This is a humanitarian crisis of enormous catastrophe, really. It is a potential disaster, and we are trying to just on both sides of the House figure out a way to deal with it. In the bill we say in closing, ''Congress recognizing the need and prompt action by the United States to assist orphans and other vulnerable children in developing countries is an important expression of the humanitarian concern and the tradition of the people of the United States. We affirm the willingness of the United States to assist such orphans and other vulnerable children.''

And with that, Mr. Speaker, I want to thank the gentlewoman from Florida. I want to thank the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS), our ranking member, for helping us through very difficult negotiations; but once again we are here with another small piece of our efforts to stop this pandemic.

Mr. DAVIS of Illinois. Mr. Speaker, I rise in strong support of H.R. 4061. This bill is a step forward in giving hope to orphans and defenseless children in developing countries. In 2001 it was reported that there were over 110 million orphans in sub-Saharan Africa, Asia, Latin America and the Caribbean.

Many of these children become orphans due to the loss of their parents to HIV/AIDS. By the end of 2001 an estimated 14 million children under the age of 15 had lost one or both parents to AIDS. This number is expected to increase to approximately 30 million children by 2010, due to the increase of HIV cases in sub-Saharan Africa and the Caribbean. Many of these orphans who loose their parents to HIV/AIDS are also at risk of being infected with the disease and ultimately die due to lack of access to health care. It is estimated that one-third of the children born from HIV-infected mothers develop HIV/AIDS. In 2001 more than 11.8 million young people ages 15 to 24 were living with HIV/AIDS. Every day another 2,000 children under the age of 15 will be infected with HIV in these areas. Approximately more than 4 million children have died from AIDS primarily through mother-to-child transmission.

A lot of these orphans at a very young age become head of households with the burden of providing for their young siblings and sometimes grandparents who were dependent on their parents before they die. Due to this, many of these orphans are subject to working in commercial agriculture, domestic service industry, commercial sex industry, as street vendors or in industries that violate internationally recognized rights of children. Most of the orphans who have to work are young women and girls who usually end up in commercial sex industries, making them at risk of being infected with various diseases especially HIV/AIDS. It is estimated that more than 70 percent of new HIV cases among young orphans ages 15 to 24 in sub-Saharan Africa are young women and girls.

Many of these children are malnourished due to lack of food, which enhances their risk for illness and infection to diseases. Due to lack of health access, many of these children will die of these illnesses or diseases. In 2004 more than 8 million children in sub-Saharan Africa are underweight compared to 1994. A lot of these children lack education because they have to work to fend for their families instead of going to school, they are not physically fit due to hunger and malnutrition, and they do not have the financial resources to go to school. Approximately 125 million children do not attend school and the majority of these children are young girls.

Mr. Speaker, this resolution will provide the funds needed for the basic care, health care, mental care and educational opportunities for these orphans and vulnerable children in order for them to survive in the world. Our children are our future. We need to give these children a chance to be the future of their countries and the world. I urge strong support of this resolution.

Mr. KOLBE. I rise to express great concern about this bill. At first glance, it would seem to support objectives that we could all get behind, on both sides of the aisle. After all, who could object to assisting orphans—especially those who have had their lives torn apart by HIV/AIDS?

In fact, I have little problem with the provisions of the bill if taken separately. School food programs, HIV/AIDS treatment, training—these are all promising approaches for helping some of the most needy people in the world. My concern is with how this bill would achieve these worthy objectives.

As Chairman of the Foreign Operations Appropriations Subcommittee, I have had the privilege of managing legislation to support a variety of HIV/AIDS programs. Last August, this House approved roughly $1.6 billion for the Global HIV/AIDS Initiative, and I believe we took the right approach by insisting that these funds be spent in a focused, accountable way. The Global AIDS Coordinator has been working to establish clear indicators for the use of his funds, and I'm encouraged by his progress.

This bill would walk back much of this progress. It mixes authorities that already exist, such as providing AIDS treatment for orphans, with new, overly broad authorities. If passed, this bill would open the Global AIDS Coordinator's funds to any school fee waiver program and any school food program—even if there is no AIDS component. Instead of a focused, results-driven AIDS program, as we have now, the Global AIDS Initiative would become just another development assistance program—business as usual.

In addition, this bill would establish a new OVC coordinator at USAID—a new coordinator whose authorities are poorly defined and whose relationship to the Global AIDS Coordinator is confusing at best. These kids do not need additional bureaucracy to get help.

Finally, this bill authorizes contributions to UNICEF for a program to reduce the costs of going to school in developing countries. I have received several letters from Members of Congress requesting $250 million for such a program. It's important to understand that UNICEF would probably simply transfer funds to foreign governments to offset the loss of fees they would normally receive from students. Thus we would be creating a new program of cash assistance for foreign governments—not something we ought to do unless we know a lot about what we would get for our cash, and what accountability we would receive from foreign governments.

The Administration did not request this money, and we do not have it. We cannot expect UNICEF to absorb such a directive, and it's frankly unfair to authorize a program that we know cannot be funded.

Serious revisions need to be made to this legislation. I do not support it in its current form.

Ms. LEE. Mr. Speaker, I rise today in regards to H.R. 4061, the Assistance for Orphans and Vulnerable Children Act of 2004, which passed the House International Relations Committee by unanimous consent on March 31. On May 5 the International Relations Committee filed H. Rept. 108–479.

Because House rules prohibit the addition of co-sponsors to a bill once the committee report has been filed, I am not able to formally add another Member of Congress as a cosponsor of this legislation.

I ask that the RECORD show that Mr. FRANK of Massachusetts is in support of my bill and should be considered by this body as a cosponsor of H.R. 4061.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H.R. 4061, to amend the Foreign Assistance Act of 1961 to provide Assistance for Orphans and Other Vulnerable Children in Developing Countries.

This amendment is so crucial in that it provides targeted comprehensive assistance to those who definitely cannot help themselves.

Orphans and other vulnerable children are deprived of the single most important factor in their lives—their family or their parents.

By 2010, an estimated 106 million children under age 15 are projected to lose one or both parents. Among them, the number of children orphaned by HIV/AIDS is expected to jump to more than 25 million.

These orphans and other vulnerable children now live throughout sub-Saharan Africa, Asia, Latin America and the Caribbean. Conflict has orphaned or separated 1 million children from their families in the 1990s.

H.R. 4061 would help communities to ensure that orphans and other vulnerable children have a secure and healthy childhood by providing essential services, such as basic care, health services including treatment for children with HIV/AIDS, mental health care, school food programs, and job training.

Orphans and other vulnerable children are not especially visible because millions of children are dispersed over many families, in communities where the hardships of individual children are lost from sight.

H.R. 4061 will increase access to needed services, ensure parity for orphans and other vulnerable children and build local capacity for effective decentralization and targeting of services as well as multisectoral coordination among service providers.

H.R. 4061 would allow for school fees to be waived providing a free basic education policy for millions of orphans and vulnerable children, many of whom had never enrolled in school or had dropped out because they simply could not afford the school fees.

Due to their status, these children are often most vulnerable and at risk of becoming victims of violence, exploitation, trafficking, discrimination or other abuses. Unaccompanied girls are at especially high risk of sexual abuse.

Children orphaned by AIDS are themselves particularly vulnerable to infection because they often have no one to care for or protect them, or any means of earning a living.

A 2001 report by the International Crisis Group found that "young people with no job, no income, and no family to support them are at risk of joining, or being abducted by local militias."

A young Sierra Leone youth told an audience at the U.N. Convention on the Rights of Children, "We want a better life. We want peace. We are counting on your governments and the UN's continued support for help."

H.R. 4061 would provide the help this young boy so desperately needs. I urge full passage of this amendment.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I commend the gentlewoman from California (Ms. LEE) for this wonderful bill; we look forward to its passage; and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4061, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## JOBS AND THE BUSH ADMINISTRATION

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, earlier this month the President of the United States made another trip to my State of Ohio to argue for and try to justify his economic policy.

Ohio has lost one out of six manufacturing jobs since George Bush took office. Ohio has lost almost 200 jobs every single day of the Bush administration. Yet the President's answer invariably is more tax cuts for the wealthiest people, the most privileged people in the country, hoping that it trickles down and creates jobs. His other answer is more trade agreements, like the North American Free Trade Agreement, that continue to send jobs, continuing to hemorrhage jobs out of the country.

Mr. Speaker, instead of these failed economic policies that have cost Ohio more than 200,000 jobs, we need to extend unemployment benefits, pass Crane-Rangel that actually gives benefits and rewards those companies that manufacture in the United States rather than giving tax breaks to those companies that continue to ship jobs overseas.

□ 2000

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). 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.

## ENERGY LEGISLATION NEEDED NOW

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

Mr. OSBORNE. Mr. Speaker, often perception does not match reality. I believe that this is true in regard to our present economy.

Many would characterize the economy as very poor. However, as we can see on the following chart, short-term interest rates are the lowest in 40 years; inflation, according to the Producer Price Index, was 1.5 percent over the last 12 months; productivity expanded 5 percent the last four quarters, the highest in 20 years; manufacturing employment reached a 30-year high in May with orders up for manufacturing; and home ownership was 68.6 percent last quarter, which is a record.

All of these things would indicate a strong economy, so what is the problem? Why do people continually talk about what a bad economy we have? I would say that probably the main concern that we hear is simply what one of the previous speakers referred to, unemployment.

I would like to call attention to the fact that during the 1970s, the unemployment rate was 6.2 percent for that 10-year average; during the 1980s, it was 7.3 percent; during the 1990s, it was 5.8 percent; and, today, in 2004, it stands at 5.6 percent. We added 248,000 new jobs to the economy in the month of May, and during the last 9 months of consecutive growth, we have added 1.5 million jobs to the economy.

Certainly this 5.6 percent rate is considerably lower than the 30-year average of 6.4 percent. Currently unemployment in the European Union runs 9 to 10 percent. So we see some remarkable gains, and it appears that even though we would hope that unemployment would be zero, we are at least moving certainly in the right direction.

This does not mean that the economy is not without challenge. We feel that there is one significant issue that needs to be dealt with, and that is the issue of energy policy. This is well within the purview and the domain of this particular body.

Currently we have higher energy prices, which affects trucking, airlines, agriculture, small business, manufacturing and individuals. Yet we cannot get an energy bill passed, even though there is widespread agreement on most of the provisions in the bill. I am going to put some of those issues up here that we think are a matter of considerable consensus.

In the energy bill that has been passed by the House and the Senate, yet we cannot get a conference report agreed upon, is the renewable fuel standard, which provides for wind energy, solar energy, ethanol, biodiesel, hydro, all environmentally friendly and will move us away from energy dependence upon OPEC. Also hydrogen fuel cell development is critical. This is environmentally friendly and is not dependent on petroleum.

The Alaska Natural Gas Pipeline, we have all kinds of natural gas available in our country today, particularly in Alaska, and we cannot access it, so this pipeline is critical to reducing natural gas prices, which are eating us up at the present time.

Finally, incentives to increase energy production. We have shut down our exploration and energy production, and that has certainly hurt the economy.

Mr. Speaker, in conclusion, the economy is strong, and Congress can fix the biggest obstacle to a period of sustained growth, the lack of a comprehensive energy policy. We can continue to blame the other party, Republicans blame Democrats, Democrats blame Republicans, we can blame the other body, they can blame us. We can do all of the finger pointing we want out there, but the buck really stops here. It is our responsibility, and the American people have every right to expect Congress to put the country's welfare ahead of partisanship.

We need an energy bill passed, and we need it passed now. We can start on that this week. I am hoping that all of us here in this Congress can work together to put the national interests ahead of anything else and get this finished. There really are no excuses for not doing so.

## RENEWING THE ASSAULT WEAPON BAN

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

Mrs. MCCARTHY of New York. Mr. Speaker, assault weapons go back on to the streets of America in 3 months. Time is running out to protect our police officers, our communities and our children. After September 13, criminals, drug dealers and gangs will be able to go and buy their assault weapons.

In this past week, we certainly brought back memories of President Ronald Reagan. I remember his contributions to gun safety. He understood the dangers of assault weapons, which is why he ushered in one of the first bans on military-style weapons, banning the importation of rapid fire shotguns. In 1989, President George H.W. Bush expanded this list to include 43 other assault weapons.

By 1994, with the country facing, unfortunately, a wave of mass shootings throughout this country, Congress finally banned the production or sale of new assault weapons. In a joint letter to the House Members pushing for passage of the ban, former President Reagan said, ''We urge you to listen to the American public and to the law enforcement community and support a ban on the further manufacture of these weapons.'' As usual, President Reagan said it best.

Renewing the assault weapon ban is about the safety of our police, our children and our communities. Congress only has 28 more working days in which to renew the assault weapon ban.

Let me say this: When you think about the American people, when you think about police throughout this country, who are now lobbying the Members of Congress and the Senate to have this bill come up on the floor for a vote, and yet we still hear nothing. President Bush today has actually said that he would sign the bill if it gets on his desk.

Let me say this: This House needs to bring the bill up on to the floor for a vote so that it can go to the President's desk. The American people have to get involved in this issue. They have to contact their Members of Congress in the House and Senate.

We need to talk about what assault weapons can do. We need to talk about what the health care costs will be from the damage done if assault weapons are back on our streets. We need to talk about how many of our police in the past have been killed because they were outgunned because of assault weapons. We need to remember our history to know why we passed the assault weapon ban 10 years ago.

We cannot allow this to sunset. We must make sure the assault weapon ban is kept in place. It is for the safety of our communities, our children, our police officers. The American people are always saying they have no part in government. You can have a part in government, but you have to become involved. You have to have your voices heard.

I will stand here every Tuesday, Monday, whenever, to make sure that the American people hear this message.

Today, June 14, is my son's birthday. Going back 10 years ago, when a mad man came onto a train and shot and killed my husband and shot my son in the head, we never thought Kevin would live. The criminal at that time had large capacity clips which could hold 14 bullets.

Some say it would not have made any difference on the Long Island massacre. Well, with the ban that is in place, even though it is 10 bullets in a clip, if you could talk to the people at the end of the train that lost their lives, if we had the 10-bullet ban in place, if we had the assault weapon ban in place, maybe we would have had a few of our people that would have lived that day.

I celebrate my son's birthday. It is a miracle that he is alive. That is why I came to Congress, to reduce gun violence in this country. I started my career by lobbying to make sure the assault weapon ban got in place here in Congress. I will continue to fight to make sure the assault weapon ban stays in place.

## PROVIDING IRAQIS WITH BETTER OPPORTUNITIES THAN AMERICANS

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

Mr. EMANUEL. Mr. Speaker, last week the Associated Press reported that Iraqis are paying 5 cents a gallon for gas in Iraq, 5 cents. Why are Iraqis getting such a good deal? Because the American taxpayer is subsidizing the Iraqis to the tune of $167 million a month, approximately $500 million over 3 months.

Here in the United States on average Americans are paying over $2 a gallon for gas, up approximately 50 cents since the beginning of the war in Iraq. Fill up a car with gas, a little north of $50; yet in Iraq to do the same costs you about a dollar, what would cost us here $50. We are subsidizing them, the American taxpayer, to the tune of $167 million a month. Here in the United States, what have we done? Nothing.

I am not against building and rebuilding Iraq after the war, but I am opposed to providing Iraqis with a better opportunity than we provide Americans, and I am not just talking about gas prices.

Take health care. They have health care. We have opened up 150 health clinics and hospitals throughout Iraq, providing 100,000 with prenatal and infant coverage costing Americans taxpayers $1 billion. In the United States, 44 million Americans are without health insurance; 33 million Americans work full-time without health care; 10 million American children are without health care. What do we do?

In the area of jobs, in Iraq we provide universal job training. In the United States, under the President's budget we cut $238 million from job training programs.

Veterans in Iraq, $60 million is being spent to train the Iraqi veterans from past wars.

□ 2015

In the United States, under the President's budget, we are cutting $257 million from American veterans medical care.

In the area of education, in Iraq, we built 2,300 schools. In America, under the President's budget, we have underfunded by $8 billion the Leave No Child Behind Act. In Iraq, universities are receiving $20 million for higher education partnerships. In America, we have cut Perkins loans by $90 million and frozen the Pell grants for 3 years in a row. That is the President's budget.

Police. In Iraq, we are spending $500 million to retrain the police on security. In the United States, the COPS program for community policing throughout our country, supporting police officers, we have cut in the President's budget by $659 million.

In the area of housing, in Iraq, we are spending $470 million for public housing. In the United States, under the President's budget, we cut $791 million from section 8.

The environment, $3.6 billion in Iraq for water and sewer. In America, the President's budget cuts $500 million from the revolving fund.

For roads, in Iraq, we are spending $240 million on new roads and bridges. In America, the Army Corps of Engineers' budget is cut by 10 percent.

We could go on and on with program after program. My colleagues know that in the election of 2000, then Governor Bush, now President Bush, declared he was opposed to nation-building. Who knew it was America he was talking about when he said he was opposed to nation-building? But the good news is that in the 2004 reelection, President Bush can say he kept his commitment in opposition to nation-building. The problem is, it is here at home.

What do we have here at home? We have a higher unemployment rate than when he took office; more uninsured; college costs soaring now by 10 or 12 percent a year, on average. Health care costs for a family of four was $6,500 3 years ago; today it is $9,000. Yet in Iraq in the areas of health care, education,

job training, housing, and the environment, we are making investments that we do not promise here at home.

This administration has two priorities, two sets of values, two sets of books: one for Iraq and one for America.

Mr. Speaker, the American people are the most generous people in the world, but we can no longer afford to be so generous if our hope for a prosperous tomorrow for our children is diminished and less than the one we promise the people overseas. We cannot deny Americans the same dreams of affordable health care, quality education, a safe place to live that we promised the Iraqis, but denied the American people. The same values that we hold for Iraq we must pledge for every American as well.

It is time that we look at the energy crisis we have in this country and ask the American taxpayers to subsidize 5 cents a gallon in Iraq while we pay north of 2 bucks a gallon here in the United States, while we say to our children, you should graduate college with a $16,000 bill and yet provide universal health care and higher education to Iraqis. We can do better; we need to do better.

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

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

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.)

## RECORD TRADE DEFICITS UNDER BUSH ADMINISTRATION

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

Mr. DEFAZIO. Mr. Speaker, today the Bush administration set yet another record. Congratulations. They announced a new record trade deficit for April, which puts the United States on track for yet a new annual record in trade.

Now, what does that mean to average Americans? Well, first off, it means that we are outsourcing jobs overseas, outsourcing capital overseas, losing jobs and productivity here; and we are going in debt to China and Japan and other nations. China has $122 billion of U.S. Treasury bonds; Japan owns $440 billion. They are getting to a point where they will be able to influence our economy and our interest rates in the United States and our currency. This is worrisome.

The loss equals about $1.5 billion a day in U.S. wealth; $1 million a minute being hemorrhaged overseas.

Now, when one is confronted with a policy that is failing, one usually would begin to rethink that policy. But no, not the Bush administration. As we know, they are very stubborn; and they are never wrong. In the case of trade, they think that there are tremendous benefits to the United States by outsourcing, exporting jobs, putting people here out of work. In fact, the President's own economic adviser in the annual report of the President of the United States said as much. He said that this was a good thing that jobs were being outsourced. It was a new manifestation of the radical free trade policies that they believe in down there at the White House.

Now, the problem, of course, goes beyond just the outsourcing of jobs and loss of capital. It is ultimately undermining the national and economic security of the United States of America. As we lose our productive capacity in critical areas, we are going to have a hard time replacing those in a future time of crisis, whether it is with China or somebody else who will have captured much of that productive capacity, those critical skills that go with those capacities.

I sat next to a gentleman on the plane last week going back to Oregon who works in the titanium industry; and he is very concerned about the loss of U.S. capabilities in critical metals, and very concerned that China is now leaping ahead in many areas, and if we should ever get into a conflict or an adversarial situation with China in the future, we would be at a disadvantage.

But this administration thinks, in fact, that this is all really great, because a few people are getting really rich. The CEOs are doing great. So what if salaries are down, wages are down, jobs are lost here in the United States of America. The CEOs or the contributor class. The Bush Pioneers and Rangers, those who can gather up $250,000 or $1 million for the President's reelection, are telling him, this is great, their bonuses are up, they are doing well, their friends at the country club are doing well; and we can just maybe change the subject when it comes to average Americans. Maybe we can distract them with something else so they will not realize how screwed they are. I hope not. I hope that Americans next fall express their opinion of these radical free trade policies, the huge trade deficits, the outsourcing of jobs, the CEO class who earn 600 and 700 times what their workers earn.

Mr. Speaker, this is a scandal, what we are doing; and it is undermining our country. And the President, if reelected, says one of the first things he is going to do is expand NAFTA, the job-losing NAFTA agreements, to all of Latin and South America. Just think of the opportunity. They pretend it means we will export things there, but they know it does not. It means the same thing as all of the other trade agreements. It means U.S. companies can locate there to exploit cheaper labor and lay off people here at home. But ultimately, who is going to be able to consume things here in the United States of America when the middle class is not working anymore? Ultimately, they are going to undo the entire system of the United States of America, but they do not really seem to care much about that.

They announced a big victory just yesterday, that is, that Mexican trucks, unsafe Mexican trucks that weigh two times as much as U.S. trucks, that are bigger, that are driven by people who do not take drug tests, do not have U.S. commercial drivers licenses, do not have the same rest time requirements, do not have in many cases front brakes, will be rumbling down the U.S. highways soon. They announced a great victory when the Supreme Court threw out a case that would restrict Mexican trucks from coming into the United States. Again, something else very shortsighted and very much against the interests of average Americans and working Americans.

## CALLING ON THE BUSH ADMINISTRATION FOR CLEAR FOREIGN POLICY

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, I wondered how I would begin this evening inasmuch as this past week we honored a fallen President, and I wanted to ensure that the respect of that week continued. So I simply say that it is important, if we remember anything from the honor that was given to President Ronald Wilson Reagan, the 40th President of the United States, it might be, among many, many things that were said last week is his ability to convince and convey by words and diplomacy and particularly what is attributed to him, along with others that he helped inspire, is the ability to tear down the Iron Curtain, to break through the wall of Communism, and to do so, as has been said very frequently, without one single bullet being fired.

I think that is an appropriate backdrop for the pain and anguish with which I come to the floor this evening, and that is to again speak of the tumultuous activities and events and incidences that are occurring now in the Middle East but, in particular, in Iraq.

It is represented to us that the insurgents are increasing their activity, their brutality, their bloodshed because of the potential transition of government. But I believe it is crucial for this administration to do several things: one, to again address this body of Congress to be able to enunciate and to provide information on just what

our strategy is going to be post-June 30. We have a hostage being held in Saudi Arabia, al Qaeda is in its height of activity, bloodshed is occurring in Baghdad and around Iraq on a most frequent basis. Conflict has not yet been resolved, and there is, I believe, confusion within the Defense Department, the leadership, Secretary Rumsfeld whom we have asked on repeated occasions to resign in light of Abu Ghraib and the continued abuses that we hear of, and the lack of direction. There is no response from the administration. That is, I think, intolerable.

Let me also ask of the administration, as we have asked those of us who are aware of the crisis in Sudan that we should not stand by and watch as we watched in Rwanda. We know that some 40,000 people are now being displaced. Even while the government out of Khartoum is negotiating a peace treaty in Kenya, we know that violence has broken out again. Children are dying, women are being mutilated and raped and brutalized, and there is Muslim on Muslim murder, Arab Muslims, the rebels killing and destroying villages where black Muslims live. There may be no peace, there cannot be any peace until this matter is resolved.

The Congressional Black Caucus, and I wish to express my appreciation to the gentleman from New Jersey (Mr. PAYNE) for his leadership; we expect to meet with the U.N. envoy to Sudan to be able to get a full and direct explanation as to why the Government of Sudan cannot immediately cease this violence. That is the concern I have when the United States has immersed itself in conflicts that it cannot get out of. That means that when there is a need for humanitarian aid for our military personnel to be able to save lives, we are so stretched that we cannot do it.

I might say to my colleagues as we are about to meet and greet again the President of Afghanistan and thank him for his great leadership, he too needs our additional assistance as we begin to move toward an election in September. Greater assistance is needed for our troops who are there in Afghanistan, and some of their actions have been actually forgotten, because we will be moving to an election; and it will be difficult in Afghanistan in order to provide for the safety and security of those voters and those who will be registering to vote.

So, Mr. Speaker, what I am concerned about is the fact that we are so immersed in the conflict, it seems frustrating, confusing, and unending in Iraq, we then leave ourselves vulnerable to not being able to provide assistance to the people in Afghanistan, moving toward a peaceful election and certainly the crisis, brutality, and murder in Sudan, would leave us simply crying and wallowing in our own tears, because every day, 30,000 people are being killed in Sudan.

So I ask the administration to give us some direction in Iraq, let the Congress know just what the road map is, because the killing by insurgents is not something that we should tolerate. Give us some direction in Afghanistan to know that we have the amount of troops there to provide for the safe and secure voting and elections and people being allowed to register without being killed and intimidated and frightened away from registering to vote. Women should not be kept away from voting.

Then of course in Sudan, it cannot be another Rwanda; it cannot show itself to be a continuing killing field. One million in Rwanda, 2 million already dead in Sudan, thinking that we have a peace treaty but, in fact, we should say to America, we do not.

I know that my colleagues are sympathetic to the idea that when brutality and murder go on innocent people, and it is happening in Sudan. I would ask the administration now to make a strong and potent statement, Secretary Powell, in order for the Government of Sudan to immediately cease this kind of bloodshed going on. While they give the impression that they are engaging in peace treaties in Kenya, people are dying in their country, and it is becoming a killing field, and we cannot tolerate it and we must not tolerate it.

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So we ask not only for mercy, we ask for relief. So we ask for this Congress and this administration to become engaged.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4503, ENERGY POLICY ACT OF 2004, AND H.R. 4517, UNITED STATES REFINERY REVITALIZATION ACT OF 2004

Mr. HASTINGS of Washington (during the special order of Mr. HENSARLING), from the Committee on Rules, submitted a privileged report (Rept. No. 108–539) on the resolution (H. Res. 671) providing for consideration of the bill (H.R. 4503) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, and for consideration of the bill (H.R. 4517) to provide incentives to increase refinery capacity in the United States, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4513, RENEWABLE ENERGY PROJECT SITING IMPROVEMENT ACT OF 2004 AND FOR H.R. 4529, ARCTIC COASTAL PLAIN SURFACE MINING IMPROVEMENT ACT OF 2004

Mr. HASTINGS of Washington (during the special order of Mr. HENSARLING), from the Committee on Rules, submitted a privileged report (Rept. No. 108–540) on the resolution (H. Res. 672) providing for consideration of the bill (H.R. 4513) to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes, and for consideration of the bill (H.R. 4529), to provide for exploration, development, and production of oil and gas resources on the Arctic Coastal Plain of Alaska, to resolve outstanding issues relating to the Surface Mining Control and Reclamation Act of 1977, to benefit the coal miners of America, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## MORNING AGAIN IN AMERICA

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

Mr. HENSARLING. Mr. Speaker, I need not state that last week was a very, very trying, yet very moving week for many Americans because we said goodbye to one of the greatest Presidents I believe in the history of America, and certainly one of the greatest that I have known in my life time, President Reagan. And I think many Americans recall so much about the President, about how he loved freedom and how optimistic he was.

There is a phrase that many people associated with President Reagan when he ran for reelection in 1984, and that phrase was, It is morning again in America.

Well, America has faced a significant economic challenge over the last several years, and that is we have faced a recession. Many people have been hurt by this recession and jobs were lost and businesses were padlocked. But I have to tell you, we have come out of the darkness. We are coming into the light. When we look the at our national economy, again it is morning in America.

One of the proudest days I have had as a Member of United States Congress was the day that I signed my name, coauthored President Bush's economic growth program. Now, that was a program that was all about tax relief, tax relief for American families, tax relief for small businesses, because we know that when you let families and businesses, the American people keep more of what they earn, they will roll up their sleeves. They will work hard. They will create new businesses. They will go out and open an automobile transmission shop on one street corner. They will open a barbecue stand on another corner. They will expand a mobile home business two blocks away.

Mr. Speaker, that is exactly what we see in America today.

Now, many in this body want to debate who is to blame for the recession. Well, I can tell you there have been many, many recessions in the history of America. And I wish there was something we could do in this body to outlaw recessions but we cannot. But we do know that besides the obvious and huge loss of human life on 9/11, what a blow it was to our economy, in the trillions of dollars; not no to mention the stock market, the high tech bubble being burst, the corporate scandals. There are a whole lot of reasons. And we could play a blame game here between the Republicans and the Democrats, but I do not think that is what the American people sent us to Washington to do. They sent us here to work together and solve problems.

Mr. Speaker, in working with the President we have been able to solve a lot of these problems. If you look at where our economy is today, it is just a fantastic recovery that is under way. We are enjoying right now the highest economic growth that we have enjoyed in 20 years. In over 20 years we are seeing the highest economic growth that we have ever seen. And jobs, over a million and a half jobs have now been created over the last 9 months, in a blistering pace in the last several months, all due to President Bush's economic growth program.

Homeownership, the great American dream of homeownership, homeownership is at an all-time high. More Americans own their own homes than ever in the history of the United States of America.

Mr. Speaker, we are talking about the explosive job growth that we have had in our economy, a million and a half jobs in just the last 9 months, people all over America being able to go back to work because of the President's economic growth program.

The stock market is up 20, 25 percent off of its lows, which is so important for so many people that have 401(k) plans that they have to plan for their retirement, and there is so much other good news.

We have other Members that are here to discuss that and how it relates to their congressional districts. Mr. Speaker, at this time I yield to the gentleman from Arizona (Mr. HAYWORTH), to discuss this further.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Texas and congratulate him on claiming this time during special orders to celebrate the 1-year anniversary of the Jobs and Growth Act of 2003. I am also pleased that the gentlewoman from West Virginia (Mrs. CAPITO) will join us shortly as she is prepared to make remarks on the floor.

Mr. Speaker, I appreciated the comments of the gentleman from Texas (Mr. HENSARLING). He spoke of changes in the economic indicators. He spoke of what has transpired in the stock market. And certainly we understand and we should point out what is going on on Wall Street, but in the final analysis, Mr. Speaker, yes, Wall Street is important but likewise so is Main Street.

What is happening on the main economic thoroughfare of your town, and more importantly, what is happening, Mr. Speaker, in the homes in your neighborhood? It is interesting as we take a look at our efforts to embrace a pro-growth economic agenda centered on this one basic truth that the money that comes into the government via taxation does not belong to the government. It belongs to the people. And when we allege how the people can keep more of their hard earned money to save, spend and invest for themselves, it helps all of us. We can offer many historical examples.

Indeed, last week we celebrated the life of our 40th President, Ronald Reagan, who embraced that philosophy; but to be candid, Mr. Speaker, it is not exclusively partisan. Indeed, we look back to the 1960s and the efforts of late President John F. Kennedy who in asking for reduction in taxation across the board was heard to say, A rising tide lifts all boats. Everyone has, everyone has a chance to benefit. And certainly we can see what has happened on Wall Street, on Main Street, but most importantly, Mr. Speaker, what has happened on your street: 111 million individuals and families receive an average tax reduction of $1,586; 49 million married couples get an average tax reduction of $2,602; 43 million families with children, an average tax cut in excess of $2,000; 14 million of our seniors will see their taxes fall on average by $1,883; and 25 million small business owners, Mr. Speaker, if I could, I know it is really not a parliamentary inquiry. I do not need to ask unanimous consent but I think we all could agree, the term ''small business,'' Mr. Speaker, is almost an inaccurate term. It is essential business. So-called ''small businesses'' are the very backbone of economic enterprise in this country. They supply more jobs than all the major corporations put together. Small businesses on your street do that. And 25 million small business owners will see an average tax reduction of $3,000 plus.

Now, Mr. Speaker, there are cynics in this city who would say that somehow this is not a lot of money. It is interesting, on one hand collectively they bemoan the notion that Americans have more of their own hard earned money to save, spend and then they turn around almost in the same breath and take the opposite tack, well, this does not matter much to families.

Mr. Speaker, I would have to respectfully disagree. Yes, it is true, we talk about billions of dollars here in Washington, but think about those 43 million families who through the per child tax credit have seen their taxes fall in excess of $2,000. Think, Mr. Speaker, what $2,000 means in a family budget. Think of what it means as now so many schools are out, kids are enjoying time off this summer. Some families coming here to Washington, D.C., other families going to visit extended family around the country, and more importantly preparing to head back to school to make those expenditures necessary. In some houses it could mean braces for that middle child. In other houses it could mean a set of tires, and still other houses it could be that important family vacation.

But important money, real money to real people is what we talk about and what we celebrate. And now tonight at the 1-year mark, the 1-year anniversary of the Jobs and Growth Act of 2003, as my colleague from Texas has reported, as my friend from West Virginia will join with her analysis, we have seen incredible economic growth.

Mr. Speaker, I look at the almost 1½ million more payroll jobs, 1.4 million more payroll jobs in the last 9 months, and it is fascinating because the American people, again, when they can invest, when business owners can invest, it does create more opportunity. And I am reminded by some in the ivory tower, maybe that is why economics is called, Mr. Speaker, the dismal science. Maybe that is why it is said, you can lay all the economists in the world end to end and never reach a conclusion, or by the same token, you can take all the economists in the world and lay them end to end and that might be a good thing, because away from theory we are seeing legitimate economic fact here.

There is no disputing that almost a million and a half more payroll jobs have been created in the last 9 months. There is no disputing this tax relief is helping America's job seekers. There is no disputing this tax relief, as I pointed out, is helping the budgets of American families. Real disposable income is up almost 4 percent. Household wealth, not for the wealthy but household wealth for all families across America, a record high of $44 trillion. Housing starts, we talked about small business being an indicator, what about what happens in terms of building houses in the United States. Housing starts, the highest level in 2 decades. At the end of 2003 they remain consistently high. Homeownership is record high, 68.6 percent.

Mr. Speaker, stop and think of that for just a second. The American dream of homeownership, the very foundation of so much economic planning and dreaming and the aspirations of so many young couples and American families, now almost 70 percent of Americans realize the dream of owning their own home.

□ 2045

Consumer confidence, accordingly, is up. Opportunities have increased. Manufacturing jobs are up. Indeed, in the last 4 months, manufacturing jobs have increased by 91,000, just short of 100,000.

When we take a look at these numbers and we translate them from the

black and white numbers on a page and we realize that this is helping real people and real families, we can hardly wait to see the other reports that will be forthcoming because we understand this simple fact. Again, it is not partisan but it is imminently practical.

Would Americans keep more of their own money and save, spend and invest it for themselves? Economic activity increases. We have seen great strides in productivity, and we understand this simple fact. From our history and in practice, what we are seeing today, that through this economic expansion, through this growth and opportunity, people are realizing the American dream of homeownership. They are taking advantage of opportunities to provide for their families, and as this continues and as we see this economic expansion, something that some of our friends who come to this Chamber seem to want to deny, although it has been an historical fact, we know that the increased economic activity in the long term actually creates more revenue for the government. There is actually an increase in taxable receipts that comes from economic activity.

So rather than succumbing to the cynical and shopworn phrases that tax relief only helps one sector of our economy, rather than abandon reality for the poisonous rhetoric that would set one American against another, we would do well tonight, Mr. Speaker, in recognizing this 1-year anniversary to take a look at the historical examples of Presidents Kennedy and Reagan and take a look at the current events and the current evidence, that the common sense, pro-growth agenda, pro-economic agenda, developed by this President and this congressional majority is helping real people find real work and real opportunity.

Mr. Speaker, we continue in markup in the Committee on Ways and Means to find yet other ways to spur economic growth. As that continues in the Committee on Ways and Means, I just wanted to take time out from those proceedings to come here to the floor to thank my colleagues, especially the gentleman from Texas, for claiming this one hour of time, Mr. Speaker, to report to the American people and to reaffirm what so many of them are seeing both in their own lives, in their own homes and on their own street.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Arizona for making time to come down this evening to the floor to discuss the wonderful news that we have had as we talk about the 1-year anniversary of the Jobs and Growth Act of 2003, and obviously there is so much good news to be had in Texas and Arizona and all the other States around the Nation, but there is still work to be done.

At this time, I yield to the gentlewoman from West Virginia (Mrs. CAPITO), one of the great pro-growth leaders in the Congress, somebody who has made a real difference for West Virginia.

Mrs. CAPITO. Mr. Speaker, I would like to thank my colleague from Texas for yielding to me and for working with us on this hour to talk to the Nation about the good news that we have on our economic front.

I have been here almost 4 years now, and for some reason good news seems to get buried a lot, and it is deeply concerning to me when we are talking about something as critically important as our Nation's economy, people working, families. So I think it is extremely important for all of us to give a good viewpoint to our Nation on how our Nation is moving in the right direction.

I would like to talk about my home State of West Virginia. Many times in terms of economics, West Virginia has had difficulty with our State economy. We have not moved with the rest of the Nation when the rest of the Nation is surging economically. We have sort of puttered along a little bit, and so in my home State people will say to me, Shelley, I hear that national indicators are good and that we are creating 1.4 million new job with President Bush's programs, but what is happening in West Virginia? Is that really occurring in West Virginia? The great news is, yes, it is.

The indications today were just brought out by the State Department of Employment Programs. It announced today that in the month of May we saw the largest period of job growth this year, 4,400 new jobs created in the State of West Virginia in May. Our unemployment rate, which has been steadily below the Nation's unemployment, dropped another 3/10ths of a point to 5.2 percent. These are not happenstance. This is not just a blip in the radar screen. This is a constant indication that the economics of West Virginia are improving, just as the economics of the Nation are growing and thriving.

Being home last weekend, I talked to many folks, miners, realtors, bankers, schoolteachers, truck drivers: How is business? How is it going? Every single one of them has a positive, uplifting message to give. They are either hiring more people, ordering new parts, or increasing their equipment, all the things that are the great indicators of economic growth. The tax savings in West Virginia is being reinvested, just as the President's Jobs and Growth Act had planned, and new workers are being hired.

There are also other good signs. Not only is West Virginia being included in the upturn of the Nation's economy and settling into new jobs, but other things are occurring, and I think it is important to be pointed out.

We have heard about outsourcing and we are all concerned about any job that leaves an American shore and goes across the sea where we want to keep that job on our shores, but in West Virginia interestingly one in five of our manufacturing jobs in West Virginia, they are working for a foreign-based company. Those jobs have been insourced to the State of West Virginia, and I think that is over 27,000 workers in the State of West Virginia are in that position.

The pride of Buffalo, West Virginia, which is in my District, is the Toyota manufacturing plant where over 1,000 West Virginians build the engines that are in the Toyota Camrys that are parked in our driveways, and can my colleagues imagine the impact that 1,000 of those manufacturing jobs in a small area such as Buffalo, West Virginia, has on the total economy of that location and that area and region of our State?

We also saw personal income rise in the latter part of 2003 to a total of $44.7 billion, and that is one of the highest numbers ever reported in the State of West Virginia. Our exports have increased by over $100 million. Personal tax collections are forecast to increase by 3.1 percent this coming year. That is an indication that more people are working. They are working at higher salary levels, and they are enjoying the prosperity a boom economy can provide, and the prosperity the Jobs and Growth Act of 2003 that President Bush put forth is working.

We also have many in West Virginia who are enjoying the tax benefits that were a part of that on an individual basis. We have several hundreds of thousands who are enjoying the marriage tax penalty: 400,000 individuals paying fewer taxes; and over 100,000 small businesses enjoying the tax relief that was so vitally important to jump-starting this economy and moving it in the right direction.

So, while we always seem to want to have the gloom and doom news take the headlines, I think it is time that the Americans see the headlines that are the reality of our economy here in the United States, and that is we are moving in the right direction. There is more work to be done, and States like West Virginia are feeling the impact, are being able to take hold of the movement and the surge in the economy. More jobs are being created, more families are feeling that, and for me to be able to say that this Congress, with this President, put these policies into place makes me proud to go home every weekend to West Virginia and say we are moving in the right direction. We are going to keep up the momentum, and things are on the rise.

Mr. Speaker, I thank the gentleman from Texas for granting me the time.

Mr. HENSARLING. Mr. Speaker, I thank the gentlewoman for her comments and how enlightening they were to enlighten us about what is going on in the State of West Virginia and how under the Jobs and Growth Act of 2003, how jobs are being created, how exports are up, how real income for families is on the rise so that families can go out and afford to spend more money on their education programs, their housing programs, their nutritional programs.

Although there is much work to be done, all this great progress was made possible by an act that at its core was all about tax relief, tax relief for small businesses, tax relief for American families, and Mr. Speaker, as my colleagues know, in the House of Representatives, that means that tax relief comes through our Committee on the Ways and Means. One of the great leaders of that committee, one of the pro-growth leaders in the United States Congress, is here to share his thoughts with us, and I yield to the gentleman from Ohio (Mr. PORTMAN).

Mr. PORTMAN. Mr. Speaker, I thank my colleague from Texas. I thank him for leading this Special Order tonight and for all the good information he has been providing. I also thank my colleague from West Virginia who just described very well what is going on not just with the national economy but also what is happening in her State of West Virginia.

We are not getting the word out about the economy. Most Americans are concerned about where our economy is headed. In fact, we have made incredible strides. Is there more to do? Of course there is. The tax relief, though, helped tremendously.

I want to talk a little bit about that and then talk about what we need to do in the future with regard to health care costs, litigation costs, international trade, energy costs to take this economy to even greater heights, but things are improving, and we need to acknowledge that because it is important to remember what we did that worked and what we have done that does not work.

What we have done that works is, again, letting people keep more of their hard-earned money, increasing small business investment, helping people around this country to be able to find opportunity.

This first chart shows the fact that over the last several months we have had incredible job growth. In fact, in the last 9 months alone we have created over 1.4 million jobs in this country. Government did not create those jobs, but government does play a role in creating the environment to create those jobs, and again, the tax relief was absolutely crucial to that.

Job growth is key but job growth only comes with economic growth. This shows the GDP growth which is a measure of all the goods and services in the economy, and as we can see we are now at 4.4 percent in the first quarter of 2004. Projections are into 2005 we are going to see sustained growth and a kind of growth that will be able to not only keep this economy strong but even with high productivity be sure we have real job growth in this country.

As this job creation is surging, it is helpful to look at the unemployment rate. Right now the unemployment rate is down well below the average in the 1990s, which is this dark line. Here we are today: 5.6 percent is well below not just where we were in the 1990s but also below where we were in the 1980s, below where we were in the 1970s.

So, yes, we have challenges. We have a lot of international competition. We need to do more across the board in terms of making it more productive to create a job here in this country, but we are making good progress, and that unemployment number, coupled with this job growth, is incredibly important to the working people of America.

Some people have said, well, okay, the economy is now growing, that is good, and now it is not a jobless recovery. We have got good job growth coming back, strong job growth, over 1 million new jobs created this year alone, but people's earnings are not as high as they should be. Well, I would just point them to this chart.

Incomes and earnings are up. This is after-tax income, up 4.9 percent in the first quarter of this year, a substantial increase. This, again, in my view, is largely because of the policies we put in place here, and that is why it is important to talk about it.

Average weekly earnings have increased by 2.5 percent from the same period a year ago. People say, well, Rob, that is not wage growth; that is just people with big incomes and that is averaged in. Actually, it is wage growth. Hourly wages are up. People who are punching a time clock, going to work every day, providing the impetus for this economic growth are seeing an increase in their take-home wages. That is what this is all about after all, making sure that families have more income to be able to spend on their needs and it is happening.

Housing is strong. I think it has been talked about earlier tonight and others will talk about it, but housing is an incredibly important part of our economy, and it has kept strong actually even through the recession we had in 2002, but this housing growth is particularly interesting because it is at an all-time high in terms of homeownership, all-time high in terms of minority homeownership. This is important well beyond the economy. It gives people a stake in their communities.

□ 2100

It allows people to build up an investment in their home. This is great news for the long-term economic ownership of our country, that people are able to take part in by owning a home.

The last thing I want to spend just a second on is investment. Investment is strong here, and it shows that the President's tax cuts have been very effective. This chart shows that investment is up 12½ percent in the last 12 months. Over the last four quarters, investment is up 12½ percent. What does that mean? That means we are over this bubble.

Before the recession, people were concerned about overcapacity and overinvestment. For the last few years, people have been very concerned that there is no new investment going on because we had overbuilding and overcapacity. Finally we are over that. Why? I think there are four reasons for it.

One, we reduced the rate of taxation on dividends. Companies are now dividending. Record levels of dividends are being reported by companies. Seniors really benefit from this. A lot of them have investments in companies that issue dividends. That dividend tax cut has helped with regard to investors because more investors are getting into the market; and that investment is going to expanding plants, equipment and creating jobs.

Second is the capital gains relief. By reducing the capital gains rate, as we did, we are encouraging investors to get back in the game, and that has happened.

Third is depreciation. We put into place a bonus depreciation of 50 percent. We have put into place section 179 depreciation where people can write off more of their expenses immediately for small businesses. This is incredibly important to small businesses. Small businesses are taking advantage of these provisions we put in law. We have to extend some of these, and we are debating in the Committee on Ways and Means a provision to extend section 179 expensing for small businesses for this very reason.

The final reason I will mention is reduction in the top rate. In fact, all of the tax rates that went down, and we were at 39.6 percent, then 38 percent, down to 35 percent. People say, gee, and JOHN KERRY has said this, this is only to help wealthy individuals. That is not the point.

Mr. Speaker, 83 percent of the people in those tax brackets are businesses. What does that mean? Most small businesses in America, about 90 percent of them, pay taxes through the individual tax return. They are what is called pass-through entities. They are partnerships, sole proprietors, LLC companies, subchapter S. The bottom line is those businesses pay taxes as an individual; and so when you reduce those individual rates, you are getting at the real engine of economic growth in this country, which is small businesses. That is exactly what has happened.

I think for those four reasons, reducing the taxes on capital gains; reducing the taxes on dividends; reducing taxes across the board; and increasing depreciation, we have seen a nice increase in investment. That will continue based on all of the economic projections. This leads to opportunity because by investing in more equipment and expanding plants and jobs, we will have opportunity going forward.

As I said at the outset, we still have more work to do, and we want to do it. Trade is one issue. We have to increase our exports. We are starting to see increasing exports as other economies around the world are picking up, even though our economy is doing better than any industrialized economy in the world. That is incredibly important also to our future.

I come from Ohio. I heard earlier my colleague from West Virginia talking about the West Virginia economy and the struggles they have had over the last few years. We have had struggles, too, and we continue to. We are a heavy manufacturing State. We are the kind of State that has traditionally done very well in areas where the U.S. is not as competitive as we once were. We are beginning to make that transition. There is more high technology coming in, more financial services jobs, and we are doing better.

But even in Ohio, where we have a struggle with manufacturing jobs, we have seen some great numbers over the last several months. We have added over 34,000 new jobs to Ohio's economy in the last 9 months alone. We have also created 4,300 new jobs in April alone. These are not regular jobs; these are good-paying jobs, the kind of jobs you want to have going forward with the economic recovery.

Nearly three-quarters of Ohio's payroll job growth in April, for instance, was in industries that pay more than the national average. The professional and business services industry comprised the largest share of those jobs. Average hourly pay of a job in that industry that is nonsupervisory is $17.20 an hour. That is well above the national average for nonsupervisory jobs.

So we are finally adding jobs in Ohio. We are getting these jobs back; and now would be exactly the wrong time to change direction and raise taxes on small businesses, as has been proposed by JOHN KERRY and others.

Second, unemployment is down in Ohio. We were at 6.2 percent a year ago. We are down to 5.8 percent now. Can we do more? Yes. And we must do more to be able to bring those jobs back to Ohio. But we have turned the corner. We are making progress. Personal incomes are now up in Ohio, housing values have increased dramatically in Ohio, and there are more exports. Last year, Ohio exports increased over $2 billion. That is incredibly important to my district in southwest Ohio and to the entire State of Ohio. That brings jobs and opportunity.

As I said before, we are not done. We have plans to reduce health care costs. We plan to get litigation costs under control, which will help our entire economy. We have a specific proposal on energy that is currently in the United States Senate to reduce the cost of energy and make us less dependent on foreign oil.

Finally, we need to do more in terms of knocking down barriers to our trade for exports. But the tax relief we put in place in 2001, 2002, and 2003 is working. The economy is back. We need to stay the course. We need to continue to be sure that tax relief stays in place so our economy stays strong so we have opportunities for America's workers so we can compete in this global environment. We are doing it. We can do it going forward. We just have to keep the faith.

To the gentleman from Texas, I appreciate the gentleman allowing me to come down and talk about the economy a little bit tonight.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Ohio for his great leadership in ensuring that we did have tax relief for American families and small businesses which has ignited this great economic recovery that we are seeing from one shore to the other.

Indeed, there is great news and, indeed, there is still more work to be done. We have to make sure that those in Congress who want to take the tax relief away, raise taxes on the American people yet again, that that policy does not come about in the Halls of the United States House of Representatives.

We are joined tonight by a gentleman from the Committee on Ways and Means who was instrumental in ensuring that we pass the Jobs and Growth Act of 2003 and will be a key leader in ensuring this tax relief is not rolled back.

Mr. Speaker, I yield to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank the gentleman from Texas (Mr. HENSARLING) for leading this discussion.

I want to set the predicate for a moment because this Congress and this President inherited a very troubled economy. In 1999 when the Internet stock bubble burst, there was a tremendous amount of sensitivity, if you will, to the economy. People had lost lots of money in their savings accounts and IRAs and Keoghs and 401(k)s, and so psychologically the economy started heading in a negative manner from that point on.

President Bush inherited a struggling economy; and then we have all heard about September 11 and what it did to the investor psychology and what it did to the job market and what it did to the economics of places like Florida where our tourism market was ravaged. We all experienced that, so we are not reliving history; but we have to set the predicate about how important the leadership of this White House has been in setting in place the kind of economic tools necessary to develop what are now very, very hopeful numbers for people around the country.

Florida's jobs have been up. In fact, we have created 29,000 payroll jobs in April alone. We now have 168,400 more payroll jobs than a year ago. Our economy is adding good-paying jobs. More than two-thirds of Florida's payroll job growth in April was in industries that pay more than the national average. For example, the professional business service industry comprised the largest share at 11,500. The average hourly pay of a nonsupervisory job in that industry is $17.27, well above the national average of $15.59.

Unemployment was down in Florida from 5.3 a year ago to 4.6. The national average is 5.6. Florida's average unemployment rate in the 1990s was 5.9.

Personal income swelled in Florida in the last quarter by 1.3 percent to over $528 billion. Florida's housing values are up well over 11 percent in 2003 and over 53 percent in the last 4 years.

Exports have increased over $400 million for a total of $25 billion from Florida's export economy alone. And insourcing, a subject some on the other side of the aisle do not want to talk about, but we have had over 303,000 jobs in Florida from companies based in other countries. About 12.2 percent of all manufacturing jobs in Florida are with foreign companies.

So the statistics are clear, the effects of our tax reductions and our attempts to make this economy stronger and more resilient are absolutely made positive by the charts that my colleague on the Committee on Ways and Means illustrated just moments ago.

I am proud of the leadership of not only this White House but the entire Congress for recognizing that in order to get the opportunities present for people for jobs, for growth in their families' income, for more job security and for an aggressive, can-do spirit of passing very detailed and complicated legislation that has yielded in the pockets of people of the 16th Congressional District of Florida greater disposable income, greater sense of purpose, and greater job security. These are things that are not just imaginative. These are things displayed each and every day.

I thank the gentleman from Texas (Mr. HENSARLING) for leading this opportunity to talk to the Nation and talk to our friends. Look at the price of the Dow Jones Industrial Average today as opposed to 3 years ago, look at the unemployment numbers, look at all these factors; and I think it will bear out that the work done by this Congress is not only showing great progress but the months to come will show even more positive improvements in the lives of all Americans.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Florida (Mr. FOLEY) for his comments and thank him for his leadership in ensuring that we had tax relief for American families and small businesses to help this wonderful surge of employment that we have had in the United States.

Again, as we can see from this chart, over the last 9 months almost a million and a half new jobs have been created, and in the last several months at a blistering pace. New jobs for Americans, and these are not just dry statistics that are appearing on some board, but I have the honor and privilege of representing the Fifth Congressional District of Texas which starts in the eastern part of the city of Dallas and takes in several of the suburbs of Dallas County and includes many rural areas in east Texas; and I have seen some great news in that area all due to President Bush's economic growth program.

I was in Jacksonville, Texas, not too long ago in Cherokee County, Texas. I

went to visit a plant called Jacksonville Industries. They are an aluminum and zinc die cast business. They were having trouble in some respects in competing in their marketplace. But once President Bush brought his economic growth package forward and once we passed it in the House of Representatives, all of a sudden they were able to afford a new piece of equipment that previously they could not afford. Now I could not tell you the name of this piece of equipment, I could not tell you what it does, but it is big and makes a lot of noise, and it makes them more competitive in a very competitive marketplace. Prior to being able to acquire this machine, they were on the verge of perhaps having to let two of their workers go because they could not be competitive without having the new plant, the new equipment.

Because of the equipment they were able to buy due to President Bush's tax relief program, instead of potentially laying off two workers, they hired three new workers. That is five people who could have been on unemployment, five people who could have been on welfare. Instead, thanks to our President and thanks to the Republican majority in the House of Representatives, those are five people with a real job, five people who are putting a roof over their own head, putting food on the table, helping educate their children, and realizing their own version of the American dream.

That is how important tax relief is in America to get this surge of economic growth, this surge of jobs that we see being created. I see it all over the Fifth Congressional District of Texas. I see it in the city of Garland where all of a sudden a new CiCi's Pizza franchise opened up just a couple of months ago. They created 30 new jobs in 2 months. In Mesquite, another superb of Dallas, a wonderful community, Coleman Homes, a home builder who came to Mesquite in 2002, has almost doubled their number of employees in just 2 years building homes.

□ 2115

Because as we said earlier, Mr. Speaker, we are enjoying the highest rate of homeownership that we have ever enjoyed in the history of the United States of America, thanks again to President Bush's economic growth program and a Republican majority in this House that would pass it.

In Dallas where I live in the Lakewood neighborhood, because of the economic growth, a new bank opened. They put in $600,000 to renovate an old building that went to builders and carpenters and refinishers, and in just 3 months they have added 12 full-time jobs to help serve all the demand as businesses grow and need the capital that the bank can provide. The stories go on and on and on.

Mr. Speaker, I know that tax relief works. I see it in the Fifth Congressional District of Texas. We see it all over America, and it is not just the evidence we have today. It is the history. As we mourn the passing of one of the great Presidents of the United States, President Reagan, we have to remember tax relief worked again in his administration. We cut marginal tax rates, and we had an explosion of economic activity, and we had more tax revenue come into the government as well.

Mr. Speaker, there is other good news around this Nation. There is lots of good news, and that does not mean our work is done. We have much work to be done. We will not stop until every American who wants a job has a job. But another great leader that we have had in making sure that we have pro-growth economic policies for our Nation, to make sure that we create jobs in every corner of America is a great colleague of mine and cochairman of the Washington Waste Watchers, which has been on the vanguard of fighting waste, fraud and abuse in America.

At this time I would like to yield to the gentleman from Indiana (Mr. CHOCOLA).

Mr. CHOCOLA. Mr. Speaker, I thank the gentleman for yielding and I thank my good friend from Texas for taking the leadership in talking about this very important subject, and I commend all my colleagues who have come down to the floor tonight to talk about what is going on in their States and their districts and sharing good news. I think it is so important that we do share this good news, because much of the economy is based on the confidence of the American people, and when they hear the good news I am confident that their confidence will swell and they will continue to do their job so well in growing the economy.

Before coming to Congress, I was a business person. I was part of the economy trying to grow a business and create jobs every day, and one of the differences I have learned between working in the private sector and being part of government is that facts do not always get in the way of people's opinions here in government. I think it is important that we recognize what the facts are, and I think the Wall Street Journal today tried to share some of the facts about the economy in an editorial they entitled Gloom and Boom.

Roughly, that editorial talked about how not long ago the critics of the economy said that this is the worst economy that we have seen since maybe the Great Depression, but then when economic growth was undeniable, the criticism was, well, there's growth, but there is no jobs. This is a jobless recovery, and now clearly there is robust job growth, so the criticism is, well, certainly there is growth and certainly there are jobs, but these are not good jobs; these are not good-paying jobs.

The editorial went on to point out that in fact these are good jobs, the economy is growing, personal incomes are up, and the people getting the jobs today are being paid more than the jobs of yesterday.

We can talk about Wall Street Journal editorials all night long. We can talk about national economic indicators all night long, and they are very, very important, but I find that the best national economic indicator is my local paper. So tonight I ran up to the files and looked in the file to try to find some examples of what is happening in the Second District of Indiana, and I just grabbed a few of the articles that were in the file from the last couple months. These are examples of the economic indicators we are finding in north central Indiana.

Consumer Confidence Climbs. Economy, Job Market Gain Strength.

Big New Business Here, 157 Jobs with Furniture Firm on the East Side. LaPorte Officials Celebrate ''Major'' Business Here.

Zimmer Adding 400 More Jobs.

Manufacturing Sees Expansion. March Results Give Hope for Job Growth.

Jobless Claims at Three-Year Low. Hopes Raised. Economy Has Turned Corner.

More Jobs on the Way. Manufacturer Adds New Product Line.

Dutchmen Constructs Facility to Inspect RVs.

RVs Roll to Big Total.

Encouraging Developments on the South Side.

Industry Upturn. Science Favorable For Manufactured Housing Market.

Adding and Saving Jobs. Announcements This Week Good News.

RV Business Opens Door in Argos.

Pace of Hiring Will Pick Up. Survey Shows Companies Intend to Hire More in '04.

Mr. Speaker, I could go on and on and on about the good economic news in the Second District of Indiana, and I certainly do not think we are alone. As we heard from our colleagues from Ohio and West Virginia, two States like Indiana that are very focused on manufacturing, very blue collar, districts and States that are starting to see robust economic growth, and I do not think that there is any denying this fact. And the fact is the American people have done their job so well.

We are going in the right direction, and we need to continue to go in the right direction, because our job is clearly not done, as many have pointed out tonight. And we need to do two things to make sure we continue to go in the right direction. Number one, continue to adopt and implement pro-growth policies that help create environments where businesses can do their best work and achieve their best results. Small business in America is the backbone of our economy. Government does not create economic growth. The American people do, and small business does. And we need to make sure that the American people continue to keep more of their own money in their own pocket, because when they do that, they go out and invest in their community, they invest in their headlines, and they create headlines exactly like this.

Mr. Speaker, I look forward to going home and reading more headlines like this and to congratulate the people of the Second District for doing such a great job, and I congratulate my good friend, the gentleman from Texas (Mr. HENSARLING), in leading us in this very important discussion, and I encourage the people American people to keep up the good work and keep this economy going.

Mr. HENSARLING. I thank the gentleman for his comments. I especially thank him for reminding all of us that the government had nothing to do with this. It was the American people who went out and created these jobs. Not unlike my colleague from Indiana, I was a small businessman before I was elected to Congress. Government does not create jobs. Men and women who go out and risk capital and roll up their sleeves and work hard, they are the ones who create jobs in America. But for them to do it, government has got to get out of the way. Too many taxes destroy jobs. Too many regulations destroy jobs. Too much litigation destroys jobs. Fortunately due to President Bush's economic growth plan, due to this Republican majority in Congress, we took a huge step in providing this tax relief that has provided almost 1.5 million jobs in 9 months.

Mr. Speaker, I yield to the gentleman from Florida (Mr. MARIO DIAZ-BALART), another great leader we have had on economic growth issues in the United States Congress, a gentleman who is the cofounder of the Washington Waste Watchers.

Mr. MARIO DIAZ-BALART of Florida. Let me first thank the gentleman from Texas for providing this insight here tonight. I was just listening to our friend from Indiana. He was mentioning the naysayers, the ones that constantly say that it is not going to work, that cutting taxes on the hardworking American people was not going to work. And then when it started working, they started saying, as he said, all right, it is working but it is not creating jobs. Then when it started creating jobs, as our friend from Indiana reminded us, they were saying, well, but they are not high paying jobs. He mentioned how that is just a fallacy. That is just not true.

Let me give my colleagues some statistics from Florida. In Florida we are creating an incredible amount of jobs. Every single month the private sector in Florida is creating jobs. They are good paying jobs. Florida's economy is adding really good paying jobs. More than two-thirds of Florida's payroll job growth in April, by the way, was in industries that pay more than the national average. Those are the facts. Some people do not like the facts and do not let the facts confuse what they want to believe in the issue. But those are the facts.

Let me just read some of the quotes that were said by our friends in the minority party before they started seeing the results that we are talking about today. They said, for example, May 9, 2003, the Jobs and Growth Act will neither create jobs nor grow the economy. Wrong. It created jobs and it grew the economy. The majority's reckless, irresponsible tax agenda. They said that on May 5. It was neither reckless nor irresponsible to have the private sector create more than 1 million jobs for hardworking Americans. They said again, May 9, 2003, to see how badly the Republican economic plan has failed all we have to do is look around.

Well, look around. The tax cuts have worked. They are creating jobs. We have to do more. We are working to do more. Unfortunately, we are getting no help from our friends in the minority party because what do they propose? As opposed to cutting taxes, what did they propose? Let me tell my colleagues some specifics. They offered alternatives to major legislation just last year that would have added almost $1 trillion to the deficit. That was their answer. But that was not enough. They did not support tax cuts. What they did support and they proposed three alternative budgets on this floor, on this very floor, and each one of them raised more than $100 billion in additional taxes to the hardworking men and women in this country.

Let me just state this very clearly. If you think that your taxes are too low, that the Federal Government is utilizing your money very efficiently and that you need to send more of your money up here, then you support what they propose. But that is not what works. What works is cutting taxes, allowing the hardworking people to keep more of their money. But then they say, when it is working, when jobs are being created, but those are tax cuts on the wealthy. That is how they try to excuse it.

Let me read some of the issues, some of the tax cuts that they say are for the wealthy. Maybe I just represent kind of a different district, but one of those that they say is the marriage penalty repeal. Marriage penalty repeal. I do not know about in other parts of the country, but in Florida not only the wealthy get married. How about the death tax repeal? Oh, that is a tax cut on the rich. I do not know about other parts of the country, but in the State that I represent not only do rich people die. How about the reduction of taxes on education savings? That is on the wealthy? Not in my State, not in the State that I live. How about the small business expensing? Those are small businesses, not wealthy. How about the adoption tax credit? These are the things that they objected to because they are tax cuts on the wealthy. How about the dependent care credit? That is not tax cuts for the wealthy. Those are people that have dependents at home. How about a tax credit for employer-provided child care facilities for hardworking moms and dads so that they can go to work? That is not for the wealthy. And how about the emergency tax relief? Even this, emergency tax relief to areas affected by the attacks of 9/11. Those are for the wealthy? No, those are responsible tax cuts for hardworking men and women in this country who create jobs, who create wealth, who do not want to create more bureaucrats. They want to create more jobs, more wealth. It is working.

I thank the President for his leadership. I also want to particularly thank the leadership in this House and also my dear friend from Texas who has led the fight to look for waste, fraud and abuse in the Federal Government. He is doing a great job. I want to thank him for allowing me this time today.

Mr. HENSARLING. I thank my colleague from Florida for his wonderful comments and helping remind us that again there are two very different visions for economic growth in America. In one vision again is tax relief for small businesses, the job-creating engine in America. Another is tax increases on business, tax increases on families. It is often said that one is entitled to their own opinions but one is not entitled to their own facts.

Let me review again what has happened in the last 9 months. We have added almost 1.5 million new jobs in the last 9 months. And look at this. Look at the blistering pace in just the last 3 months of job creation in this economy due to tax relief. Look at this. The greatest economic growth in almost 20 years under this program, under President Bush's tax relief program, the greatest economic growth in almost 20 years. Look what is happening to the unemployment rate. It is going down. Job creation is going up. Unemployment is going down. Incomes are up. Family incomes are up. These are not just jobs. We are seeing good jobs, good job growth in the American economy. Again that foundation of the American dream, homeownership, is at an all-time high.

Now, Mr. Speaker, the question is where do we go from here, because there is work to be done. We do not want to rest until every American who wants a job has a job. We want to make sure that we have more tax relief, that Americans can go out and create more businesses and expand more jobs, so that every American can realize his American dream, that he can invest in his housing program, in his nutritional program, in his education program. But our friends from the other side of the aisle, they want to raise taxes on the American people. Mr. Speaker, we cannot tax our way into prosperity. That is a battle being fought in the House now. And another battle we are trying to fight, we want to reduce the litigation in America. Too often we do not love our neighbor, we sue our neighbor in America. There is something fundamentally wrong when it is easier to sue a doctor than it is to see a doctor.

□ 2130

There is something fundamentally wrong when one can sue McDonald's for millions of dollars because they spill hot coffee on oneself. Excess litigation hurts job growth. That is another difference between the Republicans and the Democrats.

And how about too much regulation? I know as a small businessman the huge regulatory burden on our economy. It is almost $8,000 per American family. How many mortgage payments is that for the average American family? How many semesters of college is that? Instead, we are paying more in regulation costs. We want to bring down that regulatory cost. The Democrats want to increase that regulatory cost.

Litigation sends jobs overseas. Regulation sends jobs overseas. And taxation sends jobs overseas.

We need to thank President Bush for his principled leadership in all the job growth that he has created in the economy.

## THE ECONOMY

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

Mr. BROWN of Ohio. Mr. Speaker, a group of Members from Congress from Ohio have come to the floor regularly over the last 3 years, the gentlewoman from Ohio (Ms. KAPTUR), the gentlewoman from Ohio (Mrs. JONES), and the gentleman from Ohio (Mr. STRICKLAND); and we have since been joined by the gentleman from Ohio (Mr. RYAN), freshman from northeastern Ohio, to discuss what Bush economic policies have done to the middle class, how they have squeezed middle-class Americans with higher gas prices, higher health care costs, stagnant wages, and especially staggering job loss. Our State of Ohio has lost, since President Bush took office, one out of six manufacturing jobs, almost 200 jobs every single day of the Bush administration.

These failed economic policies are especially putting the squeeze on America's and Ohio's middle class. Middle-class families feel the brunt of this administration's economic policies. America's middle-class families are losing ground on jobs, losing ground on health care, losing ground on education. Yet the Bush administration's answer to every single economic problem, as we saw from listening to my friends paint their very rosy picture of the condition of the U.S. economy, at least the condition for the most affluent in the U.S. economy, the answer in every case for the President for every problem that we face is more tax cuts for the wealthiest people in our country, hoping that some of those benefits trickle down to the middle class and maybe create some jobs from time to time.

That clearly has not worked with the loss of plus 2½ million jobs since President Bush took office, the first President since Herbert Hoover to have a net job loss. And the President's other answer to these economic anxieties, to these economic problems, are more trade agreements like NAFTA, like the North American Free Trade Agreement. Singapore, Chile, Morocco, Australia, and now the Central American Free Trade Agreement, and later the Free Trade Area of the Americas, all of which have hemorrhaged jobs, all of which have sent jobs overseas.

As I said, Ohio has lost almost 200 jobs every single day of the Bush administration, and now leading U.S. corporations are beginning to send not just blue collar but white collar jobs, clerical jobs, administrative jobs, technical work, computer programming, even radiology and radiologist jobs overseas as well.

Government figures confirm that the North American Free Trade Agreement, very conservatively speaking from a conservative government, that NAFTA has cost Americans more than a half million jobs. If that is not enough, the President now has signed just last week the Central America Free Trade Agreement, which will ship more jobs out of Tennessee or out of Ohio or out of any of our States to Mexico, to China, and all over the world. Roughly 830,000 U.S. service sector jobs, telemarketers, accountants, software engineers, chief technology officers will move abroad by the end of 2005, according to a report released in May by Forrester Research. Forrester Research projected that 600,000 jobs would move overseas by the end of next year; 3.4 million jobs will leave the U.S. by 2015.

So instead of fighting for trade pacts that keep jobs in the United States, the President's plan is to repeat the failures of NAFTA and to use taxpayer dollars to outsource American jobs. Get that: to use taxpayer dollars, literally to use taxpayer dollars, to outsource jobs, to send jobs overseas. This is an administration that, when begged, literally begged, by 200 of us in this Congress, would not extend unemployment benefits to those 1 million Americans, 50,000 Americans in the gentleman from Ohio's (Mr. RYAN) and my home State to allow the extension of unemployment benefits for those Americans who lost their jobs, but continue to try to look for jobs.

Instead of fighting for corporate tax reform such as Crane-Rangel, the administration remains silent on responsible bipartisan legislation, the Crane-Rangel legislation that both parties support, 85 Republican sponsors, 90 Democratic sponsors, supported by the AFL–CIO and the National Association of Manufacturers, a jobs bill that will reward companies that produce domestically. Instead, the President wants to continue to give tax breaks to the largest companies, which happen to be his largest contributors, which so often send their jobs overseas.

Responsible leadership means not just being critical of the President in what he is doing but also offering what we should do instead of these failed trickle-down economic policies and failed trade agreement policies.

Four things to start off: a moratorium on job exporting trade pacts, meaning let us look at NAFTA, let us look at China trade, let us look at CAFTA, let us look at all these trade agreements before we pass another one to decide what works, what does not work, and make the changes we need to. Second, tough action against China and other trading partners who refuse to play by the rules.

When I came to Congress a dozen years ago, we had about a 400 million, million with an ''m,'' trade deficit with China. Today we have 120 billion, with a ''b,'' 3,000 times the trade deficit that we had with China just a dozen years ago.

Third, enactment of the Crane-Rangel corporate tax reform plan, which, as I said, uses the Tax Code to reward companies that produce domestically the manufacturing in our country instead of the Bush way of giving big tax cuts to the largest corporations, most of which outsource their jobs every single day.

And, fourth, an extension of unemployment insurance to help bridge the gap until better, good-paying jobs are created and people can once again support their families.

The President's plan includes none of these provisions, in large part because large American corporations that have funded the President's campaign, who are the President's strongest allies, from which most of the President's Cabinet has come out of, all of those companies are doing very well, their stockholders and their executives are doing very well under the Bush tax plans and outsourcing plans, but their workers are not and our country is not.

And, lastly, before yielding to the gentleman from Ohio (Mr. RYAN) to talk about education issues and what that has done to jobs in this country, the President's health care policies are also hitting America's middle class right in the pocketbook. Prescription drug costs increased 9 percent last year, five times the rate of inflation. Yet the President's drug bill, the Medicare bill, written by the drug industry, written by the insurance industry will increase drug company profits by $140 billion over the next 10 years and has protections in the bill for the drug industry so that they can continue to charge three times, four times, five times what drugs cost everywhere else around the world.

Mr. Speaker, one more point. Because I was critical of the President's plan on prescription drugs, I want to mention what we should do to get costs under control. First of all, we should

give clear authority to our own government to negotiate on behalf of 40 million Medicare beneficiaries lower drug prices. Every other country in the world does it that way. That is why Tamoxifen, a breast cancer drug, costs the Canadians one-eighth as much as it costs Americans, simply because the Canadians use their 30 million residents as a bargaining pool to negotiate better prices from the drug companies. The U.S. Government has refused to do that in large part because the drug industry gives so many campaign dollars to too many Members of this body, especially Republican leadership and especially the President's re-election campaign.

The second thing we should do is allow the reimportation of prescription drugs from Canada so if we really do believe in NAFTA and fair trade and free trade, American wholesalers, American drug stores like Drug Mart, should be allowed to go on the international market and buy those drugs from Canada at one third and one fourth the price.

Mr. Speaker, I also would mention some things about education, but we have an expert here. The gentleman from Ohio (Mr. RYAN), freshman congressman, will talk for some time about jobs in Ohio and education and some of the issues that he wants to discuss.

I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentleman for yielding to me. I think it is important that the gentleman from Ohio (Mr. BROWN) shared with us exactly why we are having all these problems. I think people sitting at home would be thinking to themselves why in God's name would our country be giving tax credits to companies who would outsource jobs? And the answer, as the gentleman so eloquently gave us, is that these people who are making the profits from outsourcing jobs are the same people that are donating millions of dollars to Members of this body, that are donating millions of dollars especially to the Presidential campaign, and that is probably the fundamental problem that we have in this country right now.

Our government and our laws are being dictated to everyone else by the big-money people, and they control this institution. And I think the best example that we have had, at least since I have been here, is why would we not allow prescription drugs to come down from Canada. It seems it would make sense. But then we realize, as I was reading his op-ed here that he wrote here in the New York Times, we realize that political contributions from the drug industry to Republicans in this body is $22 million, 74 percent of the total of the money that they raised. The Democrats raised $7 million, only 25 percent. Still a lot of money. But it is clear that if they are raising $22 million, 74 percent of their total amount of money that they are raising, that they would be advocating on behalf of those major corporations and they would be saying we do not want to free trade with Canada. And the same thing with not allowing them to negotiate down drug prices. Why would we not use the buying power of millions of people to sit down with Pfizer, say to Pfizer, we are going to make a deal here. They want access to these millions of people, they have got to sit down and talk to us and negotiate a fair price.

So I think it is very important and probably the best point that we could make as we speak to the American people here tonight, because they would ask why are we doing this, and the reason is there is too much money in this game and the average person has a microphone and the people who have a lot of money have a big bull horn, and they seem to get everything done.

The gentleman from Ohio (Mr. BROWN) talked about outsourcing of jobs, free trade, competing on a global economy, our workers trying to compete with workers who make $5 a day or 50 cents an hour in a lot of these other countries. The promise to the American people always was this: we are going to trade, we are going to compete in an international economy, in a global economy; but we are always going to invest in our own people. We are going to invest in our own children. We are going to invest in our college students. We are going to make college accessible, affordable so that we can get the high-end jobs. Now we are still losing the high-end jobs; we are losing a lot of them to India. If we would have fulfilled the promise that this government made many years ago and one has a computer-programming degree or a high-tech degree of some sort, most of those jobs are now leaving in the millions in the next few years to India where they are paying people with bachelor's degrees in engineering not even $5 an hour, and we know the kind of money that they make here.

So not only are we losing the high-end jobs; now we are no longer even investing in education. And I just want to share a few statistics with the people who are listening. Student debt is up 66 percent since 1997. Funding for higher ed in Ohio was slashed by over $18.5 million in 2002, 2003. In-state tuition at places like University of Cincinnati, Kent State University, University of Akron, Youngstown State, the tuition costs have been raised by 10 to 15 percent since basically the late 1990s, and the burden is being placed on the students who are trying to get ahead. So it is up 66 percent. I think the most atrocious statistic that we can have is, because of these increases, in the fall of 2003, an estimated 250,000 students, college qualified, could not afford to either go to college or continue to go to college. They were completely shut out because of the increase in tuition, the lack of buying power for the Pell grants.

□ 2145

So how can we on the one hand say that we want to trade, we want to participate in the global economy, we have the right to lift everybody else up and share some of the wealth of our own country, and then at the same time not invest in our own people? That has clearly been the policy of this administration, it has clearly been the policy of this Congress.

Since 1994, the Republicans have controlled this Chamber, they have had the presidency for the last 3½ years, and they have done nothing. President Bush promised in his election that he was going to increase investments in the Pell Grants for the first year and then graduate it up. It did not happen. College loans today are costing kids more, and the policies that this Congress wants to adopt will cost them even more money in the long run. So something actually needs to be done.

Since 2001, which is another interesting statistic, tuition and fees have increased by almost 30 percent in 49 of the 50 States. When we are talking about Ohio and talking about trying to create jobs in Ohio, you cannot overlook the fact that we have not, whether it was in this Congress or in the General Assembly in Ohio, we have not made sufficient investments into the young people who are going to create the new economy.

Really, as we are losing these jobs, it is also important to note that we do not know what the new economy is going to be. Many of us are advocating for alternative energy sources, investments in high speed rail and a variety of other issues that I think we need to advance on, but those are just our ideas. The private sector will ultimately create what the new economy is to be. But the government's role has been and should continue to be investment in the colleges, investment in the young students, and let those bright, intelligent, creative minds create the new economy we are going to have.

One last statistic that I want to share, and that is the No Child Left Behind, because we have talked a little bit about college but have not talked about K through 12. No Child Left Behind was put in place to move the bottom 25 percent of the students, bottom in regards to test scores and achievement, move them across the finish line, with investments into after-school programs, good idea; investments in the summer programs, good idea; investments into one-on-one tutoring, if necessary.

The philosophy was we are going to pull these kids across the finish line so that they can have a successful life. If they have the one-on-one tutoring, if we make the investment after school, if we make the investment during the summertime and help these kids along with intensive training, that they will be able to succeed and become proficient. So that was the Federal mandate on the States, that was the Federal mandate on the local school districts.

But, lo and behold, we prioritized and we gave tax cuts to the wealthiest people in the country. Half the people in my congressional district did not get one dollar from the tax cut. So this nonsense that was being spewed out on the other side earlier tonight that everyone is benefiting from this tax cut did not hit home in Youngstown, Ohio, in Warren, Ohio, and in Akron, Ohio. It did not show up. Fifty percent of the people in my congressional district did not get one dollar back from the tax cut.

So we have all these Federal mandates underfunded. No Child Left Behind just in Ohio is underfunded by $1.4 billion just this year, $1.4 billion. That is going to go to the State to have to comply, and that is going to go down to the local school district. If you are sitting in Ohio and do not think these mandates are going to cause your local school district to have to go and try to pass another property tax increase, you are missing the boat.

So what we are trying to say here is the Federal Government has a responsibility to invest, whether it is No Child Left Behind, college access or anything else, into our young kids and students so they will be able to compete. We have missed the boat. We have not fulfilled our obligation, we have not fulfilled our responsibility, because, as the gentleman from Ohio (Mr. BROWN) has said, we had to give these tax cuts.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, I thank the gentleman. We have been joined by the gentleman from Ohio (Mr. STRICKLAND) and the gentlewoman from Ohio (Mrs. JONES), and also the gentlewoman from Illinois (Ms. SCHAKOWSKY).

I want to call on the gentlewoman from Ohio (Ms. JONES) next, because she is in the middle of a hearing in the Committee on Ways and Means.

Mrs. JONES of Ohio. Mr. Speaker, it is so wonderful to be on the floor of the House again with my colleagues as we talk about the issues that are impacting our State. Right now in the Committee on Ways and Means we are marking up FSC–ETI bill, which has to do with giving corporations who take jobs over to foreign countries greater tax benefits.

Since I am the only Democratic Ohio member on the Committee on Ways and Means, I want to get back over there, because I have a piece of legislation where I am offering an amendment that if the tax provisions provide benefits for manufacturing workers who lost their jobs, we ought to be able to provide benefits to service workers who lost their jobs, because in Ohio it appears we have lost some 133,000 service worker jobs since this administration took over.

I rise with my colleagues as a supporter, a voice for the middle-class and a voice for the lower-class people in our country who make up the backbone of our country, those Americans who since George Bush took office are finding themselves overlooked, under-appreciated and kicked to the curb.

I could go on with my statement, but what I am going to do is submit my statement for the record, because I know Ohio is in good hands with the three of you on the floor of the House to talk about what is going on in Ohio.

I need to go back over to the Committee on Ways and Means and make sure the voice of Ohio workers is heard in that hearing. If we get done before the hour is up, I will be back to engage in a conversation with each and every one of you.

You know if unemployment is high in the majority communities in Ohio, in the minority communities it is even higher. I just got some statistics saying in the City of East Cleveland, the unemployment rate is 12.7 percent, 12.7 percent. We need to be a loud voice on behalf of the workers of Ohio.

Let me say to my colleagues here, the gentleman from Ohio (Mr. BROWN), I have been calling him ''senior.'' He does not like to be called senior colleague, but my colleague with greater seniority than me, and my colleague the gentleman from Ohio (Mr. STRICKLAND), with greater seniority than me. At least I am more senior to somebody, my colleague with less seniority than me, the gentleman from Ohio (Mr. RYAN). Keep it up, brothers. I am glad to be here with you.

Mr. Speaker, I rise today as a voice for the middle class. Those Americans who make up the working class, the backbone of this country. Those Americans, who since President Bush took office are finding themselves overlooked, underappreciated and kicked to the curb.

My home state of Ohio, has seen the worst of this economy. Since President Bush took office the state of Ohio has lost 214,500 jobs. Of those lost jobs, 167,800 of them were manufacturing jobs; 1,300 of those lost just recently in April.

My colleagues across the aisle would argue that the economy is improving; however, the Republicans have much to do to erase the job deficit that they have created through their tax cuts for the wealthy.

The growing industry that the Republicans have been talking about is significantly weaker than the shrinking industry. In Ohio there is a −29 percent wage differences between industries gaining jobs and the industries losing jobs. Additionally, the health insurance coverage for the growing industries is only 53.1 percent compared to 70.2 percent of the shrinking industries—a difference of 17.1 percent.

The economic outlook is even worse for many living in my district. According to the Bureau of Labor Statistics and the Ohio Dept. of Job and Family Services, the unemployment rate in Cuyahoga County is at 6.5 percent with over 43,500 workers unemployed. The cities of Cleveland and East Cleveland have been hit the hardest with Cleveland's unemployment rate at 12.2 percent with 25,000 unemployed workers and East Cleveland with a 14 percent unemployment rate and 2,346 workers unemployed.

This economy has had a disproportionate affect on minorities in this country, particularly African Americans. According to the U.S. Courts, Administrative Office's Bankruptcy Statistics, 1,625,208 households filed for bankruptcy in 2003, a 33 percent increase from 2000. That is nearly 1 bankruptcy every 19 seconds.

For minorities the statistics are even worse. According to an article by Elizabeth Warren and Amelia Warren Tyagi, entitled the Two Income Trap, 2003, African Americans and Hispanics are much more likely to go bankrupt. Hispanic homeowners are nearly three times more likely than white homeowners to file for bankruptcy, and black homeowners are nearly six times more likely than white homeowners. African Americans are also twice as likely to lose their homes due to foreclosures, often falling victim to the unscrupulous practices of predatory lenders.

Additionally, African Americans have higher levels of debt. The typical African American families had debt of 30 percent of their assets, while the debt of typical white families was 11 percent of their assets.

Homeownership and credit are not the only place where the minorities of this country are feeling the economic squeeze. It is affecting their education where they are seeing an increase in tuition of $1,207 at 4-year public universities. It is affecting their health care, where here in the United States the total family premium for health insurance has increased by $2,630 to $9,068. Even child care costs have increased by $2,050. A Census study showed that African Americans and Hispanics spend more on child care than whites. The average black family spends 10.4 percent of household income on childcare, and the average Hispanic family spends 10.7 percent, compared with 8.1 percent for white families. This along with skyrocketing gas prices and the outsourcing of Americans jobs, our middle class citizenry is suffering.

It is time for us to provide real legislation and initiative to strengthen middle class Americans. Democrats have a plan to jump-start our economy through tax breaks to encourage businesses to keep jobs here in America, invest in our small- and medium-sized businesses and work to secure universal access to college and expand job training.

The American people deserve better than what they are receiving from this administration and we move forward to address the needs of the American people.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, I thank the gentlewoman for her leadership on these issues on one of the most important committees in this Congress, the Committee on Ways and Means.

Mr. Speaker, I yield to my friend from southern and eastern Ohio, whose district runs from Youngstown all along the river down to Portsmouth, who has been fighting for better health care since he has been a Member of Congress, for lower drug prices, for working to provide access to health care for veterans, health care benefits, the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Speaker, I want to thank my friend the gentleman from Ohio (Mr. BROWN) for yielding.

I watched the special order which preceded this special order, some of our

colleagues. Quite frankly, I sat in my apartment watching the television as they spoke, and I was wondering if they are from Michael Jackson's Neverland, because they certainly are not in touch with the real world. The fact is, do these people ever go home and talk to their colleagues on the weekends?

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, President Bush's Secretary of Commerce recently said, ''This is the best economy of my lifetime.'' Again, I wonder, I know that President Bush and his top advisers have personal wealth and do not get out much, but it is pretty amazing.

Mr. STRICKLAND. If I could interrupt and say, for him it may be the best economy of his lifetime, and I do not doubt that. But what about the workers there in Washington County in a little town called Marietta that I met with this week who are losing their jobs?

What about the workers in Belpre, Ohio, in the same county, working in a factory that makes collectible dolls, the Lee Middleton Doll Company. There are about 35 workers, mostly women, many of them single mothers; one of the workers is 73 years of age, who is working in order to buy her medicine. They have been told on the 25th of this month their jobs are gone, because that doll company is taking that work to China.

Now, how much do these people there in Belpre make? The average wage is somewhere between $7 and $11 an hour, and they are going to China for cheaper labor. I would like for my colleagues who preceded us to come to Belpre, Ohio, come to Marietta, Ohio, come to Martins Ferry, Ohio, come to Lisbon, Ohio, come to Salem, Ohio, where the Eljer plant that makes bathroom sinks and tubs, they are closing. They are manufacturing in China probably this very evening as we stand here on this floor and speak to each other.

All of those workers are without a paycheck, they are without health care. They are without hope, many of them. Some of these workers are 55, 60 years of age. They do not yet qualify for Medicare. Many of them have health care problems. They are wondering, what are they going to do?

I wish I could tell them that we had a President that I could go to and share their plight and expect some positive reaction from. These people, I do not know, they say the economy is booming, jobs are coming back. They need to come to Ohio, and they need to come to Ohio and not go to a prearranged event, where certain people are invited and other people are excluded. They need to come to Ohio and just go from community to community. They will find out what is happening.

People are afraid they are going to lose their jobs if they have not already. They are afraid they are going to lose their health care if they have not already. They are wondering what is going to happen to their kids.

I want to tell you, I was really offended because the Columbus Dispatch did a series of articles on hunger and the use of food pantries by Ohioans, and they did a series of wonderful series just laying out the problem and what the experience is.

When the Bush administration was contacted for a comment, Mr. Eric Bost, B-O-S-T is how you spell his name, the U.S. Under Secretary for Food and Nutrition Services, he had the gall to say, ''Well, there has been a bump up in the number of people using these pantries, but how much of that is due to people taking the easy way out I do not know,'' he said.

Well, Mr. Bost, I wish he would come to Ohio. It is a lot of fun, Mr. Bost, to stand in a food line, waiting to get food for you and your family, for your children. It is a nice way to pass the time of day.

What an insult, for the person in this administration who is supposed to be concerned about food and caring for people who need proper nutrition to make such an outrageous comment. It shows that he, and I guess many of the others in this administration, are totally out of touch.

There are families whose dads and husbands are serving this Nation in Iraq who are showing up at these food pantries. We need to wake up. This is a serious, serious set of circumstances.

It is so frustrating, it is so frustrating to know that in a country where we have the wealth to give huge tax breaks to the richest among us, the richest among us, that we have got families whose dad or whose husband is serving this country in Iraq showing up at a food pantry in order to get the food they need to feed their children. I wonder if the President is aware of that.

Mr. RYAN of Ohio. If the gentleman would yield, I read that same series of articles. There was a quote in there by one of the gentlemen, and I cannot think of his name, who worked at either the food pantry or helped run the Second Harvest, and he said the lines were depression-like. Those were his words, depression-like.

So to sit here and say the economy is going just fine, just humming along, that these tax cuts have worked, and we have people, in the same article they said the increase from 2002 to 2003 was I think 17 percent increase in people using the food pantry, and then last year was 19 percent on top of the 17 percent, they have the audacity to come down here and say things are getting better.

Mr. STRICKLAND. Mr. Speaker, if the gentleman will continue to yield, I think it is appropriate and proper for an official of the Agriculture Department to really try to scrutinize what is happening, what is being reported by the Columbus Dispatch, to try to understand what may be causing this. But to have the callousness of heart to imply that this bump up in the use of food pantries is due to people wanting ''the easy way out,'' what does he mean by ''the easy way out?''

This man, like myself and many others who serve in this Chamber, probably goes out and spends as much on a single meal as some families may have to try to feed themselves for several days, and for someone in that kind of position to utter a comment like that, if I was George W. Bush, I would fire that man the moment I became aware of the words he had uttered.

□ 2200

He does not deserve to serve in this administration and to hold the high position that he holds in the Department of Agriculture. He ought to work somewhere else, but he should not be working in a program that is designed to try to help people who are in need of food and good nutrition.

I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I do not hold any ill will personally toward any of these leaders in our country whose values and positions and policies are so different from what, obviously, the four of us believe this country should pursue; but when you hear the Secretary of Commerce say, ''This is the best economy in my lifetime,'' when you hear our colleague from southwest Ohio only 45 minutes or so ago talk about how the economy is roaring back; the gentleman from Texas, one from West Virginia, one from Arizona, one from Indiana talk about the record-setting economic growth, it really does remind me of kind of what happened at the Timken Company.

The Timken Company, as all of us remember, is President Bush's favorite Ohio company. The Timken family has given both President Bush and his father literally millions of dollars and raised millions of dollars. The President went to Timken a year ago and praised the workers for a literally 10 percent increase in productivity, praised this company for all that it has done in this community, deservedly. Then several months later, only about 6 weeks ago, sent out a news release saying that they had record sales their first quarter, then the company went on to say their earnings per share were 60 percent over last year's first quarter. Then, just 2 or 3 weeks ago, Timken announced that it was closing its three plants in Canton, Ohio, laying off 1,300 workers and moving its production to China.

It really is a scenario where I believe the people in the administration just do not see what is going on out there. I mean, Mr. CHENEY, the Vice President, gets $3,000 a week in pay still from Halliburton, a company which he has been connected with on and off and continues to do favors for. Most of the administration officials got hundreds of thousands, if not millions, of dollars in tax cuts. Most of the Members of this body who believe this economy is humming are not talking to workers who still have their jobs, but who see

the gas prices going up, who see their kids' college tuition going up; as the gentleman from Ohio (Mr. RYAN) said, in Ohio State alone, a 13 percent tuition increase just this year alone, and schools all over the country are facing that; who see their local property taxes and State taxes going up; who see their wages stagnant and with not really much chance of increases, and face the anxiety of a potential job loss, potential plant closing, potential outsourcing of their white collar job.

And of course they feel anxiety. Even when there are a few jobs being created, President Bush will still be the only President who has had that job loss during his term since Herbert Hoover. But even if the news gets a little better with a few new service jobs that pay not great, but at least pay something, the anxiety people are facing is simply not seen by the members of this administration.

I think one of the reasons their policies are so off course and that President Bush's answer to every economic problem is more tax cuts for those of his social class and his contributors, and more kinds of trade agreements that continue to shift jobs overseas and continue to reward outsourcing. I think so much of it is based on the fact that he has not really seen and really understood that these are not, the Members of Congress or the administration, these are not problems that they really see very often in their daily lives. So they conduct these policies, they formulate these policies that work for some small number of people in this country.

Profits are up for the Timken Company; the problem is they are laying off 1,300 people. So some people at Timken are doing well, the ones that the President knows, but the people who are not doing well in the community, a community which has now lost the money for their schools and to fix their roads and all of that.

Let me yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY) who has seen these issues from a slightly different perspective, another Great Lakes industrial State.

Ms. SCHAKOWSKY. Mr. Speaker, I thank my colleague, the gentleman from Ohio, for organizing this Special Order so that Democrats can talk again about a topic that the White House and President Bush would much rather we do not discuss in public, especially during an election year, and that is the middle-class squeeze. I do come from Illinois, another Midwestern State that has been very, very hard hit by the unemployment that has been exacerbated by this Bush administration.

I want to tell my colleagues about a piece of information that came our way. My husband has a pilot's license to fly private planes. We certainly do not own one, but he gets a magazine called ''Flying'' that had in it this brochure that had these screaming headlines on it that said it was time to benefit from the new tax law by buying a private plane. For about $360,000, you can take advantage of this new bonus depreciation program, a 50 percent bonus depreciation program; and you would be able, if you bought this, a mere $360,000 plane, you could write off in the first year $260,000.

Mr. STRICKLAND. Mr. Speaker, if the gentlewoman will yield, I represent an Appalachian district, 12 counties along the Ohio River. My district borders Pennsylvania, West Virginia, and Kentucky.

Ms. SCHAKOWSKY. Mr. Speaker, does the gentleman think they would be interested in this plane?

Mr. STRICKLAND. I do not have a lot of constituents who would want to go out and buy a $360,000 plane, but I do have a lot of constituents who would like to buy a pair of tennis shoes for their child or maybe some vacation time for the family. Those are the kinds of things my constituents want, not $360,000 planes that they can write off as a tax deduction.

I am glad the gentlewoman brought this to our attention, and I would like to hear more about it.

Ms. SCHAKOWSKY. Mr. Speaker, the thing that is really great about this deal is if you take this first year $260,000, these planes last a long time, maybe the useful life is 20 to 25 years, and it really does not depreciate in value all that much. So you could take this first-year write-off, and then a couple of years later you could sell it and make a whole bunch of money.

This is the kind of deal and this is the kind of constituent that this Bush administration has helped. And how many people are really in the position, certainly not many in Illinois, not very many people I know to take advantage of this great tax break.

As I said, the thing they seem to be missing here is now Republicans are talking about this roaring-back economy. Okay, ''back,'' implying that we have fallen a long way, baby, and now that more jobs are being created, they are saying, is this not a miracle of the Bush administration. But let us remember, we are barely halfway back. We are talking about still this President being the first on record since the Great Depression to go without creating a new net private sector job. Mr. Speaker, 1.9 million Americans who had jobs in 2001 still do not have jobs today.

So this kind of playing with the numbers like, is this not great, I have been trying to figure out, it is sort of like an arsonist who burns down the houses and then says, oh, look, they are building all of these new houses, or they are building these houses, we are coming back. No, you do not want to see the house burn down.

Then of course, if you are lucky enough to be one of the people who is getting a job in this resurging economy, your pay is going to be less, on average; in fact, about $9,000 less is the average for the new jobs. Your benefits are going to be limited, and your wages are likely to grow at only about 2 percent a year. And then, over the last 3 years, there has been a $2,050 increase in child care costs, a $2,630 increase in family health care premiums, a $938 rise in the cost of gas per household with teenagers, and that has barely started.

We will have to make a new calculation soon. And a $1,207 increase in college tuition, which my colleague talked so eloquently about and, at the same time, median family income has dropped nearly $1,500. So the real question that should be asked, the question that was asked in a past campaign really is, Are you better off today than you were 4 years ago? I want to tell my colleagues that in Illinois that the answer is absolutely no.

I wanted to tell my colleagues some of the numbers in Illinois, about our job loss. Personal bankruptcies in Illinois. Instead of buying fancy airplanes, what we find is that personal bankruptcies in Illinois are at an all-time high: 13,739 people declared bankruptcy in 2003, a 42 percent increase from 2000. A lot of these bankruptcies are caused because of health care costs. You cannot afford to be sick in America anymore if you are an average working family. Most of the people, in fact, who do not have health insurance actually are holding a job. Over 70 percent of the uninsured live in a family with at least one full-time worker. And then we have 44 million people, 15 percent of the U.S. population that lacks health insurance coverage of any kind over the entire year. And the number of uninsured has been steadily increasing at about 1 million people.

So those folks now who used to have kind of a middle-class life, many are without health insurance, getting lower wages, no benefits; and they are often the ones who are actually standing in that line waiting to supplement their food at the end of the month, because ends just do not meet. And if it is a senior citizen who is on a fixed income, then they are trying to figure out how to buy their medication. They know that this prescription drug card is certainly not going to provide the answer to them.

Are you better off today than you were 4 years ago? And for the vast majority of Americans, obviously not the ones that the Secretary of Agriculture or the Secretary of Commerce or the President of the United States or the Vice President of the United States hang out with, or obviously have much occasion to run into at all when they are on the trail at these $1,000- and $2,000-a-plate dinners that the President is going to these days; it is about time that he took a look and saw that the middle class is being squeezed out of existence.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentlewoman from Illinois. I appreciate her description of the squeeze on the middle class, because I think when any of us goes out into our

districts and talks to people, not preselected crowds that when prominent politicians, particularly the President, when he went to Youngstown to the area of the gentlemen from Ohio (Mr. RYAN) and (Mr. STRICKLAND), and spoke to a group at the community health center and they were all doctors.

Mr. STRICKLAND. Invitation only.

Mr. BROWN of Ohio. Invitation only, 150 people, something like that, and they all cheered at everything he said. But when they put themselves out in front of the public and they hear these stories, they hear about someone making $22,000 a year who has just had their meager health insurance scaled back even further; who is facing increased gasoline prices; who wants to send their kid to Akron University, which had a double-digit tuition increase each of the last 2 years, I believe, on the average; who faces increased child care costs; whose wages likely will not go up, they are just hoping they can keep their job for another year or 2 before it is outsourced, or before their plants close down. And then they read these stories in the paper, they read the Secretary of Commerce say it is the best economy of my lifetime, they hear our colleagues on the other side of the aisle talk about the shining city on the hill and how great the economy is, and they just wonder if they live in the same country that their leaders are presiding over and that their leaders live in.

Ms. SCHAKOWSKY. Mr. Speaker, can I just say it another way? The vast majority of Americans are not asking for special favors. The American ethic of working hard and taking personal responsibility is alive and well. Americans want to work and take care of their families. But they expect just a little bit of help from the government, that when they get sick, they are not going to go bankrupt, that the school that they send their children to and they pay taxes for will provide a quality education; that when they retire, they will be able to retire in some dignity. The reverse of what the gentleman is saying is that Americans do not want that much from government, but they are not getting even the helping hand that they expect, deserve, and in fact, they have paid for.

Mr. BROWN of Ohio. Mr. Speaker, they want Medicare they can depend on, they want decent public education, they want affordable prescription drugs, they want a fair tax system that does not give tax breaks to the wealthy and leave them wanting for pennies, if that; they want fair treatment.

□ 2215

They want fair treatment.

Mr. STRICKLAND. Mr. Speaker, I do not want to belabor this point, but I want to go back to what was said about these Ohioans who find their situation so serious that they have to go to a food pantry to get food for their families, and the fact that a member of this administration said this terrible thing. I just think it is awful what he said. And the President campaigned as a compassionate conservative, and the good book teaches us that we have a responsibility to care for the poor and to feed the hungry, to feed the hungry. That is a responsibility that we have as individuals, as people of faith. And I believe ultimately as a government. And yet the President's man, this Mr. Bost, when confronted with the fact that there are increased numbers of people in food lines as a result of this Columbus Dispatch series, he said, There is a bump but how much of that is due to people taking the easy way out, I do not know, he says.

Now, this is the response that comes from the Executive Director of the Ohio Association of Second Harvest Food Banks. Her name is Lisa Hamler-Podolski, and she said, ''Bost makes unfair judgments of people who use Ohio food banks and food pantries and he underestimates the courage it takes for many people to ask for help.''

Now, that is a compassionate attitude. And Mr. Bost's attitude is a callous attitude. And I think the President has got a responsibility here. I think he should hold this man to account. Does this man represent the President's attitude? When the President is informed that there are increased numbers of people standing in line for food throughout Ohio, is he sympathetic? Is he compassionate? Or does he support this person who is a part of his administration and who, quite frankly, used to work for him when he was Governor of Texas. So this is a man he knows apparently pretty well. He brought him from Texas to Washington to oversee this program.

So I think the President has a responsibility either to accept this man's attitude as reflective of his own or to reject this callous attitude and his callous comment.

Mr. RYAN of Ohio. Mr. Speaker, as sad as it is, I just want to say how this has just followed a very consistent pattern that this administration has taken with regard to the facts. And most recent, I think the gentleman from Ohio (Mr. BROWN) already brought it up tonight, was with the Vice President's office regarding Halliburton. We do not have anything to do with their contract, they said. My office had nothing to do with it, the Vice President says. I do not even know what you are talking about, the Vice President says.

Well, it is in the New York Times today. Scooter Libby, the Chief of Staff for the Vice President, approved the contract, okayed it, with Halliburton. State Department, terrorism is down. Well, another analysis comes out. Terrorism is up. They were wrong. Colin Powell apologizing again after the U.N. fiasco. Weapons of mass destruction. No weapons of mass destruction. Greeted as liberators. Greeted as conquerors. They are going to love us. They hate us. We need 200,000 troops. No, we do not. You are fired. We only need 130 and now we do not have enough.

Consistent pattern, whether it has been foreign policy or domestic policy, this administration at least, if we can give them some kudos but they have been consistent, but consistently wrong and have been consistently harming people.

Mr. STRICKLAND. I think my friend is absolutely correct in pointing out these inconsistencies.

Mr. RYAN of Ohio. Consistently inconsistent, just to clarify.

Mr. STRICKLAND. I thank the gentleman. I understand that none of us are perfect. No administration is perfect. Every administration makes mistakes. I certainly have made more than my fair share. But the fact is that there is an attitude reflected in these comments and I think in other actions of this administration that indicate that there is a total disconnect between their fantasy land, their world as they imagine it to be, and the real world that you and I and others who go home and spend time with their constituents and listen to their stories and hear their hopes and fears understand.

Ms. SCHAKOWSKY. It is generous of the gentleman to say that all administrations make mistakes and that even you have made a mistake. But I just want to remind the gentleman that the President could not think of a single mistake when asked at a press conference if there were any mistakes that he has made in his presidency. He said that none came to mind. He thought there probably were some but he could not even think of one.

It seems to me that just condoning, or in the case of the gentleman you talked about, the employee of this administration who says that people in food lines are just maybe looking for an easy way out, I would say that statement is a mistake and that the person that made that statement who is in a position of authority in a department that gives out food stamps that is supposed to help poor people with feeding programs, that is a mistake and he should be fired.

Mr. STRICKLAND. I absolutely believe that.

Mr. BROWN of Ohio. The gentlewoman from Illinois' (Ms. SCHAKOWSKY) statement about the President when he could not think of any mistakes that he made, several of us came to the House floor and talked about that a couple of nights, and not so much to be critical of the President, but to sort of think about mistakes this administration has made, because as you learn when you are a child you cannot really learn very much until you acknowledge the mistakes you make and then you correct them.

The President still has not come forward on Iraq, on this issue we talked about, on the prescription drug bill when they said it cost $400 billion over 10 years and then it later came out it was $534 billion and they knew that but the did not tell the American public

and they threatened someone's jobs if he told the media or told the Congress.

I think if we are going to move ahead, if we are going to solve this Nation's economic problems, the President, it would be so much better if he would say, hey, this was a mistake. Ronald Reagan did that. Ronald Reagan, when he was going a certain course in driving up the budget deficit, at a couple points he made a change and he did some different things and the country was probably better off for it.

This is really the first President in our lifetimes that I think has not been able to acknowledge a mistake and change course. I do not want him to go around doing mea culpa, mea culpa, but I do want him to acknowledge a mistake and do a correct and change course. He really has failed to do that.

Again, his answer to every economic problem no matter what the situation is more tax cuts to the wealthy and trickle down economics and more trade agreements. His answer to every situation remains unchanged and he will not change the direction of failed policies. That to me, it is not personal to George Bush, but it just makes me wonder the character and the motive sometimes, but not even so much that it is the judgment of the very stubborn people in the White House that think they have the answer because it fits their ideology and they will not change that direction when it is clear their economic policies have failed. It is clear their environmental policies, their health care policies, as the gentlewoman from Illinois (Ms. SCHAKOWSKY) said, a million more people are uninsured every single year in this country since President Bush took office. Clearly these policies are not working. Would they not want to change these policies and go in a different direction?

Mr. STRICKLAND. I think the ability or the willingness, the capability to admit a mistake is a sign of strength and a sign of character. I fear the person who is so self-assured and so arrogant in his or her self-confidence that they refuse to acknowledge the fact that they may have made a mistake or made a misjudgment or made a wrong decision. I think that kind of person tends to be brittle and inflexible. So, consequently, if you get started down a route or pathway that is the wrong pathway, rather than having the ability or the willingness to change course, you continue to plunge headlong into some economic or social or military disaster.

The fact is that a lot of mistakes have been made. We made a terrible mistake when we sent our soldiers into battle without having adequate body armor. We made a terrible mistake as a government, as a Pentagon, as an administration, when we had soldiers in Iraq without up-armored Humvees.

Mr. BROWN of Ohio. That is a mistake that neither the Pentagon or the President has acknowledged, even though we know dozens if not more men and women were killed because they did not have body armor, because the Humvees were not up-armored with the kind of protection that we know how to put on and failed to do.

No one in the administration, in the Pentagon was punished for that failure, no one was reprimanded, no one lost their job. Yet dozens of young American men and women died because of it.

Ms. SCHAKOWSKY. Actually, it was reported in Newsweek and other places that there had been a Defense Department study that showed that perhaps as many as a quarter of those troops in battle that were killed or injured would not have been had they had the proper equipment, 25 percent. So we are talking about more than a few dozen.

Mr. BROWN of Ohio. So imagine if the administration when we first were in Congress, and all four of us talked about this, as members of the Committee on Armed Services, as members of the Committee on Veterans' Affairs, as members who were involved in a lot of Iraq things in the beginning, every one of us came to the floor as well as at least a couple of dozen other Members of Congress and hundreds of representatives of veterans' organizations and people advocating for soldiers, for their better treatment, if the administration had said earlier when we first started talking about this, right when the war started in March and April of 2003, if they had said, we have made a mistake. We have got to do something about this today, and if we do not do something, the people who are responsible will be punished, imagine how many more lives would have been saved, how many fewer soldiers would have been injured and lost their limbs and capacities.

Mr. STRICKLAND. Mr. Speaker, we are standing here in the Chamber. We are talking about problems that we see, mistakes that have been made, and some I guess would say why regurgitate that. That is old news. What we need to do is look forward and decide what we are going to do from now forward rather than dredging up mistakes that have been made. My answer to that question, and I think it is a legitimate question, but my answer to that question is this: The same people who made those faulty decisions, who made those misjudgments, who made those mistakes and are unwilling to admit them are the same people who are still in charge and they want to make decisions regarding our future. They want to make decisions regarding our future military actions. They want to make decisions regarding our future health care policy. They want to make decisions regarding our future education policy. They want to make decisions about a whole range of things.

The American people, I think, deserve to know that these people who are currently in charge and want to remain in charge are the very ones who have made these mistakes and refused to acknowledge them and are continuing to pursue policies which are harmful to this country. So we need to call attention to the past in order for us to have some sense of what we can do to correct the situation and move this country forward in a positive manner.

Mr. RYAN of Ohio. Our responsibility here is to identify what these problems are in order to change course for the country. We are not just sitting here talking amongst the four of us. We are here talking to the American people because we want to engage them in the discussions. Something that the gentleman from Ohio (Mr. BROWN) said and the gentleman from Ohio (Mr. STRICKLAND) said that I want to identify with, when we talk about people not admitting their mistakes we have lost the constitutional balance in the legislative branch and our oversight ability on the legislative branch because it is all controlled by one party. We are in a very, very dangerous situation.

I think this is something that maybe the American people do not understand at home is that, and I hate to use this as an example, but when President Clinton was in and this House was controlled by the Republicans and the Senate was Republican, the Republican chairmen of the committees had the ability to subpoena witnesses and call hearings in which they could oversee the executive branch. In this case it was Mr. Clinton. But today we have the Republicans who control these committees in the House. They control the committees in the Senate. There is no oversight of the executive branch, and so we are getting legislation and mandates coming out of the executive branch with no oversight from the legislative body.

Article I, section I, the people should govern. We do not have the ability, the minority party, to subpoena witnesses and do what we have to do to oversee the executive branch. I think the American people need to know that. There is a reason why they are getting away with all of this and we do not have the proper oversight abilities.

Mr. STRICKLAND. The words of the gentleman reminded me of something that happened just 2 weeks ago. We had a forum to discuss the mandatory funding for VA health care. We had a forum and we had representatives of the national veterans organizations before us and they laid out their rationale for mandatory funding for VA health care.

□ 2230

The reason it was a forum and not a hearing is because we could not call a hearing. We do not have the authority. Only the majority party can call an actual hearing, and so we had a forum; and in that forum, we did receive information from the American Legion, from the DAV, from the Vietnam Vets, from the purple heart folks, every veterans organization in this country; but it is sad that it could not be an official hearing which would have a different

standing within the Congress in terms of its ability to actually deal with legislation and move it forward into a place where it could finally become acted upon.

So that is an example of total one-party control of the Supreme Court, of the Senate of the United States, of the House of Representatives and of the Presidency; and that means that they are responsible, totally responsible. They cannot shift the blame. They cannot say it is someone else's fault. It is the fault of the leadership of this party.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friends for joining me.

It is the duty of us, as we talk about the middle class ways, and it is our duty to offer what we would do positively with what we have talked about in the past with Crane-Rangel and looking at these trade agreements again and extending unemployment compensation and doing the right things and changing the economic policy into the right direction in this country.

I thank my friends, the gentleman from Ohio (Mr. RYAN), the gentleman from Ohio (Mr. STRICKLAND), the gentlewoman from Illinois (Ms. SCHAKOWSKY), and the gentlewoman from Ohio (Mrs. JONES) for joining us.

## WILLINGNESS TO ADMIT FAILURE

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Colorado (Mr. TANCREDO) is recognized for half the remaining time until midnight.

Mr. TANCREDO. Mr. Speaker, it has been an interesting discussion of the issues of the day for the last hour or so by the opposing party, and certainly I am sure that to a large extent the remarks are heartfelt and are as a result of a distinct difference in opinion as to exactly where this country should be and how the leadership should actually be constructed.

It is intriguing to me in a way as I sat and listened to the discussion about when the Members of the other side talk about the need for admissions of wrongdoing or failure. It would be so much more, I think, credible for them to approach this issue by first saying that we on the left have to admit certain things that we now know to be inaccurate.

Let us start with the fact that the entire world has disavowed our economic theories of greater government control of the economy, of cooperation with foreign governments, especially those governments that were totalitarian in nature and Communist by design, but all of these things have failed and we know it and the whole world recognizes it. The fall of the Communist empire, as a result of the variety of strategies employed by the United States and by others, including the Pope, as a matter of fact, we now see that it was a house of cards that had no real basis in reality; that could not sustain itself; that socialism was not ever, ever able to deliver its promise of a better life for the people under its control; that greater government control of the economy, that larger government enterprises, that opposition to Communism, that all of these things were failures. It would be so much more credible for our friends on the other side of the aisle to approach this discussion of the need for willingness to admit failure had they started with that.

Had they started with saying, you know what, we have tried, we for 40 years, we had control of this body, Presidency, it was a Democratic-controlled Congress, certainly for the majority of the 40 years prior to 1994, and we pushed the idea of greater Federal involvement in the lives of Americans. We did so because we believed it was right. We did so because we believed the theories that were supposed to be there to substantiate the claim that greater control of our lives by the government, even control of the means of production by the government, the things we call socialism today, those claims have now been proven to be false.

It would be so refreshing to have them stand in front of the House, Mr. Speaker, and say we were wrong and we are willing to admit it; we are willing to admit that people do better throughout the world, as a matter of fact, not just in the United States. But throughout the world, it is the governments under which they live that are governments that espouse a free enterprise, a democratic kind of government that allows for individual liberty and individual enterprise. We were wrong to suggest that we should not confront Communism as forcefully as possible and that we should not, in fact, increase all of our Defense appropriations so as to essentially force the Communist empire to collapse under its own weight which is, of course, what we did, what Ronald Reagan proposed and it worked.

Most of the leaders of the Free World, and even some leaders of what was in the past a totalitarian country, came to the United States for the purposes of paying homage to Ronald Reagan and admitted that his strategy and his ability to see what was good for America and what was good for the world was, in fact, the right way to go.

Yet, never did I hear in the discussion here for the preceding hour that our friends were willing to concede the point that they were wrong and that the whole world knows it, and that people, every time they have had the opportunity, they voted to cast off totalitarian dictatorships and socialist enterprises.

So, as I say, it would have been better, it would have been certainly more convincing had they come here first with an apology for all of the things that they have been espousing for the last half a century and now they know to be incorrect and failures of policies, but they did not do that. They just suggested that what we are doing today is wrong. Well, what makes us think then that what their view is of today is any better, any more correct, any more insightful, any more intuitive than what their view of what was yesterday and the world in which we lived up till today? Why should we trust them with guiding this Nation's future?

I did not hear them disavow the principles upon which their party and upon which, in fact, the left has been relying for years and today only, only exists and are espoused in institutions of higher education primarily in this country but perhaps even around the world; but everywhere where the rubber hits the road, everywhere where people have to actually go out and make a living for themselves and their families, everywhere where people are struggling to overcome the kinds of government tyranny under which they may live, everywhere where that exists, people yearn for something quite different than what the left offers them.

So that realization, that empirical evidence that we have to say that all of those ideas were wrong, that evidence has not yet manifested itself, and that realization of the error of their ways, it has not manifested itself in any of the rhetoric I heard tonight while I was waiting to deliver my remarks on, I should say, a totally different subject.

Nonetheless, I thought I should comment on what is apparent to me to be at least a discrepancy in the testimony that was provided here by our friends on the other side of the aisle for the last hour.

### IMMIGRATION REFORM

Mr. TANCREDO. Mr. Speaker, let me go on to the discussion of an issue that I have many times in the past tried to bring forward on this floor and an issue that I believe to be of enormous importance to the country and certainly an issue that I believe needs the attention and debate of my friends and colleagues in the Congress of the United States and certainly a reflection of the debate that goes on throughout the country every single day around water coolers in offices and on work sites throughout America and around dinner tables throughout America. That debate and that discussion revolves around the issue of immigration and immigration reform, and it has many, many implications for who we are as a Nation, where we go from here, and how successful we may be in trying to achieve whatever goals we establish for ourselves.

It is connected to an even more significant challenge to the United States, and that is the reestablishment of the idea of exactly who we are, of what we are, what principles we espouse as a Nation, of what principles we can adhere to as a people.

This part of the debate is an extremely important one, hard to bring up, hard to articulate. Certainly it is

impossible to do so in a bumper-sticker fashion. It does require some degree of analysis that goes beyond the 30-second or 60-second sound bite, but I believe it to be a very important debate and discussion to undertake.

If we are to believe the polls that have been taken for the last decade or more on the issue of immigration, Americans generally believe that, number one, we should, in fact, enforce the law against people coming here illegally. That means enforcing our borders, making sure to the extent possible that people do not come into this country without our permission, people do not come here that we do not know about, and that we make people come into this country through a normalized and legal process.

The United States of America is unique in many ways. One way is that we accept more people into this country every single year legally, through a legal process of immigration and also temporary visitor status, than any country in the world. We are and have been always a beacon of light to the world, a beacon to which many people are attracted.

It is peculiar, to say the least, that even with this policy, this very liberal policy of immigration and legal access into our country through temporary worker status, we still have and allow for millions of people to enter this country illegally. We do not know who they are. We do not know why they are coming. We do not know how long they are staying, and we do not know where they are once they are here.

□ 2245

Now, most Americans will say this is a bad policy to pursue, that it is not good for America, it is not good for our future, and that we should establish the concept of the nation-state and defend that concept with essentially defending our borders.

Beyond that many people suggest, a majority of Americans even suggest we need to reduce legal immigration until such time we can get this problem under control. Every poll says that is what America wants. Now, a dilemma is then created by the fact that this is the will of the people, and it has been for a long, long time. It is not new; it did not just happen after President Reagan said he wanted a guest worker/amnesty program and that created quite a furor. It has been the case for years that that is what the American people want. They want borders enforced, they want controls on immigration, and yet this body and more peculiarly, even cities and States throughout the Nation, which one would think would be more reflective of local citizen input than even the Congress of the United States, which we know has always been historically way behind the curve in terms of popular sentiment, but one would think that we would see reflected in city councils and State legislatures, one would think we would see far more of a reflection of the position that I have just described that is held by a majority of people in the country.

The most difficult question we have to answer, why is that the case? Why do our elected officials seem to be paying little attention to what most Americans feel? There are a number of answers to that question. They are not necessarily pleasant to discuss, but they are true. That is for the most part we see legislatures and the Congress of the United States and even city councils that are very responsive to pressure and pressure groups and less responsive to the general will of the people if it is not reflected through these pressure group-type of organizations.

For the most part, politicians in the United States have concluded that they can address this issue by essentially finessing it, by agreeing theoretically with people when they are in an atmosphere, an arena in which doing so would be to their political advantage. They can agree there is a problem with immigration and that we should do something about it and we should stop illegal immigration. Everybody will mouth the platitudes connected to that concept.

But they believe also that they can finesse this issue by essentially using the rhetoric to mollify a certain part of their constituency while simultaneously doing things to attract another group; and these are very powerful groups in many ways, certainly very vocal groups which press for open borders, for relaxation of law enforcement, and have a totally different opinion about how this country should actually develop.

For the most part, they are trying to serve two masters here. Most politicians are trying to serve two masters, and they have been successful in doing this in many ways because for the most part people in the United States when asked how do they feel about immigration come down on our side, but are not organized in political pressure groups designed to actually force politicians to acknowledging it. They are simply voters and citizens who go to work every single day and have other things on their minds.

It is also true that the parties themselves, the Democrats and the Republicans, are both inclined to do exactly what I say that individual politicians do, and that is pander on the one side to immigration, pro-immigration groups, and on the other side placate those people who are concerned about it, placate them through rhetoric, but not through action. They are trying to play this dicey game, and sometimes it works.

We have seen throughout the land the development of a very interesting phenomenon whereby foreign countries have used their consular offices in the United States to lobby States and city governments to get them to accept for purposes of identification something called the matricular consular ID card that is given to a person not by the United States of America but by a foreign government. And then that government comes to an American city, county, or State and says please accept the card we give out as proper identification.

Now of course Members have to understand that the only reason that the card is necessary is because we have millions and millions of people who are living here illegally. Those are the only folks to whom such a card would be important. If a person is here in this country legally, of course, they have a document which we have given them, a visa, a passport stamp, something that the United States of America has said this allows you to enter our country. Even if you are not here as a citizen, you are a legal alien resident. That is the term.

So the only people who need the matricular consular are illegally present in the United States, and everybody knows that. The governments that are pushing it, and the cities and States that are accepting these things know that they are only helpful to people who are here illegally, and they are only helpful if a city or State agrees to accept that card, thereby making it very difficult for people who actually enforce immigration law in this country. Making it very easy, on the other hand, to live here if you are here illegally. You will get all of the benefits of anyone who is here legally. You will be afforded a variety of privileges that have heretofore been allowed only to those people who were citizens of the United States or at least here with the permission of our government. That is happening throughout the country. We have seen it. We have seen cities capitulate. We have actually seen cities, it is bizarre as you can imagine, we have seen cities that actually allow people to vote if they are not legal residents of this country.

The Mayor of this city, Washington, D.C., the District, proposed this several months ago for D.C. He said that anybody who is here as a resident should be able to vote regardless of whether or not they are citizens. Again, if we put this up for a vote, a vote of the people, the specific issue to allow people who are here illegally to vote, how many places in America can you imagine that would pass? Maybe in D.C., that is true, but not too many other places in this country would say that is okay; but cities and States are doing it.

In the next few days we will be debating a number of appropriations bills, one which will fund the Department of Homeland Security, the Commerce-State-Justice appropriations bill. I will offer a series of amendments to that bill. I will tell Members right now those amendments will fail on the House floor. They have done so in the past. That certainly will not stop me from introducing them again.

But I suggest, every one of the amendments that I propose, if I proposed them to the American people in the form of some initiative process or

some way to let all America vote, I know and certainly all polls tell us they would pass. One, I will propose that no city that has established a sanctuary policy, that is a policy that allows people to come into that city who are here illegally and be protected from the Federal Government's attempts to actually enforce immigration law, where cities that will pass legislation, pass municipal ordinances saying if a person is here illegally, that will not effect the way people are treated by their own police department. In fact, if police pick someone up for violating a law, robbery, rape, murder or going through a red light, if they find that person is here illegally, they will not report that to the Department of Immigration Control and Enforcement.

Those laws are on the books in various cities throughout the country, and even States are undertaking similar types of proposals. Maine has recently declared itself, or is in the process of declaring itself, to be a sanctuary State.

I am going to suggest in the form of an amendment to an appropriations bill that no city or State that adopts these kinds of policies should be able to obtain any of the grants that are available through the bill through the Department of Homeland Security.

I have in fact done that in the past, and I think we got about 110 or 120 votes, I cannot remember now; and it will probably not be much more than that when I introduce that amendment again.

I have another amendment that says any city or State that gives illegal aliens driver's licenses will likewise be restricted from obtaining Federal funds under the act.

It is amazing to think about the fact that we have States that are willing to do this and in fact have done this, provide people who are here illegally with the form of identification as close to a national ID as we have that will allow people to have access to every aspect of American life as a regular citizen would have, and make it therefore much easier for someone to be in this country illegally. That goes for the person who is here, quote, to only do the job that no other American will do, as if there in fact was such a job, and it also goes for the person who is here to kill every single one of us and our children. They can use that passport into American society that we call a driver's license just as well as the person who is only here to do a job no one else will do; and yet these things are happening, and I will go ahead and suggest that, in fact, my amendments will fail.

I am going to do another amendment as soon as the bill for foreign appropriations comes to the floor, and that is just another way of saying foreign aid. When our foreign aid bill comes to the floor, I am going to introduce an amendment saying that the foreign aid to any country will be reduced by the amount of money that is flowing from this country, from the nationals of the foreign country who are working here, anybody who is working here and sending money back to the country of origin, and that is called remittances, that is how we refer to the dollars sent back from people working here for the most part illegally, and taking money out of our communities and not allowing that money to go to work to create jobs and improve the economy of the communities in which the folks here are living, most of them communities in desperate need of economic stimulus; but those dollars are flowing to people in countries outside of the United States.

We had a report not too long ago that that number, the number of dollars that flow just to Latin America, not to the rest of the world, just to Latin America is about $30 billion a year.

There are several countries in the world that have more than 10 percent of their gross domestic product made up from remittances from the United States of America.

□ 2300

I suggest, Mr. Speaker, that if foreign aid is the simple transfer of wealth from one country, in this case America, to another country, that we can do it better through remittances than through writing a check to a corrupt government that will skim off almost all of the dollars before they ever get to anybody who actually may need them. So as a result, I think we should punish those countries for the economic policies they have adopted that have caused the populations in their country to despair and to be subjected to impoverishment. We should not reward the thugs that run these countries. We should stop giving them money and we should say, okay, we know you are getting billions of dollars a year from the United States going straight to people who are certainly in need in your country, so we will not be giving you that money in foreign aid anymore, we will just allow the flow of remittances to make up for that.

Most of the countries in the Western hemisphere that have been lobbying so hard to get the United States to maintain an open door policy toward immigration, in fact, the elimination of borders, it is interesting, many people have asked me why it is in fact that Mexico and Guatemala and El Salvador and a number of these countries have been so adamant about getting us to open our borders to their nationals. There is a reason, Mr. Speaker, and it is not just simply because they want to see the people in their country prosper. It is because they want to see the people in their country become the source of revenue for the folks in their own country. They recognize that they can maintain their power more easily if the masses are being provided the sustenance they need through the remittances that are coming from the United States, then they can rely on the foreign aid that we send them to go into their pockets and to prop up their regime. I think we should reduce that. I think we should stop that. I will propose an amendment to the foreign ops bill to do exactly that.

If we put that amendment to the country, Mr. Speaker, is there anyone in this room, is there anyone on either side of the aisle that really and truly believes that would fail in the eyes of the American people? No, of course not. We all know it would pass overwhelmingly if the American people were allowed to vote on it individually. It will fail here in this body. But I will continue to do that. I will continue to offer amendments of this nature. I will continue to talk about the need to do something about immigration and immigration control because I believe it is perhaps the most important domestic policy issue we face as a nation.

As I said at the beginning of my remarks, Mr. Speaker, the issue of immigration and that sort of thing does not just revolve around the issue of jobs although it is enormously important to America. It is a fact that we are importing massive numbers of low-skilled, low-wage people who in fact hold down the wage rates of low-skilled, low-wage American workers, making it even more difficult for them to ever work their way out of the cycle of poverty. It is absolutely true that that occurs. No one suggests that massive importation of cheap labor has helped the low-income wage earner in America. Nobody suggests that. Even the most devoted pro-immigration lobby never suggests that it helps the poor in America. It increases the number of the poor. In fact, when we do our surveys every year about people living in poverty, it is amazing, but a huge percentage, somewhere near 90 percent of those people whom we now identify as in poverty in the United States are people who are in fact noncitizens of the United States. It is also true that those people who have dropped out of the job market, who have had a harder and harder time to actually get a better job and crawl their way up out of their particular situation have been negatively affected and that job is made much more difficult by the massive number of people who are here illegally or by immigrants here legally or not. So it is an important issue.

The fact that we export all of our high tech jobs to India and other places while simultaneously importing very high tech, very capable people to take the place of American workers because they will work for less and that in turn holds down the wage rates of middle-income workers in this country, all of those things are true.

We will certainly see and do see as we look around the country the economic effects of open borders. It does benefit multinational corporations, that is true. It does not benefit the people who in fact work for them or the nations in which those multinational corporations exist or call home. Few corporations today can even be thought of as

being American corporations. In fact, I think it was Ralph Nader sent a request to all of the huge corporations in America asking them to begin their board meetings with the Pledge of Allegiance. Few even responded but those that did were irate that he would suggest such a thing, suggesting that there is no allegiance to a nation state, that their allegiance is to a corporate bottom line. And if that bottom line can be enhanced by ignoring the needs of the country in which they are housed, that is okay, they are going to do it because that is exactly what they are constructed for.

So it is true that this issue is a jobs issue. It is certainly true that this issue is a national security issue. As I said, there are people who are coming into this country hidden among those who are coming here for relatively benign purposes but there are people coming in to do us great, great harm, undeniably true. We have found some here already. We have arrested them. Some of them we have been able to actually take out of circulation not necessarily because we can immediately bring them to trial on the basis of espionage or some sort of allegation that deals directly with their support of terrorism but because they have violated immigration laws. That is the first thing we go to. They are here illegally. It is nice we have something to use and it is nice that we would actually use it, but the fact is that even these things are not as important in totality as the issue I discussed earlier, and that is the very difficult problem we are going through in America with identifying who we are.

There is a great book that has just come out. It is in fact called ''Who Are We?'' It is by Samuel Huntington. I consider him to be an enormously talented observer of the American political and social scene. He has written other books, one called ''The Clash of Civilizations'' that I have read several times over. I am about halfway through ''Who Are We?'' I find it to be a fascinating read. I believe that that is the ultimate question with which we are dealing, who are we? Where are we going? What is it we are going to try and accomplish as Americans? What does it mean to be an American?

Our students in our classrooms throughout the country are being fed a steady diet of anti-Americanism, sometimes subtle, sometimes overt. This diet includes a revision of history that creates a picture I think totally and completely incorrect and certainly skewed that would show American history and Western civilization itself as being inherently evil, something out of which nothing good could come. A textbook I remember picking up in a junior high I was in in my district, this was a couple of years ago now, started out, the chapter on American history, as Columbus came here and destroyed paradise.

□ 2310

That was not in italics. It was not just a quote they were going to then analyze. That was the way the textbook portrayed Columbus's trip and his landing here on our shores, on the shores of North America. That kind of thing where we have made it very confusing for Americans to even understand or identify who, in fact, or what we are, combined with massive immigration where that same message is given to people who are not necessarily coming here, by the way, to become Americans but to simply achieve a greater economic level of existence and prosperity, which certainly is an admirable and laudable and understandable goal. But it behooves us, I think, to change the way in which we teach our children, the way in which we discuss this issue of multiculturalism, which has gotten to the point where it becomes almost a cult and that anything that is said to suggest that American culture, that American history, and that Western Civilization is, in fact, worthy of analysis, worthy of allegiance, anything that suggests that is determined to be sort of against the grain; and it is certainly not going to be accepted by academia as a legitimate subject matter.

I recently had the opportunity of going to a high school in my district where 250 students were asked to assemble. And we talked for a while, and one of them asked me a question. They sent these questions up. And it was written out, and it said what do I think is the most serious problem facing America today? And I said, Before I answer that question, let me ask you something: How many in this room, 250, approximately, students, how many in this auditorium would agree with the statement that you live in the greatest country in the world? And about maybe two dozen raised their hands, and they did so sheepishly, the ones that did. It was none of that immediately hands go up, sure, of course, naturally, we live in the greatest country in the world. That did not happen.

And they looked along the walls where their teachers were lined up in this auditorium, and I could see in their faces that they were concerned. I am not saying that the ones that did not answer were suggesting that they did not like America, hated America. I am just saying that they did not have the slightest idea, they had absolutely no intellectual ammunition to defend themselves if they were to postulate that, in fact, America is the greatest country in the world. They were not taught anything that would lead them to that. In fact, they were taught things that would make them feel very sheepish and sensitive about making that kind of statement.

That is what I consider to be the real issue with which we are involved and which we should be debating: changing the way in which we look at ourselves, changing the way in which we teach our children about who we are, and certainly changing the way in which we try to bring immigrants into American mainstream, which today does not exist. Today we tell them they should stay separate, keep a separate language, even keep political affiliations with countries other than the United States. This is all done to our great and long-lasting disadvantage. It is a very serious issue, one that, as I say, requires more time and attention and analysis than can be given during a 30-second or even 1-minute ad during a political campaign. But it is the reason why I do come to the floor as often as I do to try to raise the issue.

I could be, of course, 180 percent off course here. I could be totally wrong. But I believe with all my heart that at least this deserves the debate, that this body should afford it, and that this arena would be the perfect place for that to occur.

## 30–SOMETHING DEMOCRATS

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Florida (Mr. MEEK) is recognized for the remainder of the time until midnight.

Mr. MEEK of Florida. Mr. Speaker, once again, as I always start, it is an honor and a privilege to stand here and speak not only to Members of the House but also to the American people. And as the Members know, for several weeks now, the gentlewoman from California (Ms. PELOSI) has appointed a 30–Something working group to address the issues that are facing middle-class Americans throughout America and some of the issues that we need to work on to make sure that their voice is heard in this democracy and this U.S. House of Representatives.

Lately, we have been having quite a bit of discussion on some of the issues that are facing democracy here in the United States, and we have been working with Rock the Vote in making sure that young voices are heard throughout this country to make sure that they have access to voting, to make sure that they know the things that they need to know to fight to register on their campus.

There have been several reports that have been quite disturbing throughout the country. We encourage young people to go to rockthevote.com to find out more about voter suppression that is happening throughout this country. We also inform young people in the public and their parents that are also concerned about making sure that they are able to receive good information to go on the rockthevote.com site or the 30-something Dems site to make sure that they get information so that they can share it with supervisors of elections that are misinformed.

Based out of that discussion, we received several e-mails, Mr. Speaker, of times that young people had to actually go get an attorney to register to vote. And I think that that is very unfortunate due to the fact that many of

us in this country are concerned about voter apathy, concerned about the 18- to 32-year-olds or 18- to 24-year-olds, the reason why they do not vote or the reason is not great enough for them to vote. We have to make sure that their voices are heard.

And in this light, I want to share again with the American people that are watching us right now that in 1979, the U.S. Supreme Court spoke to this issue. It said if a person is enrolled in school and needs to be out of state or in state, they have the right to register where they are attending school. That is so very important.

The reason why I mention that is the fact that, as we start looking at issues that are hindering young Americans from being able to educate themselves, that once they leave that higher education opportunity that they are given in their State or another State, they should not leave that educational experience in debt. When they leave that experience in great debt because of student loans, because the President said that he was going to raise the Pell grant opportunities for young people that would like to educate themselves, middle-age people that would like to educate themselves, to $5,100 versus what we are experiencing now, a little bit over $4,000 and some change, that is more a reality now for young Americans than fiction. So I want to make sure that they have the opportunity to vote.

As we cut the Federal commitment here in Washington, D.C., States do not have what we have, the opportunity to put it on a credit card and continue the deficit clock is running. Right now the deficit is well out of control, and we are experiencing the highest deficit in the history of the Republic. The States do not have that opportunity. They have to balance their budget. When they balance their budget, they then pass that cost on to local government and in this case to State university systems that then ask students to pay more money for tuition and for services that ordinarily they would receive at a lower cost or for free.

The educational experience is quite financial these days, and I think it is important that these individuals or the young people or middle-age individuals, even in the community college experience, that they understand that they have an opportunity to have their voice heard in November; and it is very important that they are able to not only have their voices heard in November but also during the primary season to let it be known that they are voters too. They are our future, and it is important that we stand with them and for them.

□ 2320

On another point, and I am just going back to some of the e-mails we received, I think it is important for us to talk a little bit about what we are experiencing here today, Mr. Speaker, even though we have seen a 6 cents or 5 cents in some areas, 3 cents in others, drop in gas prices.

I will share with you even from my great State of Florida that this is really putting a crunch on the middle-class. They did not receive an additional dollar from an employer or a small business person did not receive more dollars from a bank to be able to deal with the gas price crunch that we have right now.

I have a chart here, Mr. Speaker, if I can just share it here with the American people what has happened over the last 2 years in America. In 2002, the gas prices were $1.44. This is just for regular grade gas, the retail prices. Then in 2003 it was raised to $1.60 here. Then in 2004 it skyrocketed, and it was projected to be $1.87. Now, May 31, in recent numbers of this year, it is now up to $2.05.

I know some Americans are looking and saying, ''I want to know where I can find $2.05 gas.'' Before I came here to the floor, I was going to fill up my tank, and then I hesitated and I said hopefully tomorrow will be a better day. We cannot judge our spending based on the fact, middle-class spending, based on the fact maybe the gas prices will be cheaper tomorrow, and in many instances throughout America it is going to be quite a lot higher.

OPEC has done some things that are very interesting. They have put more crude on the market now to try to deal with the issue of gas prices. But I will tell you that this administration has to have a better response than to try to encourage OPEC to do something that is short-term.

This is a real issue. We have Americans that are trying to work, trying to get to work, trying to use mass transit, and at the same time we are trying to find some of the solutions to be able to alleviate the financial burden of American families at the same time we are stalling legislation here in this House.

There is a Federal highway bill. The President has also said he would veto it due to a bipartisan effort here in this House to make sure we are able to give States the necessary dollars for the roads, bridges and modes of transportation to be able to help the middle-class and help working Americans.

I am here today as a witness from a State that we have individuals that wake up and go to work every day, young Americans that are trying to do the things they have to do to be able to meet the obligations of their family. And so many of those individuals that are watching us now with one eye open, they have to wake up. Their reality is at 6 a.m. in the morning to get their kids ready for school and make sure they have what they need. If they are fortunate to have transportation or can afford to fill that tank up, take them to school, go to work. These are individuals that know what it means for a 15-minute break in the morning, a strict half an hour lunch break, punch in and out, and 15 minutes in the afternoon.

These same working individuals, I must add, and I am not talking about individuals that are not contributing to our economy in the way they should and trying to support their families, these are the same individuals that are a part of the 43 million Americans that are working every day that do not have health care.

I think it is so very, very important for us to take up this point, the fact there is not a bill that is being considered in this Congress that will see the light of day at any time in the very near future that will be a national health care plan so individuals will have an opportunity to provide for themselves, to provide adequate health care.

If you want to talk about a health savings plan that the President has proposed, under these gas prices, under the strain American families already have, there is not a lot of room about talking about okay, we are going to save in case I get sick. They need preventive care. They have to have it, their children need to have it, and it is important to prioritize that.

If we are going to make tax cuts permanent for the millionaires in this country, knowing of the unmet needs of being able to finds alternative fuel sources here in the United States, to be able to pull back on our dependency on crude oil, that I believe has a lot to do with our American troops as I speak on guard in Iraq and in the Middle East, and if we are going to be able to set forth an America that is set for young people and families that are trying to do the best they can to provide for their families, something has to give, Mr. Speaker.

The 30-something group is working toward solutions, not just identifying these problems, but solutions, and continuing to put pressure on this administration to make sure that the President knows that it is very important that we do some of the things that American people need.

One, we need to make sure that on this gas issue that Americans do not have to find themselves going to a gas station and saying ''give me $5 worth.'' Now, that is something that I used to do when I was in college. There was a time in college when you are financially challenged, you probably do not have the opportunity, I know I did not, to fill my tank up every time I showed up at the pumps, but it was something I knew was temporary in nature.

But individuals that have jobs that work every day trying to provide for their families, they should not pull up with a child seat in the back and say, ''Give me $5, because that is all I can afford, and hopefully it will last me for a day or two if I do not turn on my air conditioner.''

This is reality in America right now. We are at war now. A lot of folks feel throughout the world we are at war because of oil and our dependency on oil. Is there a real move from this administration to take us off that dependency of Middle Eastern oil?

I think it is important for us if we are going to hold Saudi Arabia's feet to the fire that this administration should stand up to Saudi Arabia and stop making excuses for them. I think it is also important for us to realize we have to find alternative ways of finding fuel and encouraging more cleaner burning vehicles.

I think it is also important for us to realize that we have to do some work here in America in trying to find new oil resources within our own control, but also be very sensitive not to go into natural environmental areas in this country that we have great respect for, that we would turn into an example that we chastise other countries for doing. I think that this could definitely be able to assist us in our efforts in keeping gas prices down.

My talk here tonight is about making sure that individuals that have children, or do not have children that are trying to make this time in their lives from college on to 40, 45, and on, and even grandparents that are now stepping in, or the parents of these children that I am mentioning in this age range, that are trying to provide not only information, but provide financial assistance to their children because they are not able to make ends meet, it is in that vein.

I think that it is important for us to remember that declining real wages are putting a squeeze on middle-class Americans, and that gas prices have a lot to do with it.

I also want to share with you that in the last 3 months, average wages in the United States increased at an annual rate of 2.2 percent, but what is sad is the fact that during this same time, the most recent stage of so-called Americans that actually have worked, took a pay cut as relates to the costs they had to spend for their health care.

So in this circle of not doing anything at all, in this circle of not passing a transportation bill that is going to help not only States be able to stimulate more jobs or be able to help us to find alternative ways of finding fuel outside of the Middle East, we are at a standstill now, and we are at a standstill that Americans are actually suffering. We are at a standstill of their voices being heard.

I think it is important that Americans understand that this Federal Government has chosen, this administration has chosen to make sure that millionaires receive a permanent tax cut over health care for working Americans, over making sure that we are able to keep gas prices down so that Americans can be able to continue doing the things that they are trying to do and providing for their families, over a prescription drug benefit for seniors.

So when we start talking about the middle-class and we start talking about the 30-somethings and the 20-somethings and even those individuals who are looking forward to getting to that particular age, we look at all of these impediments. So our government is supposed to be here to assist, not to hinder. I do not think that anyone sets out at the beginning of the day saying, ''Well, let's see what I can do to throw a log in front of young people in America.''

□ 2330

But I think it is important for us to bring into question this upcoming election season whose side are you on when it comes down to the policies that are either being made or not being made in the process.

Mr. Speaker, I wanted to just share a few other issues as it relates to what is happening to so many young people, and as we look at the squeeze of what is happening with the gas prices, as we look at the squeeze of what is not happening as it relates to health care, and what I mentioned at the top of the hour, voter suppression; and I know that this Congress has tried to deal with that. I have to mention, when we talked about a couple of weeks ago, the issue of Iraq, and I am going to come back to the middle-class squeeze.

In some of these families we have troops that are serving and we have parents that are raising children on their own. Now, they receive correspondence, they also receive support from the spouse or the significant other that is fighting on behalf of this country of what they have been told to do in Iraq and Afghanistan and other areas. We even have troops in Haiti as I speak right now trying to provide some way of life for that country, and security. No one is giving anyone a gas voucher to that spouse or significant other to make room for this squeeze. They have to suck it up. So this is very, very important business that I am talking about here this evening.

My good friend and colleague, the gentleman from Ohio (Mr. RYAN), we have been working together for some time; we had a very late night tonight, we had a hearing in the Committee on Armed Services, a markup, which is disappointing at best; but this may be a time that we can talk about that. The gentleman represents Ohio, and they have been hit hard on this middle-class squeeze. A lot of people that are around the gentleman's age range and even above have experienced economic hard times on top of not having a job, on top of not having health care, even though small businesses in the gentleman's State that are trying to provide and trying to continue to keep the workers working, they are taking a squeeze, they are taking a hit on the gas prices. So I think that not only the gentleman being a Member of the Congress and being a very insightful person, that the gentleman's purpose here is even greater to give those individuals voice, and I yield to the gentleman.

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentleman, and I think he is absolutely right. In places like Ohio, things are very difficult. The $300, $400, $500 increase over the course of a year in the gas effects people's lives. I know the gentleman from Florida is also concerned. But, Mr. Speaker, I have been very disappointed tonight, because several of the Special Orders tried to, I guess, address issues and make persuasive arguments I think that really do not exist, and one just wonders to oneself what the communities are like where these people are living. I know in Youngstown, Ohio, and in Niles, Ohio and in Warren, Ohio, and in Akron, Ohio, that people are feeling the squeeze; and people are losing jobs that pay $20, $25 an hour, health care benefits, pensions, 401(k)s, defined benefit plans, and they are losing those jobs, and the jobs that are being created are jobs that are paying $7, $8, $9, $10 an hour and no health care, in addition to the gas prices, in addition to these people trying to send their kids to school or to college. In Ohio, as I am sure it is going on around the country, that increase in tuition is 10 percent, 15 percent every single year.

So the reason we are here, the reason we want to talk about these issues is because we think something needs to be done. I do not believe that we should just sit here and criticize, although I do believe that is part of our constitutional responsibility, to make sure that we identify our platform where we want to take the country and we compare that to where the country is or where the opposite political party would like to take the country; and we try to make a comparison. I just want to share a couple of ideas that are the Democratic proposals for some of the education squeeze issues that people are feeling.

Senator KERRY, Presidential candidate Kerry, has several plans that we also agree with here in the Congress. A couple of them I would like to share with the American people here tonight. One of them is a tax credit for $4,000 for anyone who sends their kid to school or they are paying for their own school; $4,000 a year tax credit. Phenomenal. Not terrible; phenomenal. I think that is the kind of direction that we want to go in, when we can say to a young student, we are going to be here, the government is going to be here to support you.

Now, some people may say, what is the responsibility of the Federal Government on the issue of education, at least on the issue of college education? Well, some of it is Pell grants where we can give actual grants. When the Pell grant program was started in the middle of the 1970s, it accounted for almost 80 percent of a person's college tuition. Today, the Pell grant accounts for nearly 40 percent of a person's college tuition. So the buying power of the Pell grant program has decreased, almost cut in half. President Bush, when he campaigned in 2000, said that he was going to increase the amount invested into the Pell grant program so that young students would have the opportunity to go to college, but that just

was not the case. So one of our proposals is to also increase the amount of funding for the Pell grant program.

Another specific proposal that I think is something that we really need to look into and hopefully act on the first of next year, although many people believe that we cannot wait, is the issue of the States not having the money, the resources to invest. Many of the colleges in the States are publicly funded through the State tax coffers, so the State aid to universities in Ohio, for example, has decreased. And because the State aid has decreased, the local universities and colleges have been forced to raise tuition to compensate for the lack of State funding. One of the issues that we are proposing here is to have $25 billion given across the country to the States with one provision: this money is to go to reduce the increases in tuition; this money is to go directly for State aid to our colleges. This will have a direct impact. It will lower the cost of tuition for many of these universities; it will allow access.

Since 2001, I believe the statistic is, and I will have to get it, but I think it was 2001, 250,000 potential students, college-eligible, qualified to attend, proper test scores, proper GPAs, would be able to access the college system. I say to the gentleman, 250,000 have not been able to go to school because they cannot afford it. In the United States of America, that is unacceptable.

Mr. MEEK of Florida. Mr. Speaker, if the gentleman will yield, that was the U.S. Department of Education report.

Mr. RYAN of Ohio. Yes. This was not the Kendrick Meek Report, this was not the Tim Ryan Report, this was not the Democratic Caucus report. This was the U.S. agency's report. I just think it is important for people who are listening here tonight to say is that we can do better in the United States of America. Why would we want 250,000 people who want to go to college be somehow prohibited from going to college because of their financial situation? We know that if we invest in these people; and we did a study, I say to the gentleman, when I was in the State Senate in Ohio, the University of Akron did a study. For every dollar that the State would invest into higher education, they would get almost $2, there were two or three studies, but they would get almost $2 back from tax revenues.

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Because you get someone who graduates from high school, goes out and is working somewhere for seven, eight bucks an hour and paying taxes on seven, eight bucks an hour as opposed to someone who is college educated making 40 or $50,000 a year paying taxes on 40 or $50,000 a year. It makes sense for us to invest. We have to get return on our investments. That is not the reason we are doing it but we know the societal benefits. Less racism, more tolerance for people from different cultures, different walks of life, different religions, and not to mention the added benefit to our economy, the entrepreneurship and everything else. So the point is this is an investment we should make.

The University of Akron study is applied to this particular proposal of $25 billion. It would mean an increase in revenues to the States by $50 billion. Each State would get $1 billion.

Now, you go to a State like Ohio or Florida and say Governor Bush, Governor Taft, what would you do with an extra billion dollars? You would pump it right back into education. You would pump it back into health care. You would make sure your kids are healthy. You would be able to fund the No Child Left Behind that is underfunded.

Mr. MEEK of Florida. Let me share with you, we received a rebate in the State of Florida of a billion dollars. And the State Governor Jeb Bush said, let us hold it off to next annual year versus trying to resolve some of the issues that are facing Floridians right now.

I am going to tell you nine times out of ten if it is the wrong governor or the wrong way of thinking of continuing to way say, well, I am here to make sure that we do the right thing with the people's money, well, let me just say this, nine times out of ten when things are held off it is in the kitty to justify another tax cut for individuals and for big corporations that are not necessarily on their knees and need it right now. They are carrying out the tax cuts because they cannot because they need to.

When the gentleman talked about that report, basically colleges and community colleges are not able to provide the courses for the individuals that would like to educate themselves. Right now, I just want to read something almost from the same report that was given to us. The fact that we talk about the 30 percent, we talk about the 250,000 college qualified students that have been shut out of last fall, 2003, in many cases because of cutbacks, because colleges will have to pull their belts tighter and cut courses. They just did not have the room to be able to adequately serve these students. Also as we start looking at the debt issue, Mr. RYAN, I mentioned earlier that many people are leaving the college experience in debt and right now.

Mr. RYAN of Ohio. Big time debt.

Mr. MEEK of Florida. We have individuals now that are ungraduate level and just to do a comparison between what happened in 1997 to 2000, and if you move beyond that you really start getting in trouble. But here between 1997 and 2000 the typical undergraduate debt rose 66 percent to $18,900. And more than a quarter of today's 14 million undergraduate students will incur more than $25,000 in debt to earn their degree.

Now, that is a good story because I know of stories that individuals leave the higher education experience 75,000, $100,000 in debt.

Now, you mention that yes, we are here to point those issues out but at the same time we are here to talk about solutions, and there is legislation on this side of the aisle from the Democrats with our fearless leader, the gentlewoman from California (Ms. PELOSI) that has served this Congress so well as the Democratic leader, and wants the opportunity to be Speaker of this House, so to summon these issues that are facing real Americans can rise to the top, need it be carrying out if the American people would have it, Senator KERRY's plan which hopefully will be President Kerry, or Members of this body that want to be see this legislation top shelf in this House. But now we have Republicans that are blocking legislation to lock low interest rates in, to allow students to be able to continue to receive low interest rates versus a variable in the long run. They will pay more if this is not taken care of.

I will tell you that if we go to a variable as some of the big banks want us to do, I will tell you right now they are not talking to me because they know they will be wasting their time because I am all about being on the side of the individual who tried to educate themselves, and unfortunately had to go beyond the call to pay for that education. It will cost those individuals $5,500 over time. That is real money. That is while you are trying to buy a house. That is while you are trying to provide for your family.

I will tell the gentleman right now this is a real issue. We talk about the dollars and cents. This is a Democratic proposal. Lock it. Make sure the individuals have what they can be able to have, more money in their pocket versus more money out of their pocket.

Mr. RYAN of Ohio. The official Democratic proposal says that the Democrats would double the maximum petroleum grant to $11,600. Now, for many people that will cover pretty much most of your college television.

Mr. MEEK of Florida. That is correct. Right now we are experiencing the highest deficit in the history of the republic. And you would assume that if we have the highest deficit and it was Democrats that balanced the budget. I just want to remind the American people of that in this Congress, it was not the Republicans, it was not the Republican President. It was the Democrats in this House that balanced the budget. Just 3½ years ago, the discussion was on the floor on what are we going to do with the surplus. Now the discussion is, can I take my credit card out? This is a big number.

Mr. RYAN of Ohio. It is a big number.

Mr. MEEK of Florida. A big number. And I will tell you right now if we had a little ticker here these zeros would be moving to a higher number as we speak. So the experience now that the American people have to witness and

this is the U.S. Treasury credit card here, and we have Republican Congress there. What we are experiencing now is that every 3 weeks we are knocking on the bank of China saying, can you loan us money to be able to pay down on the debt? So as we look at that, more money in the American people's pocket versus out of their pocket.

Mr. RYAN of Ohio. We are talking Democrat and Republican. And there are several Republicans I think who have taken a very courageous stand on this particular issue. If you had an opportunity today to read the New York Times, the gentleman from Wisconsin (Mr. PETRI) I believe had a marvelous, marvelous letter to the editor, or op-ed today. It was phenomenal and I cannot say enough about it.

It basically said that the Federal Government should be directly loaning money to students. We do not need the banks involved in this. I do not think the banks are inherently bad people, but why would I give money to you for you to give it to somebody else and then you charge me more and I give you a little bit more so you can make a profit and then you give somebody else the money? We insure your loan. We guarantee you. So the Federal Government gives the money to the banks or we guarantee it to the banks so the banks takes no risk at all. Why not eliminate the banks, directly lend to the students, and give them the money and tell them to go to school and tell them that we are going to give him or her and many students like him or her around the country $25 billion. And when it is all said and done, we are going to make $50 billion on the deal.

Mr. MEEK of Florida. Is the gentleman actually suggesting that we do something that will actually help the students? Are you suggesting that?

Mr. RYAN of ohio. I am working on it. I do not want to be so bold but we need to start peeking in that direction.

Mr. MEEK of Florida. I have a Bachelor of Science Degree, and I am not an economist, but one would argue, well, if we take the banks out of it, what kind of effect will it have on the economy? And I think very little. If any of us that have gone to banks knowing the kinds of praying at the alter, at the end of the day to be able to get money, for them to trust us enough to pay them back, it reminds me of the pharmaceutical companies in the prescription drugs.

I think the pharmaceutical companies are doing good things in America, in research, things of that nature, but when you look beyond the blankets of all of that we are paying, it is subsidized research. With the banks we are guaranteeing their loans.

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So the real issues for that individual that is trying to educate him- or herself, this feeds also to the parents that we are talking 30-something, but individuals that are 50- or 60-something, high 40s, they are picking up the slack, and they are paying the interest 9 times out of 10 for young people because they cannot afford it.

Mr. RYAN of Ohio. Because the Federal Government guarantees the loans, now the banks have no real incentive to go capture somebody who defaulted on their loan. Why would they? They are going to get reimbursed anyway from us. So, actually, the Federal Government, if we eliminated the banks or removed the banks from this process, we would lend the money directly, and there would be more incentive for us to go and capture people who defaulted on the loans that we gave them. We would want there to be incentive because we would get the money back. The banks are going to get their money one way or the other. They are either going to get it from the student or the Federal Government. So there is no real incentive.

Again, the gentleman from Wisconsin (Mr. PETRI) was phenomenal today in his op-ed, and I cannot say enough about his courage to say if you are a conservative, if you do believe in the private, free markets, this kind of government intervention with the banks and playing all these games is no way to do it. It was very articulate, and I commend him for doing that and having the courage to do that.

Mr. MEEK of Florida. Mr. Speaker, it is all depending on the kind of leadership that we will have come November, and I, for one, believe that the gentlewoman from California (Ms. PELOSI), who believes in some of the things that we are talking about here tonight, making sure that children or young people receive the opportunity that they need to be able to move in the direction, that they would like to move in to make this country strong, also making a decision like you just mentioned, what will be best for the American young person or the American family.

I mentioned early in our time here tonight the crunch, the squeeze on the middle class, the gas issue, and you have the gas chart there. We talked about voter suppression, also. We did a little cutback on that, but I think it is important when we talk about the middle class squeeze that folks say, well, you know, I received a $35 check in the mail and I am so glad or $100 back in my middle class tax cut, but I will tell my colleague, this gas thing is very real.

This is not the Tim Ryan report or the Kendrick Meek report. We actually do a little homework before we get to the floor. We spend the week making sure we get this information so that we are factual and we are sharing it with the American people, the good, bad and ugly, but according to the Forbes Magazine, it says the gas price increase since the beginning of this year cost Americans $35 billion. That is a big number, much more than the 15 to 20 billion middle class consumers got from the Bush tax cuts this April.

I think it is important for us to continue to bring these facts to the table because it is money in one pocket and it is more money out of the other pocket. I will tell you right now that is playing with the economy of families and will continue to do so, and it is important that we share this information with them.

We are asking on this side of the aisle the opportunity to lead, an opportunity to cut the deficit, an opportunity to be able to make sure that young people have greater opportunities in the future to make America strong and investing in U.S. jobs here versus overseas.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman would yield, with regards to what you were just talking about in the middle class squeeze, and I do not know if you had an opportunity to talk about this or not, but I think it is so fundamental to everything that we are talking about tonight.

CEO wages average $8.1 million, 300 times that of the average worker in the United States of America, 300 times. Now, we are not begrudging those people. God bless them. You are in America. Make as much money as you possibly can. Unfortunately, taxes on wages earned average almost 24 percent. So if you are out working 40, 50, 60 hours a week, make a wage, 24 percent. Taxes on income from investments like stocks and bonds average less than 10 percent.

There is a shift in our tax code, our tax system, where we are moving the burden to wage earners. We are reducing the burden for those people who make money on stocks and bonds that has begun to divide the country, and there is this gap that is being created for the people who have a lot and the people who do not have too much.

I think it is dangerous, and I want to share with my colleague a conversation I was having last week with an old school Republican, moderate, conservative, fiscally balanced budgets. I will not mention his name, but he was saying how this kind of system that we are running right now, where the rich get richer and the poor get poorer and the middle class gets squeezed and tax burden goes on to those people who earn wages and the taxes are reduced for those people who make money on stocks and bonds and everything else, when we have a trading system that removes the good jobs to other places like China and India and they are not replaced by good paying jobs, where there is no health care, where people cannot find good employment, we begin to jeopardize the whole system. We begin to put the whole system at risk because we lose the stability that we need to have, and poor countries have revolutions because the poor get so poor that they just take up arms.

Now, I am not suggesting we are at that point, but we are beginning to move in a direction where the very rich donate money to this place. They get the laws they want, the free trade agreements that they want, the tax

structure that they want, the cuts in government that they want, the investments in government that they want, defense spending and something where the big companies can make a lot of money. There is no stabilizing force, and that is what the government is here for. We are here to stabilize this democracy and stabilize this country, and we have always been that country where people can look and say here is the middle class, the average people have an opportunity, average people are going to get educated, average people are going to have health care; everyone is going to have health care; everyone is going to have an education.

I think we take a step back and we look how the government and what we are talking about, the investments that we are talking about, have a stabilizing force on our society as a whole and allow us to be that kind of example that we want to be for the rest of the world.

Mr. MEEK of Florida. Mr. Speaker, I just want to say I do not think anyone on this floor could have shared in a way that the gentleman just summed it up and what he just shared with the American people. It is choices that one has to make.

I believe that people are going to make the right choice this upcoming election season. I have said it before. President, commander-in-chief, I do not envision him as what you might say a textbook Republican. I think he is something else. I think he is trying to take the country to another level, to where a number of Members of this House are not, and I think some of them are on the other side, and I think that they have gone to see the wizard to get courage and heart to be able to speak out against the present administration. So while we are trying to tell the rest of the world how a democracy works, it is going to be up to the American people ultimately to be able to stand in judgment of this Congress, Democrat and Republican, and also this President of making sure that we move in the next 4 years towards a safer, sounder, more job generating America, an America that is healthy, that has health care, so that we do not have literally millions of Americans experiencing emergency room health care.

With that, I would say that we should try to run to catch the back end of David Letterman's monologue tonight and come back next week with solutions to problems but also pointing out the good, bad and ugly so that we can come clean with the American people so they can be able to make a sound judgment in a letter or e-mail that they may send to their Member of Congress or the President of the United States.

Mr. RYAN of Ohio. That would be great. I will be here. Would you like for me to share the Web site?

Mr. MEEK of Florida. Do that Web site real quick. Then we are going to take this back to the Speaker.

Mr. RYAN of Ohio. Send us an e-mail if you would like, to 30somethingdems@mail.house.gov. We would love to hear any personal stories or opinions on the topics we discussed, and I would like to thank the gentleman from Florida (Mr. MEEK) for all his leadership.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FROST (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. LAMPSON (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. REYES (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. RUPPERSBERGER (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. WOOLSEY (at the request of Ms. PELOSI) for today on account of illness.

Mr. MILLER of Florida (at the request of Mr. DELAY) for today on account of district responsibilities.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MCCARTHY of New York) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. OSBORNE) to revise and extend their remarks and include extraneous material:)

Mr. WELLER, for 5 minutes, June 16.

Mr. WELDON of Florida, for 5 minutes, June 15.

Mr. MURPHY, for 5 minutes, June 16.

Mr. OSBORNE, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, June 15 and 16.

Mr. BURTON of Indiana, for 5 minutes, June 15, 16, 17 and 18.

Mr. HENSARLING, for 5 minutes, June 15.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2214. An act to designate the facility of the United States Postal Service located at 3150 Great Northern Avenue in Missoula, Montana, as the ''Mike Mansfield Post Office''; to the Committee on Government Reform.

S. 2415. An act to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the ''Robert J. Opinsky Post Office Building''; to the Committee on Government Reform.

S.J. Res. 38. Joint resolution providing for the appointment of Eli Broad as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

## ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), under its previous order, the House adjourned until tomorrow, Tuesday, June 15, 2004, at 8:30 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8471. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Chincoteague Channel, Chincoteague, VA [CGD05-03-168] (RIN: 1625-AA09) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8472. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations: Cheesequake Creek, NJ. [CGD01-04-036] received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8473. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Gulf Intracoastal Waterway, Galveston, TX [CGD08-04-021] received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8474. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Cleveland Harbor, Cleveland, Ohio [CGD09-04-009] (RIN: 2115-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8475. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Port Valdez and Valdez Narrows, Valdez, AK [COTP Prince William Sound 04-001] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8476. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zones: Fireworks displays in the Captain of the Port

Portland Zone. [CGD13-04-020] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8477. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Peril Strait, Cozian Reef, Motor Vessel LeConte, Southeast Alaska [COTP Southeast Alaska 04-001] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8478. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Duluth Harbor, Duluth, Minnesota [CGD09-04-016] (RIN: 2115-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8479. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; St. Croix, United States Virgin Islands [COTP San Juan-04-044] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8480. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay, California [COTP San Francisco Bay 04-010] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8481. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Atlantic Ocean, Vicinity of Cape Henlopen State Park, DE [CGD05-98-043] (RIN: 1615-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8482. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone, St. Simons Sound and the Atlantic Ocean, GA [COTP Savannah-04-041] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8483. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones and Regulated Navigation Area; Savannah River, GA [COTP Savannah-04-040] (RIN: 1625-AA00, AA11) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8484. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Portland Rose Festival on Willamette River [CGD13-04-022] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8485. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Potomac River, Washington, D.C. and Arlington and Fairfax Counties, VA [CGD05-04-057] (RIN: 1625-AA00) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8486. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Nanticoke River, Sharptown, MD [CGD05-03-156] (RIN: 1625-AA08) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8487. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, Sacramento River, San Joaquin River, and connecting waters, California [CGD11 04-001] (RIN: 1625-AA11) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8488. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600 and A300 C4-600 Series Airplanes [Docket No. 2003-NM-80-AD; Amendment 39-13572; AD 2004-08-03] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8489. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model 717-200 Airplanes [Docket No. 2002-NM-212-AD; Amendment 39-13571; AD 2004-08-02] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8490. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Series Airplanes [Docket No. 2002-NM-256-AD; Amendment 39-13570; AD 2004-08-01] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8491. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model MD-11 and MD-11F Airplanes [Docket No. 2002-NM-292-AD; Amendment 39-13573; AD 2004-08-04] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8492. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 500, 501, 550, and 551 Airplanes [Docket No. 2000-NM-65-AD; Amendment 39-13594; AD 2004-09-05] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8493. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; HPH s.r.o. Models Glasflugel 304CZ, 304CZ-17, and 304C Sailplanes [Docket No. 2003-CE-63-AD; Amendment 39-13592; AD 2004-09-03] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8494. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146-100A and -200A Series Airplanes [Docket No. 2001-NM-272-AD; Amendment 39-13575; AD 2004-08-06] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8495. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-300 Series Airplanes [Docket No. 2003-NM-125-AD; Amendment 39-13576; AD 2004-08-07] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8496. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes; Model A300 B4-600, B4-600R and F4-600R (Collectively Called A300-600) Series Airplanes; and Model A310 Series Airplanes [Docket No. 2001-NM-216-AD; Amendment 39-13578; AD 2004-08-09] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8497. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Model G-IV Series Airplanes [Docket No. 2000-NM-101-AD; Amendment 39-13577; AD 2004-08-08] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8498. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Correction to Modification of the Houston Class B Airspace Area; TX [FAA Docket No. FAA-2003-17383; Airspace Docket No. 04-AWA-01] (RIN: 2120-AA66) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8499. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace Greenville Donaldson Center, SC, Amendment of Class E Airspace; Greer, Greenville — Spartanburg Airport, SC, and Amendment of Class Airspace; Greenville, SC. [Docket No. FAA-2004-17341; Airspace Docket No. 02-ASO-4] received Jnue 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8500. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E2 Airspace; and Modification of Class E5 Airspace; Farmington, MO. [Docket No. FAA-2004-16983; Airspace Docket No. 04-ACE-1] received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8501. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Washington, DC [Docket No. FAA-2004-17081; Airspace Docket No. 04-AEA-01] received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8502. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 2003-NM-130-AD; Amendment 39-13597; AD 2004-09-08] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8503. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2002-NM-341-AD; Amendment 39-13599; AD 2004-09-10] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8504. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-200C Series Airplanes [Docket No. 2003-NM-208-AD; Amendment 39-13598; AD 2004-09-09] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8505. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 Series Airplanes; A300 B4 Series Airplanes; A300 B4-600, B4-600R, F4-600R, and C4-605R Variant F (Collectively Called A300-600) Series Airplanes; and A310 Series Airplanes [Docket No. 2001-NM-111-AD; Amendment 39-13574; AD 2004-08-05] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8506. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. 2002-NM-198-AD; Amendment 39-13600; AD 2004-09-11] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8507. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 2002-NM-163-AD; Amendment 39-13595; AD 2004-09-06] (RIN: 2120-AA64) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8508. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2003-NM-47-AD; Amendment 39-13566; AD 2004-07-22] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8509. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-15, DC-9-31, and DC-9-32 Airplanes [Docket No. 2003-NM-60-AD; Amendment 39-13558; AD 2004-07-14] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8510. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes [Docket No. 2003-NM-25-AD; Amendment 39-13567; AD 2004-07-23] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8511. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Mystere-Falcon 50, Mystere-Falcon 900, and Falcon 900 EX Series Airplanes [Docket No. 2003-NM-51-AD; Amendment 39-13568; AD 2004-07-24] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8512. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-80C2 Series Turbofan Engines [Docket No. 2003-NE-46-AD; Amendment 39-13557; AD 2004-07-13] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8513. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Aircraft Engines CT7 Series Turboprop Engines [Docket No. 99-NE-48-AD; Amendment 39-13553; AD 2004-07-09] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8514. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, -100B, -100B SUD, -200B, -200C, -200F, -300, 747SR, and 747SP Series Airplanes Equipped With Pratt & Whitney JT9D-3, -7, -7Q, and -7R4G2 Series Engines [Docket No. 2002-NM-207-AD; Amendment 39-13563; AD 2004-07-19] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8515. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. 2003-NM-157-AD; Amendment 39-13562; AD 2004-07-18] (RIN: 2120-AA64) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8516. A letter from the Senior Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revisions to Incident Reporting Requirements and the Hazardous Materials Incident Report Form [Docket No. RSPA-99-5013 (HM-229)] (RIN: 2137-AD 21) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8517. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Brake System Safety Standards for Freight and Other Non-Passenger Trains and Equipment; End-of-Train Devices [FRA Docket No. PB-9; Notice No. 22] (RIN: 2130-AB52) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8518. A letter from the FMCSA Regulations Officer, Department of Transportation, transmitting the Department's final rule — Minimum Training Requirements for Longer Combination Vehicle (LCV) Operators and LCV Driver-Instructor Requirements; Correction [Docket FMCSA-97-2176] (RIN: 2126-AA08) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8519. A letter from the FMCSA Regulations Officer, Department of Transportation, transmitting the Department's final rule — Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators [Docket No. FMCSA-1997-2199] (RIN: 2126-AA09) received May 26, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8520. A letter from the Senior Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule — Applicability of the Hazardous Materials Regulations to Loading, Unloading, and Storage [Docket No. RSPA-98-4952 (HM-223)] (RIN: 2137-AC68) received June 3, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARTON: Committee on Energy and Commerce. H.R. 3266. A bill to authorize the Secretary of Homeland Security to make grants to first responders, and for other purposes; with an amendment (Rept. 108–460, Pt. 2). Ordered to be printed.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 671. Resolution providing for consideration of the bill (H.R. 4503) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, and for consideration of the bill (H.R. 4517) to provide incentives to increase refinery capacity in the United States (Rept. 108–539). Referred to the House Calendar.

Mr. REYNOLDS: Committee on Rules. House Resolution 672. Resolution providing for consideration of the bill (H.R. 4513) to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes, and for consideration of the bill (H.R. 4529) to provide for exploration, development, and production of oil and gas resources on the Arctic Coastal Plain of Alaska, to resolve outstanding issues relating to the Surface Mining Control and Reclamation Act of 1977, to benefit the coal miners of America, and for other purposes (Rept. 108–540). Referred to the House Calendar.

## TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 3266. Referral to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce for a period ending not later than June 21, 2004.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLUNT (for himself, Mr. RYAN of Wisconsin, Mr. GREEN of Wisconsin, and Mr. MCCOTTER):

H.R. 4545. A bill to amend the Clean Air Act to reduce the proliferation of boutique fuels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. EHLERS:

H.R. 4546. A bill to bill to provide for the National Oceanic and Atmospheric Administration, to authorize appropriations for the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 4547. A bill to amend the Controlled Substances Act to protect vulnerable persons from drug trafficking, and for other purposes; to the Committee on the Judiciary,

and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSS:

H.R. 4548. A bill to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. POMBO:

H.R. 4549. A bill to provide for exploration, development, and production of oil and gas resources on the Arctic Coastal Plain of Alaska, to resolve outstanding issues relating to the Surface Mining Control and Reclamation Act of 1977, to benefit the coal miners of America, to make related technical changes, and for other purposes; to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER of Texas (for himself, Mr. FRANK of Massachusetts, and Mr. BERMAN):

H.R. 4550. A bill to secure the visa waiver program under section 217 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. TURNER of Texas:

H.R. 4551. A bill to establish 4 memorials to the Space Shuttle Columbia in the State of Texas; to the Committee on Resources.

By Mr. BURNS:

H.R. 4552. A bill to suspend temporarily the duty on l-Aspartic acid; to the Committee on Ways and Means.

By Mr. CUNNINGHAM (for himself and Mr. CANTOR):

H.R. 4553. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage manufacturers of computer and television equipment to operate an environmentally sound recycling program for use by consumers who want to discard the equipment; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 4554. A bill to designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the ''Linda White-Epps Post Office''; to the Committee on Government Reform.

By Mr. DINGELL:

H.R. 4555. A bill to amend the Public Health Service Act to revise and extend provisions relating to mammography quality standards; to the Committee on Energy and Commerce.

By Mr. ETHERIDGE (for himself, Mr. BURR, Mr. COBLE, Mr. MCINTYRE, Mr. HAYES, Mr. MILLER of North Carolina, Mrs. MYRICK, Mr. TAYLOR of North Carolina, Mr. JONES of North Carolina, Mr. BALLENGER, Mr. PRICE of North Carolina, and Mr. WATT):

H.R. 4556. A bill to designate the facility of the United States Postal Service located at 1115 South Clinton Avenue in Dunn, North Carolina, as the ''General William Carey Lee Post Office Building''; to the Committee on Government Reform.

By Mr. GORDON:

H.R. 4557. A bill to amend the Public Health Service Act to support the planning, implementation, and evaluation of organized activities involving statewide youth suicide early intervention and prevention strategies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HYDE:

H.R. 4558. A bill to authorize the Comptroller General to conduct audits, evaluations, and investigations of the Millennium Challenge Corporation, to establish the Millennium Challenge Advisory Council, to transfer the Millennium Challenge program to the Foreign Assistance Act of 1961, and for other purposes; to the Committee on International Relations.

By Mr. HYDE:

H.R. 4559. A bill to extend certain trade benefits to countries emerging from political instability, civil strife, or armed conflict; to the Committee on Ways and Means.

By Mr. HYDE:

H.R. 4560. A bill to provide multilateral and bilateral debt relief for developing countries, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on International Relations, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself, Mr. CAMP, Mr. CONYERS, Mr. PORTMAN, Mr. BERMAN, Mr. DELAHUNT, Mr. NADLER, Ms. LINDA T. SANCHEZ of California, and Ms. JACKSON-LEE of Texas):

H.R. 4561. A bill to amend the Immigration and Nationality Act to modify the treatment of adopted children; to the Committee on the Judiciary.

By Mrs. MUSGRAVE:

H.R. 4562. A bill to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000; to the Committee on Resources.

By Mr. ROHRABACHER (for himself, Mr. HEFLEY, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MCCOTTER, Mr. PENCE, Mr. JONES of North Carolina, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. WALSH, and Mr. SOUDER):

H.R. 4563. A bill to require the Secretary of the Treasury to redesign the face of $20 Federal reserve notes so as to include a likeness of President Ronald Wilson Reagan, and for other purposes; to the Committee on Financial Services.

By Mr. WOLF (for himself and Mr. TOM DAVIS of Virginia):

H.R. 4564. A bill to amend title 5, United States Code, to provide for reform relating to employment at the Federal Bureau of Investigation; to the Committee on Government Reform.

By Mr. MENENDEZ:

H. Res. 670. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. HASTINGS of Washington:

. H. Res. 671. A resolution providing for consideration of the bill (H.R. 4503) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, and for consideration of the bill (H.R. 4517) to provide incentives to increase refinery capacity in the United States.

By Mr. REYNOLDS:

H. Res. 672. A resolution providing for consideration of the bill (H.R. 4513) to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes, and for consideration of the bill (H.R. 4529) to provide for exploration, development, and production of oil and gas resources on the Arctic Coastal Plain of Alaska, to resolve outstanding issues relating to the Surface Mining Control and Reclamation Act of 1977, to benefit the coal miners of America, and for other purposes.

By Ms. SLAUGHTER (for herself, Mr. REYNOLDS, Mr. HOUGHTON, Mr. QUINN, Mr. MCDERMOTT, Mrs. MCCARTHY of New York, and Mr. MCNULTY):

H. Res. 673. A resolution honoring the life of George Eastman and recognizing his contributions on the anniversary of his birth; to the Committee on Government Reform.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARKEY:

H.R. 4565. A bill for the relief of Obain Attouoman; to the Committee on the Judiciary.

By Mr. RAMSTAD:

H.R. 4566. A bill for the relief of Konstantinos Ritos; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 99: Mr. PLATTS.
H.R. 117: Mrs. KELLY.
H.R. 218: Mr. DEUTSCH.
H.R. 677: Mr. HOYER and Ms. SOLIS.
H.R. 717: Mr. WAXMAN.
H.R. 834: Mr. CHANDLER.
H.R. 920: Mr. ISRAEL.
H.R. 1004: Mrs. MUSGRAVE.
H.R. 1098: Mr. GUTKNECHT, Mr. FEENEY, Mr. BARRETT of South Carolina, Mr. CHOCOLA, Mr. HERGER, and Mr. COLE.
H.R. 1117: Mrs. MILLER of Michigan.
H.R. 1160: Mr. WEINER.
H.R. 1225: Mr. DOOLEY of California.
H.R. 1567: Mr. PETERSON of Minnesota.
H.R. 1716: Mr. UDALL of New Mexico, Ms. BORDALLO, Mr. HOLDEN, Mr. ABERCROMBIE, Mr. STRICKLAND, and Mr. GUTIERREZ.
H.R. 1873: Mr. LAMPSON.
H.R. 1940: Mr. HINOJOSA.
H.R. 2023: Mr. UPTON, Mr. FERGUSON, Mr. PALLONE, Mr. ANDREWS, Mr. ROTHMAN, and Mr. ROGERS of Michigan.
H.R. 2038: Mr. ACEVEDO-VILÁ, Mr. EVANS, and Ms. KILPATRICK.
H.R. 2287: Mr. SHUSTER and Mr. STUPAK.
H.R. 2413: Mr. BARTLETT of Maryland.
H.R. 2426: Mr. RANGEL.
H.R. 2541: Mr. PAYNE and Mr. OWENS.
H.R. 2672: Mr. HERGER.
H.R. 2797: Mrs. MCCARTHY of New York and Mr. DUNCAN.
H.R. 2885: Mr. BERRY.
H.R. 2932; Mr. WEINER.
H.R. 2959: Mr. KENNEDY of Rhode Island, Mr. CALVERT, Mr. CLYBURN, Mr. WILSON of South Carolina, Mr. HINCHEY, Mr. ROSS, Mr. CRAMER, and Mr. STARK.
H.R. 3184: Mr. DAVIS of Florida.
H.R. 3193: Mr. MCKEON, Mr. NETHERCUTT, Mr. SHERWOOD, Mr. HASTINGS of Washington, Mr. MCHUGH, and Mr. MORAN of Kansas.
H.R. 3242: Mrs. EMERSON.
H.R. 3266: Mr. OWENS.
H.R. 3339: Mr. DOOLITTLE.
H.R. 3474: Ms. LORETTA SANCHEZ of California and Mr. LEWIS of Georgia.
H.R. 3545: Mr. GRIJALVA.
H.R. 3572: Mr. RUSH.
H.R. 3634: Mr. OWENS.
H.R. 3736: Mr. HALL.

H.R. 3802: Mr. CHANDLER and Mr. PETERSON of Minnesota.
H.R. 3831: Mr. DOOLEY of California.
H.R. 3834: Ms. HARRIS.
H.R. 3847: Mr. PETERSON of Minnesota.
H.R. 3858: Mr. HULSHOF, Mr. LATOURETTE, Mr. COLLINS, Mr. CARSON of Oklahoma, Mrs. DAVIS of California, Mr. PETERSON of Minnesota, Mrs. BIGGERT, Mr. BURGESS, Mrs. MCCARTHY of New York, Ms. GRANGER, Mr. SESSIONS, Mr. GRIJALVA, Mr. WYNN, and Mr. DOOLEY of California.
H.R. 3871: Mr. ANDREWS, Mr. SESSIONS, Mr. SHAYS, Mr. SMITH of Washington, and Mr. ROTHMAN.
H.R. 3919: Mr. ANDREWS and Ms. MCCOLLUM.
H.R. 3953: Mr. MCCOTTER.
H.R. 3972: Mr. PAYNE.
H.R. 4016: Mr. BONNER, Mrs. MALONEY, and Ms. NORTON.
H.R. 4026: Mr. CARTER.
H.R. 4039: Mr. GUTIERREZ and Mr. CUMMINGS.
H.R. 4052: Mr. LINCOLN DIAZ-BALART of Florida and Mr. MICHAUD.
H.R. 4094: Mrs. NAPOLITANO.
H.R. 4101: Mr. PETERSON of Minnesota.
H.R. 4107: Mr. CHABOT.
H.R. 4156: Mr. NUNES and Mr. BEREUTER.
H.R. 4214: Mr. SHAYS, Mr. BEAUPREZ, and Mr. SESSIONS.
H.R. 4217: Mr. CARDIN.
H.R. 4290: Mr. RANGEL.
H.R. 4323: Mr. SAXTON and Mr. MEEHAN.
H.R. 4335: Mr. STRICKLAND, Mr. KILDEE, and Mr. OWENS.
H.R. 4341: Mr. BAIRD, Mr. LAHOOD, Mr. MCDERMOTT, Mr. PAYNE, Mr. WILSON of South Carolina, and Mrs. CAPITO.
H.R. 4343: Mr. HERGER, Mr. PICKERING, and Mr. MCINNIS.
H.R. 4361: Mr. FROST, Mr. HOEFFEL, Mr. OLVER, Mr. LANTOS, Mr. OWENS, and Ms. CARSON of Indiana.
H.R. 4370: Mr. LIPINSKI, Mrs. JOHNSON of Connecticut, and Mr. UPTON.
H.R. 4376: Mr. MCGOVERN, Mr. BRADLEY of New Hampshire, and Mr. BONNER.
H.R. 4380: Mr. WELDON of Florida, Mr. SHAW, and Mr. FEENEY.
H.R. 4383: Mr. CARSON of Oklahoma.
H.R. 4394: Ms. LEE, Mr. DOGGETT, Mrs. MALONEY, Mr. OWENS, and Ms. SCHAKOWSKY.
H.R. 4417: Mr. FOLEY, Mr. BACHUS, Mr. CANNON, Mr. CHABOT, Mr. FEENEY, and Mr. SCOTT of Virginia.
H.R. 4420: Mr. PLATTS, Mr. BACHUS, Mr. LUCAS of Kentucky, Mr. BARRETT of South Carolina, Mr. ISAKSON, Mr. WILSON of South Carolina, and Mr. TAYLOR of Mississippi.
H.R. 4435: Mr. OWENS.
H.R. 4440: Mr. JONES of North Carolina and Mr. FLAKE.
H.R. 4445: Ms. MCCOLLUM and Mr. JEFFERSON.
H.R. 4449: Mr. ABERCROMBIE.
H.R. 4450: Mr. HASTINGS of Florida and Mr. LANGEVIN.
H.R. 4472: Mrs. KELLY.
H.R. 4492: Mr. LEACH.
H.R. 4520: Mr. CANTOR, Mr. BROWN of South Carolina, Mr. JENKINS, Mr. ISAKSON, Mr. WAMP, Mr. WHITFIELD, Mr. DUNCAN, Mr. ROGERS of Kentucky, Mr. KINGSTON, Mr. SMITH of Texas, and Mr. NEUGEBAUER.
H.J. Res. 46: Mr. COLLINS.
H.J. Res. 97: Mr. GALLEGLY, Mr. STARK, and Mr. FALEOMAVAEGA.
H. Con. Res. 213: Mrs. CHRISTENSEN.
H. Con. Res. 247: Mr. OBERSTAR.
H. Con. Res. 260: Mr. MCCOTTER.
H. Con. Res. 314: Mr. RUPPERSBERGER.
H. Con. Res. 377: Mr. ABERCROMBIE.
H. Con. Res. 391: Mr. BISHOP of New York.
H. Con. Res. 425: Mrs. LOWEY, Mr. WOLF, Mr. SHAYS, Mr. ANDREWS, Mr. HINCHEY, Mr. BEAUPREZ, Mrs. MALONEY, and Mr. SESSIONS.
H. Con. Res. 430: Mr. PLATTS, Mr. SESSIONS, Mr. ENGEL, and Mr. OWENS.
H. Con. Res. 448: Mr. DOOLITTLE, Mr. FEENEY, Mr. BURNS, Mr. ROHRABACHER, Mr. BURGESS, Mr. CHOCOLA, Mr. WELLER, Mr. GUTKNECHT, Mr. SIMPSON, and Mr. SWEENEY.
H. Res. 466: Mr. HOLT.
H. Res. 570: Ms. BERKLEY and Mr. JEFFERSON.
H. Res. 596: Mr. HOUGHTON and Mr. DOOLITTLE.
H. Res. 626: Mr. SNYDER.
H. Res. 653: Mr. MCCOTTER.
H. Res. 662: Mr. PETRI and Mr. RYAN of Wisconsin.
H. Res. 666: Mr. BEREUTER.
H. Res. 667: Ms. PELOSI.
H. Res. 688: Ms. HARRIS, Mr. CRENSHAW, Mr. BILIRAKIS, Mr. PUTNAM, Mr. BOYD, Mr. FOLEY, Mr. KELLER, Mr. MARIO DIAZ-BALART of Florida, Mr. MEEK of Florida, Mr. DEUTSCH, Mr. GOSS, Mr. HASTINGS of Florida, Mr. STEARNS, Ms. ROS-LEHTINEN, Mr. MILLER of Florida, Mr. FEENEY, and Mr. LINCOLN DIAZ-BALART of Florida.
H. Res. 669: Mr. DREIER, Mr. NORWOOD, Mr. TOWNS, Mr. COOPER, Mr. PORTER, Mrs. BONO, Mr. BASS, Mr. KINGSTON, Mrs. CAPITO, Mr. CUNNINGHAM, Mr. BURNS, Mr. FORD, and Mr. MCCOTTER.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

HOMELAND SECURITY APPROPRIATIONS 2005

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 1. At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available in this Act may be used to provide assistance to any State or local government entity or official that prohibits or restricts any government entity or official from sending to, or receiving from, U.S. Immigration and Customs Enforcement information regarding the citizenship or immigration status of an individual, as prohibited under section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

HOMELAND SECURITY APPROPRIATIONS 2005

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 2. At the end of the bill (before the short title), insert the following:

SECTION _____. None of the funds made available in this Act may be used to provide assistance to any State that has enacted a law authorizing aliens who are not lawfully present in the United States to obtain a driver's license, or other comparable identification document, issued by the State.

INTERIOR APPROPRIATIONS BILL 2005

OFFERED BY: MR. TANCREDO

AMENDMENT NO. 1. In title II, in the item relating to ''WILDLAND FIRE MANAGEMENT'', insert after the first dollar amount the following ''(increased by $60,000,000)''.

In title II, in the item relating to ''NATIONAL ENDOWMENT FOR THE ARTS—GRANTS AND ADMINISTRATION'', insert after the first dollar amount the following: ''(reduced by $60,000,000)''.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, SECOND SESSION

Vol. 150 WASHINGTON, MONDAY, JUNE 14, 2004 No. 81

# Senate

The Senate met at 1:01 p.m. and was called to order by the President pro tempore, Mr. STEVENS.

PRAYER

The chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Accept, O Lord, our thanks and praise for all You have done for us. We thank You for the splendor of creation, for the wonder of life, and for the mystery of love. Thank You for family and friends and for the loving care that surrounds us on every side. Thank You for work that demands our best efforts and for the satisfaction of a job done well. Thank You also for disappointments and failures that teach us to depend only on You.

Bless our Senators today. Give them the gift of Your spirit that they may make You known by their thoughts, words, and actions at all times and in all places. Strengthen and protect our military people. Imbue them with courage and loyalty. Remind us all to strive to glorify You in every action, both large and small.

We pray this in Your blessed Name. Amen.

## PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. FRIST. Mr. President, today the Senate returns to regular business. Last week the Nation and the world bid a final farewell to President Ronald Wilson Reagan. The services and ceremony were fitting tributes to our 40th President. I remind my colleagues that we will be printing a memorial book that will include all of the floor tributes and services related to the passing of our former President. For those Members who were unable to speak on the floor, we will allow Senators to submit statements on Ronald Reagan until June 25 in order to have those tributes printed in the memorial book.

ROTUNDA TRIBUTES TO FORMER PRESIDENT RONALD REAGAN

At this time, I ask unanimous consent that the tributes during the Rotunda services by our distinguished President pro tempore, currently in the Chair, Speaker of the House, and our Vice President be printed in today's CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SPEAKER'S REMARKS AT THE STATE FUNERAL OF THE LATE PRESIDENT RONALD WILSON REAGAN

(WASHINGTON DC).—The Speaker of the House, J. Dennis Hastert (R–IL) made the following remarks at the State Funeral of the late President Ronald Wilson Reagan tonight in the Capitol Rotunda:

Mrs. Reagan, Mr. Vice President, Members of Congress, Distinguished Guests: Ronald Reagan's long journey has finally drawn to a close.

It is altogether fitting and proper that he has returned to this Capitol Rotunda, like another great son of Illinois, Abraham Lincoln, so the nation can say, good-bye. This Capitol Building is, for many, the greatest symbol of democracy and freedom in the world. It brings to mind the ''shining city on a hill'' of which President Reagan so often spoke. It is the right place to honor a man who so faithfully defended our freedom, and so successfully helped extend the blessings of liberty to millions around the world.

Mrs. Reagan, thank you for sharing your husband with us—for your steadfast love and for your great faith. We pray for you and for your family in this time of great mourning.

But as we mourn, we must also celebrate the life and the vision of one of America's greatest Presidents. His story and values are quintessentially American. Born in Tampico, IL, and then raised in Dixon, IL, he moved west to follow his dreams. He brought with him a Midwestern optimism, and he blended it with a western ''can do'' spirit.

In 1980, the year of the ''Reagan Revolution,'' his vision of hope, growth, and opportunity was exactly what the American people needed and wanted. His message touched a fundamental chord that is deeply embedded in the American experience.

President Reagan dared to dream that America had a special mission. He believed in the essential goodness of the American people and that we had a special duty to promote peace and freedom for the rest of the world.

Against the advice of the timid, he sent a chilling message to authoritarian governments everywhere, that the civilized world would not rest—until freedom reigned—in every corner of the globe.

While others worried, President Reagan persevered. When others weakened, President Reagan stood tall. When others stepped back, President Reagan stepped forward. And he did it all with great humility, with great charm, and with great humor.

Tonight, we will open these doors and let the men and women who Ronald Reagan served so faithfully, file past and say goodbye to a man who meant so much to so many. It is their being here that I think would mean more to him than any words we say, because it was from America's great and good people that Ronald Reagan drew his strength.

We will tell our grandchildren about this night when we gathered to honor the man from Illinois who became the son of California and then the son of all America. And our grandchildren will tell their grandchildren—and President Reagan's spirit and eternal faith in America will carry on.

Ronald Reagan helped make our country and this world a better place to live. But he always believed that our best days were ahead of us, not behind us. I can still hear him say, with that twinkle in his eye, ''You ain't seen nothing yet!''

President Reagan once said, ''We make a living by what we get; we make a life by what we give.'' Twenty years ago, President Reagan stood on the beaches of Normandy, to honor those who made a life, by what they gave. Recalling the men who scaled the cliffs and crossed the beaches in a merciless hail of bullets, he asked, who were these men—these

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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ordinary men doing extraordinary things? His answer was simple and direct: They were Americans.

So I can think of no higher tribute or honor or title to confer upon Ronald Reagan than to simply say: He was an American. Godspeed, Mr. President, God bless you, and God bless the United States of America.

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REMARKS BY THE VICE PRESIDENT AT THE STATE FUNERAL OF RONALD W. REAGAN

Mrs. Reagan, members of the President's family, colleagues, distinguished guests, members of the diplomatic corps, fellow citizens: Knowing that this moment would come has not made it any easier to see the honor guard, and the flag draped before us, and to begin America's farewell to President Ronald Reagan. He said goodbye to us in a letter that showed his great courage and love for America. Yet for his friends and for his country, the parting comes only now. And in this national vigil of mourning, we show how much America loved this good man, and how greatly we will miss him.

A harsh winter morning in 1985 brought the inaugural ceremony inside to this Rotunda. And standing in this place for the 50th presidential inauguration, Ronald Reagan spoke of a Nation that was ''hopeful, big-hearted, idealistic, daring, decent, and fair.'' That was how he saw America, and that is how America came to know him. There was a kindness, simplicity, and goodness of character that marked all the years of his life.

When you mourn a man of 93, no one is left who remembers him as a child in his mother's arms. Ronald Wilson Reagan's life began in a time and place so different from our own, in a quiet town on the prairie, on the 6th of February, 1911. Nelle and Jack Reagan would live long enough to see the kind of man they had raised, but they could never know all that destiny had in store for the boy they called Dutch. And if they could witness this scene in 2004, their son taken to his rest with the full honors of the United States, they would be so proud of all he had done with the life they gave him, and the things they taught him.

President Reagan once said, ''I learned from my father the value of hard work and ambition, and maybe a little something about telling a story.'' That was the Ronald Reagan who confidently set out on his own from Dixon, IL during the Great Depression, the man who would one day speak before cameras and crowds with such ease and self-command. ''From my mother,'' said President Reagan, ''I learned the value of prayer. My mother told me that everything in life happened for a purpose. She said all things were part of God's plan, even the most disheartening setbacks, and in the end, everything worked out for the best.'' This was the Ronald Reagan who had faith, not just in his own gifts and his own future, but in the possibilities of every life. The cheerful spirit that carried him forward was more than a disposition; it was the optimism of a faithful soul, who trusted in God's purposes, and knew those purposes to be right and true.

He once said, ''There's no question I am an idealist, which is another way of saying I am an American.'' We usually associate that quality with youth, and yet one of the most idealistic men ever to become president was also the oldest. He excelled in professions that have left many others jaded and self-satisfied, and yet somehow remained untouched by the worst influences of fame or power. If Ronald Reagan ever uttered a cynical, or cruel, or selfish word, the moment went unrecorded. Those who knew him in his youth, and those who knew him a lifetime later, all remember his largeness of spirit, his gentle instincts, and a quiet rectitude that drew others to him.

See now, at a distance, his strengths as a man and as a leader are only more impressive. It's the nature of the city of Washington that men and women arrive, leave their mark, and go their way. Some figures who seemed quite large and important in their day are sometimes forgotten, or remembered with ambivalence. Yet nearly a generation after the often impassioned debates of the Reagan years, what lingers from that time is almost all good. And this is because of the calm and kind man who stood at the center of events.

We think back with appreciation for the decency of our 40th president, and respect for all that he achieved. After so much turmoil in the 60s and 70s, our Nation had begun to lose confidence, and some were heard to say that the presidency might even be too big for one man. That phrase did not survive the 1980s. For decades, America had waged a Cold War, and few believed it could possibly end in our own lifetimes. The President was one of those few. And it was the vision and will of Ronald Reagan that gave hope to the oppressed, shamed the oppressors, and ended an evil empire. More than any other influence, the Cold War was ended by the perseverance and courage of one man who answered falsehood with truth, and overcame evil with good.

Ronald Reagan was more than an historic figure. He was a providential man, who came along just when our Nation and the world most needed him. And believing as he did that there is a plan at work in each life, he accepted not only the great duties that came to him, but also the great trials that came near the end. When he learned of his illness, his first thoughts were of Nancy. And who else but Ronald Reagan could face his own decline and death with a final message of hope to his country, telling us that for America there is always a bright dawn ahead. Fellow Americans, here lies a graceful and a gallant man.

Nancy, none of us can take away the sadness you are feeling. I hope it is a comfort to know how much he means to us, and how much you mean to us as well. We honor your grace, your own courage, and above all, the great love that you gave to your husband. When these days of ceremony are completed, the Nation returns him to you for the final journey to the West. And when he is laid to rest under the Pacific sky, we will be thinking of you, as we commend to Almighty the soul of His faithful servant, Ronald Wilson Reagan.

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EULOGY FOR PRESIDENT RONALD REAGAN

(By Senator Ted Stevens)

Mrs. Reagan, Patti, Ron, Michael, distinguished guests, members of the Reagan family, and friends of Ronald Reagan in America and throughout the world:

Tonight, President Ronald Reagan has returned to the people's house to be honored by millions of Americans who loved him.

Since 1824, under this Rotunda, our Nation has paid final tribute to many dedicated public servants. President Abraham Lincoln was the first president to lie in state under this Capitol dome. In the coming days, thousands will come to these hallowed halls to say good-bye to another son of Illinois who, like Lincoln, appealed to our best hopes, not our worst fears.

In the life of any Nation, few men forever alter the course of history. Ronald Reagan was one of those men. He rose from a young boy who didn't have much to a man who had it all, including the love of a faithful partner and friend he found in his wife Nancy.

The true measure of any man is what he does with the opportunities life offers. By that standard, Ronald Reagan was one of America's greatest. He first proved that as governor of California and later as the President of the United States.

When Ronald Reagan was sworn in as our 40th President, this Nation was gripped by a powerful malaise, inflation and unemployment were soaring, and the Soviet Union was winning the Cold War.

By the time President Reagan left office, he had reversed the trend of ever-increasing government control over our lives, restored our defense capabilities, guided us through the worst economic downturn since the Great Depression, and set in motion policies which ultimately led to the collapse of the ''Evil Empire.''

His integrity, vision and commitment were respected by all. But history's final judgment, I believe, will remember most his ability to inspire us.

President Reagan put it best when he said: ''The greatest leader is not necessarily the one who does the greatest things. He is the one that gets [the] people to do the greatest things.''

This President inspired Americans by reaching out far beyond what he could attain. Like a good coach, he understood the value of a goal isn't always in achieving it; sometimes it is enough to simply look out into the future and remind people what is possible. And, often he achieved the impossible.

He reminded us that ''government is not the solution.'' The solution lies in each of us. True American heroes are ordinary people who live their lives with extraordinary character and strength.

President Reagan showed us freedom was not just a slogan; he actually brought freedom to hundreds of thousands of people around this globe by opposing oppressive regimes. Those of us from the World War II generation looked up to him for his moral courage; in him we saw the leadership of great men like Eisenhower who led the way and moved us to follow.

On a winter day in 1981, Ronald Reagan stood on the steps that lie just beyond these doors to deliver his first inaugural address. He spoke of a journal written by a young American who went to France in 1917 and died for the cause of freedom. From that journal he read these words: ''I will work, I will save, I will sacrifice, I will endure, I will fight cheerfully and do my utmost, as if the issue of the whole struggle depended on me alone.''

Throughout his life, Ronald Reagan bore our burdens as if the outcome did depend on him alone. We will all remember him as an unparalleled leader and an exceptional man who lifted our Nation and set the world on a new path.

President Reagan achieved greatness in his life; some might even argue he transcended it. He could not have accomplished this without Nancy. Nancy is one of the finest First Ladies these United States have ever known. And the love Ronald and Nancy Reagan shared touched the hearts of people everywhere.

In 1989, President Reagan delivered his farewell address from the Oval Office. In that speech, the President spoke of ''the shining city upon a hill'' that, ''after 200 years, two centuries . . . still stands strong and true on the granite ridge.'' Now, it is our turn to thank Ronald Reagan for making us believe in that shining city. As we say farewell, his last words as President echo across this great Nation. If we listen, we will hear him whisper the humble words he used to sum up his revolution: ''All in all, not bad, not bad at all.''

Mr. FRIST. Mr. President, today following the 60-minute period for morning business, we will resume consideration of S. 2400, the Department of Defense authorization bill. That will begin our third week of consideration on the Defense authorization bill. It is important that we finish this critical piece of legislation this week. I hope Senators will cooperate to that end. The amendments have been reviewed, and Chairman WARNER and Senator LEVIN will be looking to schedule floor consideration of those amendments.

Last week, I announced we will vote on Defense-related amendments this evening beginning at 5:30 p.m.. Although we have not locked in any votes at this time, it is my hope that this afternoon Members will come to the floor with their amendments so we can begin voting promptly at 5:30. We will alert all Senators when we reach consent concerning these votes.

In addition, this week we will need to consider a number of judicial nominations which were delayed from last week. Members should be prepared for consecutive votes on these nominations. We will be scheduling those votes throughout each day.

On this side of the aisle, we are not going to need rollcall votes on each of these nominations. I will be talking to the Democratic leadership to see if the Senate can act at least on some of these noncontroversial judges without a rollcall vote in the interest of schedule and time.

Finally, we face a number of scheduling challenges this week with other events that are going on. So it is important we use each Senator's time efficiently. We will be trying to accommodate as many of those events as possible. But we absolutely must have the cooperation of all Senators in order to get our work done this week.

I will turn to the assistant Democratic leader for his comments, and then I have a statement to make in morning business.

Mr. REID. Mr. President, we will be very happy to be on the Defense bill. We on this side have a number of amendments that will be offered immediately. I think they will be substantive amendments and they should not be controversial, at least as far as I know.

I ask the distinguished majority leader if President Karzai is going to speak here tomorrow.

Mr. FRIST. Mr. President, it is my understanding he will be speaking tomorrow. The details of that will be announced later today. But it is my understanding it will be early in the morning to a joint session of Congress.

Mr. REID. Mr. President, we look forward to working on this legislation. As the leader knows, we have a lot of amendments. I am glad we are able to focus on these today. I am sure we can dispose of a lot of these with the two managers. We have done that in the past. We still have to have several votes, and we will work to do our best over on this side to get votes and move forward.

The PRESIDENT pro tempore. Is the leader using leadership time?

Mr. FRIST. I will use leader time.

## VISIT TO IRAQ

Mr. FRIST. Mr. President, 10 days ago I had the opportunity to travel to Iraq to visit our troops on the front line and the troups serving in support of Operation Iraqi Freedom. On that same trip to Baghdad, I had the opportunity to spend time with Ambassador Jerry Bremer as well as the new Prime Minister of the Iraqi interim government. He was appointed Prime Minister 3 or 4 days before our arrival. His name is Dr. Ayad Allawi. He happens to be a neurologist who spent part of his time and his training in England several years after I had the opportunity to do some of my training in England.

Also during this trip, we had the opportunity to discuss with, listen to, and receive briefings from our Nation's senior military officers who are currently leading our efforts in Iraq. I was joined by my colleagues Senator BOB BENNETT and Senator JOHN ENSIGN.

I will take a few moments to share with my Senate colleagues some of what we saw and learned on this trip. We didn't say very much about it because of the tributes last week. But about 8 days ago we were in Baghdad in Iraq. Some of what I will say you have heard before, but a lot of it you have not heard in large part because the media—both the media in Iraq and here in the United States—tends to cover the terrorist events, and it is very appropriate, but tends not to see what is going on on the ground in terms of what our soldiers see and what the Iraqi people are seeing. Given what we read and what we see in the media every day, we had the same experience today of waking up and opening the newspaper with yet another terrorist act. We expected to see things getting worse and worse on a daily basis. We expected to find a mission that was struggling, demoralized troops, collapsed infrastructure, and distressed Iraqi people. However, we found the opposite. We found hope. We found optimism. We found progress. Yes, we were there when terrorist activities were occurring, but in balance to that, and juxtaposed, we saw tremendous success. We went, in part, to encourage others. We actually came back very encouraged and inspired.

The transfer to sovereignty, I am absolutely convinced, having just been there, will be successful. The transfer of responsibility is well underway. Again, I did not realize fully until going over there 9 days ago that most of the responsibility has already been transferred to the interim Iraqi government. The 33 new ministers have all been appointed. Most, or a majority of them, are already running their cabinet position or their department. The new Iraqi government, the interim government, which will serve until the elections, appears to be very strong. People have tremendous respect for these leaders.

We began our trip in Kuwait. On the outskirts of Kuwait City, we visited Camp Wolverine. We were briefed there by the Deputy Commander of U.S. Central Command, LTG Lance Smith. We learned how the command is fighting throughout the very large theater that begins in East Africa, the border being the Sudan area and extending across the globe to the ''Stans.'' That entire theater is aggressively and with a great deal of success carrying out its responsibility, including fighting this war on terror. The 25 or 26 countries are all involved, both as a region and also as individual countries, in fighting this war on this global network of terror.

In countries such as Iraq and Afghanistan, we are actively engaged in combat operations. They were described in great detail to us. Alongside our coalition partners and others, we are fighting a preventive war with diplomacy and economic and other nonmilitary means. It is a global effort. It is a comprehensive war on terror that is being fought. Like weeds in a garden, our commanders realize if you do not take action promptly, aggressively, and broadly, terrorism will take root, it will grow deep, and it will spread uncontrollably.

After our briefings, Senators BENNETT and ENSIGN and I met with the service men and women, the soldiers who are out there literally on the front line day in and day out. In Kuwait City there is an entryway where everybody coming to that part of the world is channeled—our soldiers—as well as when they exit to go home on leave for a few weeks. It is remarkable how our soldiers are briefed and debriefed and that transition is made.

Later that day we had the opportunity to dine with soldiers from our respective States. I had the pleasure of sharing a meal with many soldiers from Tennessee, including Tech SGT Kenneth Clark from Millington, MAJ Jon Hays from Chattanooga, MSG John Russell from Bluff City, and SGT Otis Fox from Memphis. I understate when I say that being able to have a meal with them, with the Tennessee flag up next to us, made me and Tennessee quite proud.

The next day we spent in Iraq where, as I mentioned, we met with Ambassador Bremer and his staff. This is a view from the ground from where we were 8 to 9 days ago. He made very clear he is encouraged by the caliber of the new Iraqi interim government. It was in that meeting that I realized much of the responsibility for sovereignty has already taken place. The new ministers are actually up and running right now.

We also had an update on the Iraqi economy and reconstruction efforts, which, again, are doing much better

than what our media or a sampling of our media in the United States would ever imply. The statistics speak for themselves: Unemployment is nearly half of what it was before the war; inflation has been cut in half; oil production is nearly nine times higher than it was a year ago at this time; bank deposits are up; microcredit loans are flowing.

From a medical standpoint, 85 percent of the Iraqi children have been immunized, and 240 hospitals—all of the hospitals—have been opened. As we walked through hospitals, they are open and serving people. There is actually some very good equipment there that Saddam had purchased, but it was sitting in containers for years and years after he purchased it and left in the hallways. That equipment is now being brought online.

Over 1,200 preventive medical clinics are operating. The CPA and the coalition forces have completed over 18,000 individual reconstruction projects. About $7 billion to $8 billion of the reconstruction money has been committed as of June 5.

We also learned that the reconstruction money which is so important in terms of giving hope to the Iraqi people but also in rebuilding the infrastructure has begun to flow much more freely now that a lot of the contracting issues have been worked out on the ground. These projects are going a long way in terms of reinvigorating the Iraqi economy, getting the country back on its feet, and giving hope to that individual Iraqi person or that individual Iraqi family after decades of neglect of this infrastructure, with no hope for decades because of Saddam Hussein.

Reducing unemployment is a critical need. That is why the reconstruction money, in part, is so important. Unemployment must be improved before we will have a truly secure situation on the ground. It is critical to move toward a full-blown democracy in Iraq.

I mentioned I had the opportunity to meet with Dr. Allawi, who I was very impressed with. He is a British trained neurologist, a longstanding opponent of Saddam Hussein's regime. He is the new Prime Minister. He will serve for the next 6 months. He is a man of great character. He shares our strategic goals and approach. He had talked to his country the day before and was covered extensively by the media in that part of the world. He talked about the sacrifice the United States has made, the fact that, yes, the security and elections are first and foremost, but it will be important to have the coalition forces and the United States present as we turn over to sovereignty but also help them rebuild their police forces and rebuild their military. We were the first delegation to have the opportunity to meet with Dr. Allawi, and, again, we were very impressed. I will say more about that meeting tomorrow.

Regarding the cabinet itself and the 33 ministers, I asked the people on the ground about the 33 ministers who have been appointed. They are a broad, very educated group, very diverse group, geographically representative. There are six women. Two out of three have Ph.D.s. It seems to be both from a civilian—the Iraqi people—and a military viewpoint there is a tremendous amount of respect for the quality and the caliber of this cabinet.

A highlight for me personally, which occurred later in the day, was to visit the U.S. military hospital in Baghdad. Again, as a physician, it was invigorating to be able to meet our doctors and our nurses, our thoracic surgeons, our vascular surgeons who are treating anywhere from 70 to 100 patients in that facility every day.

We were able to meet a number of our service members who were being treated in the hospital who had been injured in the last several days. Again, to see their real patriotism, their pride, their optimism, even though they had just been injured the day before, was really gratifying.

I met with Greg Kidwell, a soldier from Clarksville, TN, who is serving in the military and serving his country by caring for patients in the hospital. It is a very impressive hospital facility. As a physician, as someone who spent 20 years in hospitals, this is top-notch, high-quality care from some of the most competent and dedicated professionals our country can muster.

Following the visit to the hospital, we visited with the 1st Armored Division near Baghdad. We had lunch with soldiers from the 1st Armored Division. Again, a number of Tennesseans who worked with the 1st Armored Division, such as SP Tim Griswold of Fayetteville, MSG Ron Miller of Clarksville, CAPT Mike Loveall of Gallatin, and SP Michael Johnson of Chattanooga were there. We were joined by several other soldiers from the 168th Military Police Battalion from Tennessee as well.

Afterwards, we were briefed by senior officers from the division. They gave us an overview of the situation, which was interesting because it was their responsibility to address the soldier militias. We had the opportunity to talk to them. This was several days after they had a huge amount of success in terms of addressing and defeating many of Muqtada al Sadr's militias in a number of cities throughout the south, having been moved from Baghdad down south. It is clear to them, and everybody we talked to, that Sadr is not supported by most Iraqis, but only by the disenfranchised and a fringe element.

Quite clearly, we owe the success of the 1st Armored Division to the competency, training, and motivation of our soldiers, and the overall success in all these activities to the success of our soldiers and our marines who risk their lives on a daily basis to bring freedom and democracy to Iraq.

Later that afternoon, we journeyed to the headquarters of the Multinational Forces Iraq, which was formerly the CJTF–7. Again, we had a comprehensive overview of the situation in Iraq. We left there impressed with our troops, with their character, with their courage, and with their determination to so selflessly accomplish their assigned mission. They are answering the call to duty to bring freedom and security so others may live free of tyranny.

I say all this saddened and well aware of the news that was presented last Friday, Saturday, and Sunday; and that is, this increased level of terrorism and violence in Iraq, including the murder of the Deputy Foreign Minister, Bassam Salih Kubba, which is a terrible loss. But we must be aware of and I think it is important for the American people to understand both what we were told and what we saw. We were told by our military commanders, we were told by the Prime Minister, and we were told by the President of Iraq, who was here this past week, that there is going to be an increased level of terrorist activity. The terrorists want to defeat—they say the United States and they say the coalition, but they want to defeat any government, any governing authority. So that level of terrorism is likely. We should not be surprised if it increases between now and June 30, and indeed after sovereignty is passed off to the Iraqis in the weeks after the new government takes hold.

After June 30, the relationship between the United States and Iraq is going to be one of a strategic partnership, as we move from an occupying force to that of a mission and a very large embassy there. Our focus is going to be twofold. No. 1 is going to be security and No. 2 is to make sure, in terms of a strategic partnership, that these elections occur and that they occur in a free and fair way. So it is security and elections. That is what the focus will be over the next 6 months.

We, of course, will continue with the reconstruction progress that has been made, improving the Iraqi economy. At the same time, we will continue to fight terrorism now in partnership with the interim Iraqi government. The terrorists want, and the terrorists have as their objective, to derail the sovereignty to the Iraqi people. They are targeting the growing middle class in Iraq. They want to keep Iraqis out of voting booths. They want to keep them out of hospitals. They want to keep them out of schools. They want to keep them out of markets. And they want to accomplish that through fear.

But it is clear, in talking to the Iraqi people and the civilians and our military, that they simply are not going to succeed. That is what we left with: They simply are not going to succeed. Most Iraqis do not support these groups. They understand the terrorists are attacking the people of Iraq. It is going to be very helpful that when the Prime Minister, who had not met anybody from our legislative branch—the first words he said to me and to the Iraqi people were, using the Iraqi voice:

The terrorists are not after you, the United States, and not even after the coalition. The terrorists are after the Iraqi people. Every action—blowing up an oil line, blowing up a water line—hurts the Iraqi people, not the United States and not the coalition itself. That voice coming from the Iraqi leadership I think will be hugely helpful.

Iraqis do not like the U.S. occupation in and of itself. They are a proud people and they want that sovereignty. Yes, we are going from occupation to mission. Iraqis do want freedom. They do want democracy. But the President this week, with whom many of us had the opportunity to meet, and the Prime Minister said the goal is democracy.

Last week—and I will close shortly—the U.N. Security Council unanimously approved a new U.S. resolution. The resolution outlines that transfer of sovereignty to the new interim Iraqi government and the role of the coalition forces after June 30. The world community is now united behind the Iraqi people, and with every passing day the Iraqi people, with the coalition's help, are building the capacity to govern themselves.

As in the past, we must stay the course. We will stay the course. We will keep true to the principles. We will have continued faith in our superb Armed Forces. We know that history in the end will be on our side.

Mr. President, I yield the floor.

## RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the unused leadership time is reserved.

## MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with the time equally divided between the two leaders or their designees.

Who seeks recognition?

The Senator from Wyoming.

## IRAQ

Mr. THOMAS. Mr. President, I was very pleased to hear about the leader's trip to Iraq. Having been there several months ago, I think things have changed some, certainly. I think they are even stronger there than they were and things are better than we hear about here. So I say to the majority leader, I am delighted you were there.

## DEFINING THE ISSUES

Mr. THOMAS. Mr. President, we are faced now with a relatively short period of time to finish our work for this year. We are down to a certain number of weeks—not very many—to do many things. We have a short time to finish the jobs that need to be finished. So I wish to comment a little on some of the things I have been thinking about in terms of the broader aspect of what our responsibilities are in the Senate.

In the Senate, we are faced, of course, with many and varied issues. We have to deal with all kinds of things that happen and all kinds of issues that are brought up which are very legitimate. I guess this is my point: Our job is also to define the kinds of issues that are appropriate to be handled in the Senate, to be handled in the Congress, to be a part of the Federal activity.

Sometimes I think we find ourselves having all kinds of issues come up in this Chamber which one could question as to whether this is the role of the Federal Government. Of course, our basic decisionmaking comes from the Constitution. But the Constitution is obviously fairly broad in its terms, so there is always a different kind of feeling, a different definition for what are the appropriate roles, the appropriate issues in which the Federal Government should be involved.

I guess I am sometimes reminded that the Federal Government is only one of the functions that we have in this country to carry out the leadership and the activities for our country.

It is the United States of America, so that the Federal Government's role is to bring together those things that affect a number of States, and the States to do those things that are involved in their State. They are closer to the people in the State.

We also, of course, have county governments. We have State governments, and we have city governments. We have nongovernmental units. We have voluntarism. We have all kinds of things that are there.

One of the elements of our work is to decide what should be treated as legitimate Federal issues and the kind with which we should be concerned here. I think we are challenged every day with that kind of definition. I am not going to try to cite all the different ones that come up, but I can tell you there are things that come up that you would have a hard time saying: Hey, that is the role of the Federal Government to decide.

It is particularly appropriate to bring this up, after having spent the weekend celebrating Ronald Reagan's work as President and the job he did in leadership. His basic thought, you remember, all through his whole involvement was less government rather than more and wanting it to be more efficient rather than less efficient. So it does seem appropriate that we talk about those kinds of things as we go about our struggle.

We are involved now, for instance, with the establishment of a budget. Frankly, a lot of people say: What do you want a budget for; you don't pay any attention to it anyway.

That isn't true. The budget is kind of that definition of where we are going, and the Federal Government has some control in that if you go beyond the budget in the appropriations process, which often happens, then there is the defense mechanism that you can raise a point of order where it takes 60 votes to get it passed. So it is interesting to me that now we are having time for the budget. In fact, time for the budget has actually passed. Remember, this is the fiscal year that ends at the end of September, and we are supposed to have all of our appropriations finished by that time. To do that, you really should have a budget. And we are here on the cusp of having a budget, yet with some fairly insignificant differences why we are held up and don't have one.

I was struck the other day by reading a little quote from James Madison. He said:

> In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place, oblige it to control itself.

That is difficult, a large event like we have in the Federal Government, to control the size and the activities of the Federal Government. So I think in many ways it has grown beyond what most people would have envisioned in years past. Whenever there seems to be a problem here, now we have continued to create the notion that you need some money for this, you need some money for that on the local level. Let's get the Federal Government to pay it. Then, on the other hand, we say: taxes are too high. Why should we be paying this much?

So there is this built-in contradiction that is always there. But we need to take a look at the dollars spent. We need to take a look at the size of the Federal Government, the number of employees in the Federal Government, the number of agencies we have, and more difficult than anything else is to kind of keep track of the number of programs that are funded by the Federal Government. It is difficult sometimes.

One of the difficulties is programs become established, and they continue. Times change. What was appropriate to do 10, 15 years ago may not be appropriate now, but it seems to be very difficult to ever do anything about the programs that exist, that sort of perpetuate themselves.

So I think it really is interesting to deal with this issue and, again, to think about the role of the Federal Government.

We are doing something in the committee that I chair, the Parks Subcommittee, where we have more and more heritage areas. We find ourselves having heritage areas most everywhere, and you get a little advantage locally. I understand that. But we are trying now to put down the definition of what a national heritage area ought to be. There are State heritage areas; there are local heritage areas; and then there are national ones, each of which has different characteristics. So these

are the kinds of things at which I believe we have to continue to look.

As we have grown, I wanted to bring a little exhibit. I asked the general services office to make for me a list of all the programs that are federally funded. This is the book of federally funded programs. I am not saying they are not all excellent, but I am saying this thing continues to get bigger, continues to get larger, continues to have more and more programs and not much of an effort to go back and evaluate them to see if they are still appropriate, to see if they need to be changed, to see, indeed, if they need to be there. We don't really evaluate as closely as we might the new programs that are thrown out there, whatever they may be, to see, is this an appropriate thing for us to do at the Federal level or, indeed, should it be done somewhere else.

So I have been feeling fairly strongly about this point. I am not sure we all recognize the size of the things that we do have. For example, how many employees do you suppose there are in the Federal Government? Quite a few? Yes, about 1.9 million. It has gone up the first part of this administration, and now it went down by about 29,000. Now it is 1.861 million employees. And they are good employees, I understand that. I am not critical of the employees. But I am saying this is the size of the Government. We try to do some things to hold down the size, to hold down the spending. Maybe even more importantly is to keep Government as close as can be to the governed. I think we see this regionally quite a bit.

I happen to be from a State in the West, a small population State. The kinds of programs, the kinds of administration, the kinds of governmental activities you need in our State are quite different from what they are in New York City or in Philadelphia. So having it closer to the people allows for the kinds of changes that need to be there. We are concerned about spending. Indeed, we should be. We spent, last year, about $826 billion on discretionary programs, not defense and those others. As a matter of fact, nonmilitary spending last year was up 8.7 percent over the last 2 years. So that is an awful lot of dough.

At any rate, I just couldn't resist the idea of saying, let's take a little look at each of these programs, and let's see if they are still current, if they are still doing the job they were designed to do, if they are appropriate to be done on the Federal level as opposed to some other level of government, and what can we do to make them even more efficient.

I was very impressed over the weekend with all of our recognition of President Reagan, his efforts to sort of do some of these things, keep them as small as possible, keep them as appropriate as possible. I think it is a job that we have as well, and one that I hope we will take up with more vigor.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Arizona.

## ENDING THE COLD WAR

Mr. KYL. Mr. President, I, too, would like to comment on one of the legacies of our late President Ronald Reagan, the legacy of ensuring that the free world would prevail over the Soviet Union in the cold war.

I thought it was interesting that in one of the comments about Reagan very recently made on National Public Radio, June 8 of this year, Mr. Gennady Gerasimov, spokesman for Mikhail Gorbachev, said this:

> I see President Reagan as a grave digger of the Soviet Union and the spade that he used to prepare this grave was SDI, a Strategic Defense Initiative, so-called ''Star Wars.'' The trick was that the Soviet leadership believed that this SDI defense is possible and then—because it's possible, we must catch up with the Americans. And this was an invitation to the arms race, and the Soviet economy could not really afford it and this way Reagan really contributed to the demise of the Soviet Union.

Who better to know that than the spokesmen for Mikhail Gorbachev who have said similar things? Twenty-one years ago, President Reagan posed a very important question to the American people. He asked us to consider whether the free people of the world should continue to have to rely upon the threat of a massive retaliation of nuclear weapons to prevent an attack by the opposition. He asked: What would it take to free the world from this threat? He answered as follows:

> I know this is a formidable, technical task, one that may not be accomplished before the end of this century. Yet, current technology has attained a level of sophistication where it's reasonable for us to begin this effort. It will take years, probably decades of effort on many fronts. There will be failures and setbacks, just as there will be successes and breakthroughs. . . . But isn't it worth every investment necessary to free the world from the threat of nuclear war? We know it is.

We began making that investment. It was one of the reasons we had a deficit during the Reagan years. It was part of the so-called defense buildup, to invest billions of dollars in the research—yes, there were failures, but there were many successes—to develop a Strategic Defense Initiative, an ability to defend ourselves against a ballistic missile attack from an enemy. A lot of Americans probably think we developed that strategic defense, that we have that capability today. They might remember that during the first Persian Gulf war Patriot missiles shot down some of the Scuds that were fired by Saddam Hussein.

But the grim reality is strategic defense is still not a reality. We still don't have the ability to defend against a missile attack. What happened during the Persian Gulf war? We used an air defense system to shoot down airplanes, and in the field, literally, as we shipped it from the United States to Israel and to Saudi Arabia and to Kuwait, made modifications in it so that we hoped it might work to shoot down some of the missiles that Saddam Hussein shot toward Saudi Arabia and Kuwait. In fact, some of those missiles—roughly a third of them—were intercepted by the Patriot. It was a crude weapon that was modified in the field. It had never been tested against other missiles. Yet we used what we had at the time because of the threat that existed.

Throughout the Clinton years and the first Bush administration, research continued. Every time we got close to, as they say, bending metal, actually building a missile, somebody would object and say we are not quite there yet. We haven't proven it can work. It is going to cost a lot of money, or the Russians—then the Soviets—might be unhappy with it.

After the demise of the Soviet Union, we agreed to scrap the ABM Treaty, and both President Putin and President Bush agreed that there was no need for a treaty that would define how many missiles each country could have and how many nuclear warheads because, frankly, we didn't have the need for them anymore and they were costly to maintain. We would destroy as many of ours as we wanted to destroy, and they could destroy all of theirs that they wanted to destroy. It was too expensive to keep around. There are still some. There are still some in Russia, I might add, where some believe it still might be worth trying to develop this offensive capability because the U.S. has never deployed a ballistic missile defense. There are those in China who believe the same thing, and also in North Korea, who I suspect believe we are bluffing.

Let me quote something from a high-ranking official in Iran, from Iran's clerical hierarchy, delivered at Tehran's Al-Hussein University very recently, and reported in the May 28 edition of a newspaper in London:

> We have a strategy drawn up for the destruction of Anglo-Saxon civilization and for the uprooting of the Americans and the English. The global infidel front is a front against Allah and the Muslims, and we must make use of everything we have at hand to strike at this front, by means of our suicide operations or by means of our missiles. There are 29 sensitive sites in the U.S. and in the West. We have already spied on these sites and we know how we are going to attack them.

There is more that we could bring to the information from the intelligence community, that is open material that we are all aware involve plans by leaders in North Korea, Iran, and other places to try to develop missile technology and nuclear technology to attack places such as the United States. The North Koreans already have the capacity to attack Hawaii and Alaska, and we don't yet have a missile defense system in place to stop it.

Thanks to President Bush and the efforts of the Congress and the missile act that we passed, we have put into place a program to actually develop and deploy a missile defense system. It

is not the be-all and end-all. It would not destroy everything the Soviet Union used to be able to use against us, but it would stop the kinds of missiles that North Korea, Iran, and perhaps others might want to send our way.

Yet today we are at a crossroads. We begin debating today the Defense Authorization Act and expect amendments to be offered once again to cut the heart out of the missile defense program, prevent it from being deployed to actually be able to shoot down the missiles of an attacking country. It is interesting what is at work here. I say cut the heart out. They want to cut out over half a billion dollars—$515.5 million—from the missile defense program. Why? They claim it hasn't yet been operationally tested. What does operational testing mean? It means you take it out of the laboratory kind of testing and put it into the ground; put the missile into the silo, and you run against it a real test with an offensive missile like the one you want to be able to defend against and see if you can knock it down. That is real operational testing, battlefield conditions.

Sometimes you cannot afford to do that kind of testing, and you have to go with what you have just as we did in the first Persian Gulf war. There are other examples. The JSTAR is a program that had never been operationally tested, but we found that we needed it and, as a result—it is the Joint Surveillance and Target Attack Radar System, which is an aircraft that played an important role in the 1991 Persian Gulf war by providing warning to forces on the ground when the Iraqi military was on the move. This had never been tested. JSTAR was in preproduction; it was a preproduction aircraft. They literally had to outfit it on the way to the theater. We used it and it worked.

The Predator is another example, and the Global Hawk. Unmanned aerial vehicles have been valuable assets on the war on terrorism. They were not operationally tested. They were hardly ready for use, but we needed something that could do what they did. That is the way it is with missile defense today. We need to have the ability to shoot down a missile aimed at us by, for example, Iran or North Korea or some other enemy that might think we are bluffing.

What about this claim that it hasn't been operationally tested? Mr. President, this is how we operationally test it. We put it into the silo, erect the radars, send a target missile against it, and see if it will work. We have had many tests—something like 18 tests, and all of the most recent tests have been successful. We are quite confident it will work. It needs to be tested in battlefield conditions, and this is the way to get it done. But the cuts that are being proposed would prevent us from buying the number of missiles we need in order to conduct this testing and still have enough left in the ground to prevent an attack should there be one launched against us.

There is a basic catch-22 being imposed against us. That catch-22 is that you cannot deploy it until you can operationally test it, and you cannot test it until you deploy it.

It would be folly for us to support an amendment that would prevent us from fielding these missiles. Eventually, we are only talking about 20 interceptors based at Fort Greeley in Alaska and Vandenberg Air Force Base. The money that has been set aside for the first tranche of these missiles is already now producing the missiles to put in the first set of silos. We are now talking about the downpayment on the additional interceptors, No. 21 through No. 30. We have already cut the long lead procurement funding for interceptors No. 31 through 40. So we have already delayed that, which will make it much more costly.

The bottom line is, as we have been told by General Kadish—the general who runs this program—it will be much more time-consuming and expensive if we cut the money out of the budget this year to prevent the production of these missiles that are going to be needed both for operational testing, as well as to be prepared to defend against an enemy attack should it come.

The point I want to make today is this: The Soviet Union was brought to its knees because it believed President Reagan when he said we are going to develop a means of countering your most effective weapon, so you might as well not even try to spend the money and the effort and the time to create this program because we will be able to defeat you; we are not kidding.

It has been over 20 years since President Reagan made that announcement, and we still do not have the missiles in the ground. I am afraid some of our potential enemies are going to conclude that we were bluffing all along, that we do not have the will to spend the money and to put the program in place to provide this kind of defense.

The point of this defense is not just to be able to operationally test it and have it in the ground to stop a missile should one be launched against us, but to deter nations that might believe we are bluffing, to deter nations from spending the money to build these offensive weapons in the first place, to deter these leaders, these people in places such as North Korea and Iran, from concluding that if they will simply spend the money it will take to build the nuclear weaponry and the missiles to fire them, that we will somehow forget about developing missile defenses or conclude that it is too expensive, and the richest Nation on Earth, the Nation that has the financial capability of providing this kind of defense, will decide not to do it.

The point of our exercise today is to move forward with the bill that the committee has put before us. It is a good bill. The bill has an authorization for enough money to buy the next group of missiles we need to put in the silos for testing purposes, for the purpose of shooting down a missile should one be launched against us—we do not have that ability today—and third, to deter countries that might be thinking they can go ahead with the development of this kind of a system because the United States will never get around to deploying an effective missile defense system.

Now is the time for us to act. It is not the time for us to blink in the face of these dictatorial countries. Should we support the amendment that would cut the heart out of missile defense funding for this year, it would send a signal to these countries that the United States has been bluffing all along. We were not bluffing when Ronald Reagan made that important announcement. The Soviet Union understood that. Can we do any less today than to make it crystal clear to our would-be enemies that we are not bluffing, that we mean what we say, that we intend to protect America, that we intend to protect others who are our allies, and that we will not permit an offensive ballistic missile to strike our land and kill our people? To do anything else would be morally irresponsible.

As President Reagan said, if we have the capability of defending ourselves and preventing this kind of conflagration, should we not take advantage of that wonderful capability? I am optimistic about our ability, and I am confident about the American people, and I am sure they want us to confirm to the world that we mean what we say, just as Ronald Reagan meant what he said.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. I thank the Chair.

(The remarks of Mr. PRYOR pertaining to the introduction of S. 2516 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

## HONORING OUR ARMED FORCES

### STAFF SERGEANT ERICKSON H. PETTY

Mr. INHOFE. Mr. President, I rise today to honor the memory of a courageous Oklahoman who died saving the lives of his men. Staff Sergeant Erickson H. Petty grew up in Fort Gibson, where he graduated from high school in 1993. Eric, as he was known, aspired to military service early, enlisting in the Oklahoma Army National Guard when he was 17. Upon graduation, he joined the active duty Army, where he served for nearly 10 years.

Eric has an extremely successful career in the Army, serving as a recruiter for a time and as a scout in the 1st Armored Division. On May 3, Staff Sergeant Petty and his men were guarding a weapons cache in Salman Al Habb when they came under small arms fire. Petty ordered his soldiers into the protection of their Humvees, taking cover

last to ensure the safety of his men. That decision, which so clearly demonstrated his sacrificial leadership, cost him his life.

Staff Sergeant Petty had two passions: his family and his country. Those who speak of him constantly refer to his devotion to his wife Kimberly, and especially to Colton, his 9-year-old son. In the words of a longtime friend, his relationship with his son was ''his center.'' Still, the call of duty was strong. Staff Sergeant Petty had the option to stay a recruiter, to stay with his family. He chose to serve, and for our sakes gave up safety, family, and finally his life.

America needs more committed servants like Staff Sergeant Petty. His life and death stand as a clear example of what it means to be a patriot, even at great cost. Eric Petty heeded his country's call, and for that we are all grateful. We would do well to remember his sacrifice as we celebrate his commitment to family, friends, and nation. He was Oklahoma's son and America's hero—Staff Sergeant Eric Petty.

SPECIALIST JAMES E. MARSHALL

Mr. President, I also pay homage to Army Specialist James E. Marshall, who last month made the ultimate sacrifice for his country—his life. Although he was only 19 years old, Specialist Marshall was a dedicated defender of America and knew the value of freedom and the sacrifices freedom sometimes demands. For his service and his sacrifice, I am proud to honor him on the Senate floor today.

Specialist Marshall was a member of the First Battalion, 21st Field Artillery Regiment, of the First Cavalry Division based at Fort Hood, TX. A native Oklahoma from my hometown of Tulsa, Marshall was raised by his mother, Pamela. Specialist Marshall and his mother were very close; indeed, he pursued military service both to protect his country and to help provide for her, as she had done for him for so many years. We hold her in our prayers.

During his senior year, when classmates were pursuing scholarships and jobs, James Marshall was planning a different route. He had been considering military service for some time, and he saw it as an opportunity for personal development and a chance to prove himself.

Specialist Marshall died tragically on May 5 when the vehicle he and a fellow soldier were riding in was struck by an improvised explosive device in Baghdad, Iraq. On behalf of the U.S. Senate, I ask that we now pay tribute to James Marshall, who knew the true meaning of service and sacrifice. I am proud of him, and proud of his demonstrated commitment to winning the freedom of those he did not know. We will not forget this Oklahoma hero, this American patriot—Specialist James Marshall.

CORPORAL SCOTT MICHAEL VINCENT

Mr. President, I rise today to honor the memory of a remarkable man. Corporal Scott Michael Vincent was a classic Oklahoman: a hard worker and a leader who was dedicated to his family, his faith, and his country.

Corporal Vincent hailed from one of Oklahoma's great small communities, Bokoshe, where he graduated from Bokoshe High in 2000. He had longtime aspirations to join the Marine Corps. When choosing a quote for his high school yearbook, he selected ''semper fidelis,'' the Marine Corps slogan he exemplified through his life—and his death. He achieved his goal of serving with the Corps when he joined last year, completing a tour in Afghanistan before volunteering for an extra tour in Iraq.

On Friday, April 30, Corporal Vincent was serving as a scout near Fallujah, in Iraq's Al Anbar province. While his unit was halted, a suicide bomber approached his vehicle from the rear and detonated his explosive device. Corporal Vincent and one other marine were killed, and six of their comrades were wounded.

Scott Vincent's remarkable life was confirmed by the way people in his hometown reacted to his death. Over 400 people in a town of 405 came to funeral services on May 6. Our small towns are like families, and they are the fertile ground from which outstanding, selfless leaders like Corporal Vincent emerge to take on the mantle of service to their nation.

In this time of trouble, we remember Corporal Vincent. We remember his family, and we grieve with them for their fallen son. In his life and his death, he set a high standard for all of us to follow. We will never forget him—Corporal Scott Michael Vincent.

CHIEF WARRANT OFFICER TWO LAWRENCE S. COLTON

Mr. President, I rise today to honor the memory of a courageous Oklahoman who gave his life in defense of his Nation and his fellow soldiers. Chief Warrant Officer Two Lawrence Shane Colton hailed from Guthrie, OK. Shane was serving as an attack helicopter pilot in Iraq with the 1st Armored Cavalry division's Company C, 1st Battalion, 227th Aviation Regiment.

Shane joined the military as a clerk in 1992, eventually working his way up to Staff Sergeant and then through Warrant Officer Candidate School. He was highly decorated and regarded as a skilled and capable pilot by his fellow soldiers. On Easter Sunday, April 11, CW2 Colton and CW3 Chuck Fortenberry answered a call for help: a Coalition convoy had been ambushed after being halted by an improvised explosive device. The soldiers were pinned down under heavy fire and significantly outnumbered, and in desperation they called for relief. Shane and Chuck headed right for the scene of the battle and opened fire on the insurgent positions with 30-millimeter chain guns, killing many of the terrorists and destroying a building they were using. The convoy was able to escape, but the Apache was shot down by a small surface-to-air missile, and their rescuers were lost with it.

Shane was a man beloved by his friends and fellow soldiers because of his selflessness and optimism. To quote one of his comrades,

> Shane would help you whenever you needed it too. If you had a problem with your car all you had to do was call him up and he would be there. He was also a whiz on computers and electronics. If it was broke he could fix it. The best thing about Shane was his attitude. No matter how crappy things were he always had a smile on his face and would say something to make you feel better.

Chief Warrant Officer 2 Colton was 32 years old when he lost his life. He left a young family to defend his country, knowing full well the risk he was taking. Ultimately, his commitment to his fellow Americans in Baghdad and at home would require his life. I know his friends and family realize that he died a true hero, worthy of the respect and gratitude of every American. They will miss him dearly, and our thoughts and prayers are with them today, particularly with his wife Inge and their children Jennifer and Lance, and with his parents Loren and Kathy Colton. And though we are all grieved by the loss of this man, we shall never cease to be proud of him—Oklahoma's son and America's hero—Chief Warrant Officer 2 Lawrence ''Shane'' Colton.

Mr. ALLARD. Mr. President, I request 10 minutes in morning business.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ALLARD. Mr. President, I rise today to pay tribute to a distinguished American. Lieutenant General Ronald T. Kadish, United States Air Force, will soon be retiring from the U.S. military after 34 years of exceptional service to our Nation.

Many of my colleagues have come to know and respect General Kadish. Over the past 5 years, he has served as the Pentagon's Director of the Missile Defense Agency and the Program Manager for the Ballistic Missile Defense System. General Kadish's performance as Director has been nothing short of superb.

Throughout his unprecedented 5-year tour of duty, General Kadish applied his unparalleled experience and knowledge of public and private industry in the pursuit of effective defenses against enemy ballistic missiles.

He succeeded in motivating and aligning our political, scientific, and engineering communities to tackle the challenges of evolving a layered, mulitnational missile defense capability. And, he succeeded in transforming and focusing a large defense bureaucracy into a true joint planning, joint operating system acquisition and business activity.

Today, because of his singular and tireless efforts, we stand on the threshold of eliminating our Nation's longstanding vulnerability to the very real threat of ballistic missile attack.

General Kadish was commissioned into the Air Force in 1970 after completing the Reserve Officers Training

Corps program at St. Joseph's University in Philadelphia, PA. He went on to earn his master's of business administration at the University of Utah, and continued his professional military education at the Air University, the Industrial College of the Armed Forces, and the Defense Systems Management College.

In the early 1970s and 1980s, he was a pilot and instructor for the C–130 aircraft and served in tactical airlift squadrons in the United States and Germany. Over his career, he flew more than 2,500 hours in aircraft that form the airlift and fighter backbone of our Air Force—the C–130s and C–17s, and the F–15s and F–16s, respectively.

As a young acquisition professional, he participated in the Education-with-Industry program in Dallas with the Vought Corporation, and then got 3 years of hands-on management experience in the F–16 development program. A few years later, he was appointed the director of manufacturing and quality assurance for the B–1B bomber, one of the most technologically complex production efforts ever undertaken by our Nation up to that time.

The Air Force later called upon his managerial talents to serve in three successive high visibility, high pressure, and high impact positions as program director for the F–15 fighter, the F–16 fighter, and the C–17 military transport acquisition programs.

Some of my colleagues will remember the developmental difficulties the C–17 program faced. It was General Kadish's expertise that straightened out this troubled program. Our troops in Iraq and Afghanistan, and indeed in all points of the globe, remain the beneficiaries of his managerial accomplishment.

As the current Bush administration came into office, Secretary Rumsfeld looked to General Kadish to lead a major transformation of the Ballistic Missile Defense program. The daunting task of realigning a multi-billion-dollar, cutting-edge defense technology program into a streamlined, capability-focused effort did not deter General Kadish. His charge was to produce reliable defenses that will protect our citizens and friends across the globe from the growing threat posed by ballistic missiles. We are on the threshold of providing that capability as I speak.

Armed with his 20-plus years of military acquisition experience, it was clear to General Kadish that enhanced authorities and improved techniques were needed to accomplish the mission. General Kadish was never satisfied with business as usual when a better way could be found. Bureaucratic change is tough enough to execute under any circumstance. It is doubly so in a culture reinforced by longstanding legal requirements and administrative procedures. Add to that a measure of healthy and vocal skepticism from critics, and his missile defense transformation achievements stand out in stark relief.

Defense acquisition has historically been an activity carried out by the individual military services. General Kadish has broadened that vision by pioneering a joint acquisition strategy for the Department of Defense. This approach has been more responsive to the needs of our troops, more effective for the funds under his charge, and more attuned to the complexities of missile defense, than traditionally could have been possible. He leaves an important legacy of example and accomplishment for those who follow, inspiring a new generation of program managers for the joint arena.

In so doing, General Kadish earned the trust and respect of his associates in the Pentagon and my colleagues here in the Senate. We could always count on him to be clear in his goals, demanding in his standards, and forthright in acknowledging issues. He never promised more than he could deliver.

Indeed, one of my distinguished colleagues in this body, a declared skeptic of the missile defense program, has called him ''a class act.'' I, personally, am privileged to be able to call him a friend, and to have him as a thoughtful and experienced advisor.

We will miss his leadership and his counsel as he moves on to a most well-earned retirement from the Air Force. We owe him a profound debt of gratitude and deep thanks for his extraordinary contributions to our Nation and our Nation's security over a lifetime of selfless service. I am sure I speak for all of us in this body in saying we wish him and his family health and happiness in the years ahead.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2400, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2400) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and other purposes.

Pending:

Kennedy amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the robust nuclear earth penetrator, RNEP.

Mr. WARNER. We are hopeful to get off to a vigorous start this afternoon. In consultation with the leadership on both sides at a later time, we will confirm the likelihood of at least one, and possibly two, votes occurring sometime after 5 o'clock. We will address that later.

At this time, the distinguished Senator from Colorado is going to lay down an amendment which could result in a second degree; then colleagues on the other side, and the distinguished Senator from Nevada, will lay down an amendment. We will have a flurry of activity for a little while.

I congratulate the distinguished majority leader for a very fine set of remarks regarding his trip. For those Senators who were not able to hear the remarks, I hope they will take the time to examine them in the RECORD. It is a very helpful perspective about the current situation in Iraq. I found it encouraging and upbeat.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. What is our order of business?

The PRESIDING OFFICER. The Kennedy amendment is pending.

Mr. ALLARD. I ask unanimous consent that we lay aside the Kennedy amendment so I can send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3322

Mr. ALLARD. Mr. President, I call up amendment No. 3322.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. ALLARD] proposes an amendment numbered 3322.

Mr. ALLARD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To promote international cooperation on missile defense)

On page 280, after line 22, insert the following:

**SEC. 1068. MISSILE DEFENSE COOPERATION.**

(a) DEPARTMENT OF STATE PROCEDURES FOR EXPEDITED REVIEW OF LICENSES FOR THE TRANSFER OF DEFENSE ITEMS RELATED TO MISSILE DEFENSE.—

(1) EXPEDITED PROCEDURES.—The Secretary of State shall, in consultation with the Secretary of Defense, establish procedures for considering technical assistance agreements and related amendments and munitions license applications for the export of defense items related to missile defense not later than 30 days after receiving such agreements, amendments, and munitions license applications, except in cases in which the Secretary of State determines that additional time is required to complete a review

of a technical assistance agreement or related amendment or a munitions license application for foreign policy or national security reasons, including concerns regarding the proliferation of ballistic missile technology.

(2) STUDY ON COMPREHENSIVE AUTHORIZATIONS FOR MISSILE DEFENSE.—The Secretary of State shall, in consultation with the Secretary of Defense, examine the feasibility of providing major project authorizations for programs related to missile defense similar to the comprehensive export authorization specified in section 126.14 of the International Traffic in Arms Regulations (section 126.14 of title 22, Code of Federal Regulations).

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives a report on—

(A) the implementation of the expedited procedures required under paragraph (1); and

(B) the feasibility of providing the major project authorization for projects related to missile defense described in paragraph (2).

(b) DEPARTMENT OF DEFENSE PROCEDURES FOR EXPEDITED REVIEW OF LICENSES FOR THE TRANSFER OF DEFENSE ITEMS RELATED TO MISSILE DEFENSE.—

(1) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, prescribe procedures to increase the efficiency and transparency of the practices used by the Department of Defense to review technical assistance agreements and related amendments and munitions license applications related to international cooperation on missile defense that are referred to the Department.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives a report—

(A) describing actions taken by the Secretary of Defense to coordinate with the Secretary of State the establishment of the expedited review process described in subsection (a)(1);

(B) identifying key defense items related to missile defense that are suitable for comprehensive licensing procedures; and

(C) describing the procedures prescribed pursuant to paragraph (1).

(c) DEFINITION OF DEFENSE ITEMS.—In this section, the term ''defense items'' has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A)).

Mr. ALLARD. I rise today to offer this amendment in order to draw attention to the importance of encouraging missile defense international cooperation.

My amendment accomplishes the following: First, it requires the Secretary of State, in consultation with the Secretary of Defense, to establish an expedited process for considering the transfer of missile defense-related agreements and licenses within 30 days. The Secretary of State may use more time if he determines the proposed transfer necessitates a careful review to prevent the proliferation of U.S. ballistic missile technology.

Second, the amendment requires the Secretary of State, in consultation with the Secretary of Defense, to conduct a study on major project authorizations for missile defense. The purpose of this study would be to examine the feasibility of providing major project authorizations for projects related to missile defense.

Third, the amendment requires the Secretary of Defense to prescribe procedures to increase the efficiency and transparency of the practices used by the Department of Defense to review applications for technical assistance agreements and licenses related to missile defense.

These provisions are limited in scope and have been refined considerably over the last month. They are specifically designed to provide a mechanism for increasing our cooperation on missile defense with our closest allies.

Why is this amendment important? Why should we work with our closest allies on missile defense? Let me take a moment to explain why.

Widespread proliferation of ballistic missiles and illegal weapons technology is a major threat to the United States as we enter the 21st century. Today, unfortunately, the United States remains defenseless against a ballistic missile attack.

President Bush, who is committed to eliminating this vulnerability, has taken extraordinary measures to remove obstacles to developing a missile defense capability. The technology has been proven. The timing is right. As a result, the President's vision for a national missile defense system will likely become a reality this fall.

Yet we must acknowledge this complex system could become even more complicated without the assistance of other nations. We need early warning and tracking sensors in other countries in order to predict and intercept an incoming ballistic missile. We also need intelligence other countries may have on the activities of those who may threaten our Nation.

Without this information, it could become extremely difficult for us to defeat a ballistic missile attack. A prudent step on our part would then be to recognize the value of this assistance and exhibit a willingness to help those who have been so willing to help us.

We cannot forget that while the United States may have a legitimate missile defense capability, most of our allies do not. For example, Japan, Australia, and South Korea are perhaps more vulnerable than the United States due to their close proximity to the North Korean ballistic missile threat. Yet these three close allies are defenseless against most ballistic missile attacks. Our NATO allies in Europe are also vulnerable to a similar threat from the Middle East.

We also cannot forget hundreds of thousands of U.S. soldiers, sailors, airmen, and marines are deployed in many tough regions around the world, and many of these regions have rogue states that have substantial offensive ballistic missile capability. We cannot ignore this looming threat to our troops overseas. Having allies with missile defenses would greatly reduce the threat offensive ballistic missiles could pose against our troops overseas.

Some might suggest cooperation on missile defense could lead to the proliferation of ballistic missile technologies. This is a legitimate concern, and I certainly agree we must do everything we can to protect our most sensitive technologies. That is why I included in my amendment an exception that authorizes the Secretary of State to conduct an extended review of a proposed transfer if there is a concern about the transfer of ballistic missile technologies. None of us want to see ballistic missile technologies fall into the wrong hands.

We must recognize, though, that international cooperation on missile defense can greatly reduce the proliferation of ballistic missiles. It does so by directly devaluing the ballistic missile as an offensive weapon of terror. With missile defenses deployed, as in Operation Iraqi Freedom, an enemy can no longer be assured of success when considering a missile attack. It thus acts as a counterproliferation tool that forces our adversaries to think twice about investing billions of their scarce resources into ballistic missiles.

I commend President Bush for already taking the lead on international cooperation on missile defense. At his direction, the Pentagon is planning wide-ranging cooperative missile defense activities with the United Kingdom, Australia, Japan, Germany, Italy, other NATO allies, and friends. The Pentagon is also looking into other opportunities with Russia in the wake of the decision to cancel the Russian-American Observation Satellite, or what we refer to as the RAMOS Program.

Yet our Government has only limited experience with large-scale missile defense cooperation abroad. This limited experience has drawn out inefficiencies and problems that could limit cooperative missile defense programs. Here are two recent examples that have troubled me.

First, it took almost 6 months to execute the United States-Japanese cooperative program on the Aegis-based Standard Missile-3. This holdup was despite Japan's sterling nonproliferation reputation, a detailed United States and Japan memorandum of understanding, and a United States-Japanese exchange of diplomatic notes underpinning the MOU.

Similarly, for our joint operations centers in NORAD, where we conduct missile defense operator training and exercises, we require numerous special authorizations, taking months to review, to permit our industry experts to work with Canadian military operators already in place behind the computer

terminals providing missile defense early warning in Colorado Springs.

I believe we should be thinking beyond our own borders and begin looking at ways to assist our friends and allies. My amendment takes a small step forward in this direction. It still provides for a case-by-case review and permits a careful and close review of a transfer that might be of vital importance to our Nation. Perhaps most importantly, it upholds the virtue of our nonproliferation regimes and helps develop another counterproliferation tool for the President's use in the future.

I urge my colleagues to support this amendment.

I yield the floor.

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. ALLARD. I will yield to the Senator from Oklahoma.

Mr. REID. Mr. President, I have no objection to the Senator speaking, but he has no right to yield to him.

The PRESIDING OFFICER. The Senator may yield for a question.

Mr. ALLARD. I yield to the Senator from Oklahoma for a question.

Mr. INHOFE. Well, I appreciate that. First of all, I appreciate all the Senator from Colorado has done in this field.

I say to the Senator, in your statement, when you talked about that some of our allies, some of our friends, such as the Japanese, might be more susceptible because of their proximity to North Korea, I remind my colleagues what happened 6 years ago this coming August when the North Koreans did in fact fire a multistage rocket that had the capability of reaching the United States of America. So that threat is still there for us.

I was going to ask my colleague a couple questions about his amendment. But if somebody else desires the floor, that is perfectly all right.

Mr. REID. Mr. President, I have no objection if the Senator from Oklahoma wishes to speak. I am simply going to offer a second-degree amendment.

Mr. INHOFE. I will ask one question. In your amendment, you talked about 30 days for considering technical assistance agreements and licenses. Will you explain what that 30 days is and the significance of that?

Mr. ALLARD. Well, the 30-day mandate is to emphasize the importance of considering these agreements and licenses for international cooperation on missile defense in a timely manner, not being dragged out forever and ever. Too often, applications for technical assistance programs and licenses for missile defense are held up for months at a time, causing our allies needless frustrations, in my view.

The process is so cumbersome for missile defense agreements and licenses that it takes weeks to get an application approval for something as simple as permitting the British Ministry of Defense officials to attend the Missile Defense Agency's annual conference we have here in DC.

We are trying to bring a stroke of common sense in our cooperation with our allies. There are cases, obviously, when more time is needed. So the judgment can be applied by the Secretary of Defense, as well as the Secretary of State, to use more time to determine the feasibility of extending licensing agreements to our allies.

What we are trying to reach is a proper balance. There are times when it is not necessary to delay this for extended times. Sometimes we may take longer because of the type of technology we are dealing with. We are trying to have a proper balance so we can adequately protect our technical systems, defense systems, as well as to have a format out here so we can work in an effective manner with our friends and allies.

Mr. INHOFE. I thank the Senator.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 3449 TO AMENDMENT NO. 3322

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LEVIN, proposes an amendment numbered 3449 to amendment No. 3322.

Mr. REID. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress on the nonproliferation of ballistic missiles)

Beginning on page 2, line 4, of the amendment, strike "not later than 30 days" and all that follows through the end and insert "on an expedited basis, except in cases in which the Secretary of State determines that additional time is required to complete a review of a technical assistance agreement or related amendment or a munitions license application for foreign policy or national security reasons, including concerns regarding the proliferation of ballistic missile technology.

(2) STUDY ON COMPREHENSIVE AUTHORIZATIONS FOR MISSILE DEFENSE.—The Secretary of State shall, in consultation with the Secretary of Defense, examine the feasibility of providing major project authorizations for programs related to missile defense similar to the comprehensive export authorization specified in section 126.14 of the International Traffic in Arms Regulations (section 126.14 of title 22, Code of Federal Regulations).

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives a report on—

(A) the implementation of the expedited procedures required under paragraph (1); and

(B) the feasibility of providing the major project authorization for projects related to missile defense described in paragraph (2).

(b) DEPARTMENT OF DEFENSE PROCEDURES FOR EXPEDITED REVIEW OF LICENSES FOR THE TRANSFER OF DEFENSE ITEMS RELATED TO MISSILE DEFENSE.—

(1) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, prescribe procedures to increase the efficiency and transparency of the practices used by the Department of Defense to review technical assistance agreements and related amendments and munitions license applications related to international cooperation on missile defense that are referred to the Department.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives a report—

(A) describing actions taken by the Secretary of Defense to coordinate with the Secretary of State the establishment of the expedited review process described in subsection (a)(1);

(B) identifying key defense items related to missile defense that are suitable for comprehensive licensing procedures; and

(C) describing the procedures prescribed pursuant to paragraph (1).

(c) DEFINITION OF DEFENSE ITEMS.—In this section, the term "defense items" has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A)).

**SEC. 1069. POLICY ON NONPROLIFERATION OF BALLISTIC MISSILES.**

(a) POLICY.—It is the policy of the United States to develop, support, and strengthen international accords and other cooperative efforts to curtail the proliferation of ballistic missiles and related technologies which could threaten the territory of the United States, allies and friends of the United States, and deployed members of the Armed Forces of the United States with weapons of mass destruction.

(b) SENSE OF CONGRESS.—(1) Congress makes the following findings:

(A) Certain countries are seeking to acquire ballistic missiles and related technologies that could be used to attack the United States or place at risk United States interests, forward-deployed members of the Armed Forces, and allies and friends of the United States.

(B) Certain countries continue to actively transfer or sell ballistic missile technologies in contravention of standards of behavior established by the United States and allies and friends of the United States.

(C) The spread of ballistic missiles and related technologies worldwide has been slowed by a combination of national and international export controls, forward-looking diplomacy, and multilateral interdiction activities to restrict the development and transfer of such weapons and technologies.

(2) It is the sense of Congress that—

(A) the United States should vigorously pursue foreign policy initiatives aimed at eliminating, reducing, or retarding the proliferation of ballistic missiles and related technologies; and

(B) the United States and the international community should continue to support and strengthen established international accords and other cooperative efforts, including United Nations Security Council Resolution 1540 and the Missile Technology Control Regime, that are designed to eliminate, reduce, or retard the proliferation of ballistic missiles and related technologies.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 3292

Mr. REID. Mr. President, I ask unanimous consent that the amendment that is now pending be set aside and that I be allowed to call up Senator LEAHY's amendment No. 3292.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LEAHY, proposes an amendment numbered 3292.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend title 18, United States Code, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts)

At the appropriate place, and insert the following:

**SEC. _____. WAR PROFITEERING PREVENTION.**

(a) PROHIBITION OF PROFITEERING.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

**"§ 1038. War profiteering and fraud relating to military action, relief, and reconstruction efforts**

''(a) PROHIBITION.—

''(1) IN GENERAL.—Whoever, in any matter involving a contract or the provision of goods or services, directly or indirectly, in connection with the war, military action, or relief or reconstruction activities in Iraq, Afghanistan, or any other country in which members of the United States Armed Forces are engaged in any military or combat activities, knowingly and willfully—

''(A) executes or attempts to execute a scheme or artifice to defraud the United States or Iraq, Afghanistan, or such other country;

''(B) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

''(C) makes any materially false, fictitious, or fraudulent statements or representations, or makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; or

''(D) materially overvalues any good or service with the specific intent to excessively profit from the war, military action, or relief or reconstruction activities in Iraq, Afghanistan, or such other country,

shall be fined under paragraph (2), imprisoned not more than 20 years, or both.

''(2) FINE.—A person convicted of an offense under paragraph (1) may be fined the greater of—

''(A) $1,000,000; or

''(B) if such person derives profits or other proceeds from the offense, not more than twice the gross profits or other proceeds.

''(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

''(c) VENUE.—A prosecution for an offense under this section may be brought—

''(1) in accordance with chapter 211;

''(2) in any district where any act in furtherance of the offense took place; or

''(3) in any district where any party to the contract or provider of goods or services is located.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''1038. War profiteering and fraud relating to military action, relief, and reconstruction efforts.''

(c) CIVIL FORFEITURE.—Section 981(a)(1)(C) of title 18, United States Code, is amended by inserting ''1038,'' after ''1032,''.

(d) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by striking ''or 1030'' and inserting ''1030, or 1038''.

(e) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 1038 (relating to war profiteering and fraud relating to military action, relief, and reconstruction efforts),'' after ''liquidating agent of financial institution),''.

AMENDMENT NO. 3307

Mr. REID. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 3307.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3307.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require that any plan for compensation to individuals in military prisons in Iraq include provisions for compensation to former prisoners of war held by the regime of Saddam Hussein)

At the end of subtitle F of title X, insert the following:

**SEC. 1055. COMPENSATION FOR FORMER PRISONERS OF WAR.**

Any plan of the Secretary of Defense to provide compensation to an individual who was injured in a military prison under the control of the United States in Iraq shall include a provision to address the injuries suffered by the 17 citizens of the United States who were held as prisoners of war by the regime of Saddam Hussein during the First Gulf War.

Mr. REID. Mr. President, this amendment is very straightforward. The Secretary of Defense, in testimony to Congress several weeks ago, said that he is looking at ways to compensate the Iraqi nationals who were abused in American run prisons. I have no doubt that may be appropriate, but as the Defense Department considers its compensation plan, we should not forget about the American servicemen who were tortured and brutalized in this same prison, the Abu Ghraib prison, during the first Gulf War. I know many of my colleagues will remember the 17 American servicemen—including Colonel Jeff Tice from Las Vegas—who were captured and subjected to weeks of torture, beatings, electrocutions, starvation, and other despicable acts ordered by Saddam Hussein and carried out by the Iraqi intelligence service.

The Federal Government, unfortunately, has turned its back on these heroes. Instead of working with them to deliver some means of compensation for their many injuries,—in fact, the money at one time was Saddam Hussein's money—the Bush administration has been outmaneuvering them at every turn, fighting them in court, moving to vacate earlier judgments they received, and trying to quash any efforts to bring them some relief. In fact, just last week the judgment was rescinded.

I regret to say that the Justice Department has been effective, prevailing on the American POWs in this recent court of appeals case. The American POWs are back to square one. They have nothing except the permanent wounds which they suffered in Saddam's prisons.

My amendment says that as the Secretary develops the compensation plan for the Iraqi nationals, he also needs to include a provision which addresses the injuries suffered by brave American prisoners of war. I don't know what the provision will say or should say, but the Defense Department cannot continue to turn its back on the brave men we sent into battle. I welcome their entry into this debate. They have been silent about this issue for too long. Nothing about this amendment prevents the Iraqis from being compensated; it just asks for some fairness. Our own brave service men and women are entitled to it.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, before we started addressing the bill, the Senator from Nevada and I discussed this matter. I think we can work on this one. But the other amendment—I do not recall your mentioning that you were going to bring up a Leahy amendment.

Mr. REID. I did not specifically mention that. I said I would be offering an amendment. Senator LEAHY will not be here until Wednesday, so he asked that I lay it down. He will not be in the Senate until Wednesday. He has a personal situation that does not allow him to be here until the day after tomorrow. He asked me last week to do this.

Mr. WARNER. So there will be no further addressing of that amendment until Wednesday.

Mr. REID. Senator LEAHY will not be back until Wednesday.

Mr. WARNER. But you felt the necessity to it put it down now.

Mr. REID. Yes. He has been waiting around. He wanted to lay it down after Senator KENNEDY, but, of course, with the circumstances we have had, he has been unable to do that. The only amendment I did discuss with you was mine. I didn't discuss Senator DODD's.

Mr. WARNER. I understand. I discussed it with the Senator from Connecticut.

Mr. REID. I thought we were trying to get some amendments down. Some of them, the managers will decide, along with the leadership, as to votes that may even take place this evening. We can pick and choose what will be done with these other amendments. The only thing I mentioned to the distinguished chairman of the committee

is that it is our understanding the junior Senator from Idaho is going to lay down an amendment, which we have no objection to his laying that down, but we would not want to vote on that until there is a side-by-side with Senator CANTWELL. That is the issue that has held up this bill for some time.

Mr. WARNER. Mr. President, the distinguished leader made that very clear to me. It is just the Leahy amendment which caught me somewhat unprepared. I would hope I would have a chance to look at it.

Mr. REID. If the Senator is concerned, I would be happy to discuss this prior to laying down any future amendments.

Mr. WARNER. I would hope so.

Mr. REID. Senator LEAHY has been very patient.

Mr. WARNER. I am not suggesting that anyone else has been impatient. It is just the first we have heard of it. I would hope to have, as a matter of comity, an amendment from this side and an amendment from that side, and we would go back and forth and not have too many up here, gatekeepers to hold, have to lay them all aside seriatim.

Mr. REID. Maybe I should have waited until you offered one on the Republican side before I offered mine.

Mr. WARNER. The distinguished leader and I have never had a problem we could not work out. If this is a problem, we will work it out

Mr. REID. Our next amendment will be by the senior Senator from Connecticut.

Mr. WARNER. I understand. We are prepared to address that amendment. For the moment, I will take a look at the Leahy amendment and figure out if there is a problem, and then I will bring it to the Senator's attention.

I turn now to the Senator from Colorado, his second-degree amendment. Is he prepared to address that?

Mr. ALLARD. Mr. President, I haven't had an opportunity to review this particular amendment that I understand has just been laid down to my amendment, and I need a little time to review that. I did have another amendment that we are sharing with the other side, expecting them to introduce another amendment. I am going to have to take some time here and look at this particular amendment because I have not seen this amendment.

Mr. WARNER. I fully understand that. So that we can then have the efficiency of time, perhaps the Senator from Connecticut could then move to introduce his.

AMENDMENT NO. 3312, AS MODIFIED

Mr. DODD. Mr. President, I would be glad to. I am impressed by the distinguished chairman's indulgence and patience as we wander through this maze of amendments. I believe I have to ask unanimous consent to set aside the pending amendment, and I make such a request.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I call up amendment No. 3312 and send a modification of that amendment to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 3312, as modified.

Mr. DODD. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Defense to provide reimbursement for certain protective, safety, or health equipment purchased by or on behalf of members of the Armed Forces for deployment in connection with Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom)

At the end of subtitle G of title X, add the following:

**SEC. 1068. REIMBURSEMENT FOR CERTAIN PROTECTIVE, SAFETY, OR HEALTH EQUIPMENT PURCHASED BY OR FOR MEMBERS OF THE ARMED FORCES FOR DEPLOYMENT IN OPERATIONS IN IRAQ AND CENTRAL ASIA.**

(a) REIMBURSEMENT REQUIRED.—(1) Subject to subsections (c) and (d), the Secretary of Defense shall reimburse a member of the Armed Forces, or a person or entity referred to in paragraph (2), for the cost (including shipping cost) of any protective, safety, or health equipment that was purchased by such member, or such person or entity on behalf of such member, before or during the deployment of such member in Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom for the use of such member in connection with such operation if the unit commander of such member certifies that such equipment was critical to the protection, safety, or health of such member.

(2) A person or entity referred to in this paragraph is a family member or relative of a member of the Armed Forces, a non-profit organization, or a community group.

(b) COVERED PROTECTIVE, SAFETY, AND HEALTH EQUIPMENT.—(1) Subject to paragraph (2), protective, safety, and health equipment for which reimbursement shall be made under subsection (a) shall include personal body armor, collective armor or protective equipment (including armor or protective equipment for high mobility multipurpose wheeled vehicles), and items provided through the Rapid Fielding Initiative of the Army such as the advanced (on-the-move) hydration system, the advanced combat helmet, the close combat optics system, a Global Positioning System (GPS) receiver, and a soldier intercommunication device.

(2) Non-military equipment may be treated as protective, safety, and health equipment for purposes of paragraph (1) only if such equipment provides protection, safety, or health benefits, as the case may be, such as would be provided by equipment meeting military specifications.

(c) LIMITATIONS REGARDING DATE OF PURCHASE OF EQUIPMENT.—(1) In the case of armor or protective equipment for high mobility multi-purpose wheeled vehicles (known as HUMVEEs), reimbursement shall be made under subsection (a) only for armor or equipment purchased during the period beginning on September 11, 2001, and ending on July 31, 2004 or any date thereafter as determined by the Secretary of Defense.

(2) In the case of any other protective, safety, and health equipment, reimbursement shall be made under subsection (a) only for equipment purchased during the period beginning on September 11, 2001, and ending on December 31, 2003 or any date thereafter as determined by the Secretary of Defense.

(d) LIMITATION REGARDING AMOUNT OF REIMBURSEMENT.—The aggregate amount of reimbursement provided under subsection (a) for any protective, safety, and health equipment purchased by or on behalf of any given member of the Armed Forces may not exceed the lesser of—

(1) the cost of such equipment (including shipping cost); or

(2) $1,100.

(e) OWNERSHIP OF EQUIPMENT.—The Secretary may provide, in regulations prescribed by the Secretary, that the United States shall assume title or ownership of any protective, safety, or health equipment for which reimbursement is provided under subsection (a).

(f) FUNDING.—Amounts for reimbursements under subsection (a) shall be derived from amounts any amounts authorized to be appropriated by this Act.

Mr. DODD. Mr. President, I will go through and explain what this amendment does. At the outset of my remarks, let me begin by commending the distinguished Senator from Virginia, the chairman of the Armed Services Committee, and Senator LEVIN of Michigan. The amendment I am raising here has been in many ways addressed by actions taken by the Armed Services Committee. I begin my comments by commending the chairman and the ranking member for the tremendous job they have done of improving what was a request by the administration in the area I am going to cover. I commend them as well for other matters but particularly on this point.

Like all of my colleagues, without regard to party or ideology, we have been concerned over the last number of months with the increasing number of reports that our men and women in uniform have had to dig deep into their own pockets to pay for their own safety equipment. Most disheartening have been the news accounts of men and women in uniform having to buy their own body armor here at home or having it bought for them by their loved ones before they deploy to Iraq and Afghanistan or while they have been on duty.

There are stories like that of SPC Bill Palifka, a member of the Connecticut National Guard's 248th Engineering Company which was stationed in the west of Baghdad last year. He learned shortly before deploying that his unit wouldn't have the interceptor vests that it needed in order to be safe in Iraq. So his mother Pene, from East Hartford, CN, went out and bought a vest for $1,100 from a private company.

These stories, unfortunately, have been all too common, as this chart shows. I brought up the news article from the New York Times, reported just 3 weeks ago, an article entitled ''Bulletproof Vests Collected To Help A Son's Unit in Iraq.'' A New Jersey couple solicited donations of body armor

from the New Jersey City police so their son could lay down protecting vests on the floor of his Humvee, currently in Iraq. I quote:

Before his unit shipped from Kuwait to Iraq in March, First Lt. Christian Boggiano, 23, made a special appeal to his mother, Mary, by e-mail message. Please, he asked, scrounge around for a few old police bulletproof vests and mail them to [me]. ''Once I get up north, we'll use them on the doors and floors of the Humvees so that when roadside bombs go off, they'll catch a lot of shrapnel.''

This is what the young lieutenant wrote to his parents, a 2002 graduate of West Point.

The Jersey Police Department and about 50 other police departments across New Jersey came through for Lt. Boggiano.

His unit came through in ways our Government did not.

In my mind, no U.S. soldier should have to get his mother or father to help send body armor for his missions in Iraq. But people like Mr. and Mrs. Baggiano and the good citizens associated with New Jersey police departments were driven to act. Why? Because there was a critical need to fully equip our troops. Unfortunately, Lt. Baggiano is not alone. A USA Today article recently reported on the village of Foley, AL, which held fundraisers, and eventually raised enough money to build and assemble their own protective steel armor for the Humvees of the AL National Guard's 711th Signal Battalion Charlie Company. That community should be commended. But this situation seems ludicrous to me. Our troops and their loving neighbors should not be spending their own money to make sure our soldiers can have the protection they need.

For this reason, I am introducing an amendment today that will give our troops the support they deserve. My amendment will require the Secretary of Defense to reimburse soldiers, loved ones, and nonprofit organizations who have dug deep into their own pockets to provide our troops with the equipment their Government should have provided them all along. This amendment will serve the health, safety, and protection of our soldiers, covering expenditures on items such as body armor, vehicle protection, hydration equipment, advanced combat helmets, and other gear needed to serve our troops in Iraq and Afghanistan.

Not a day goes by when we don't hear of an incident in Iraq where a so-called ''improvised explosive device'' or IED, has detonated, killing or maiming some of our brave men and women. At the outset of our post-war operations, it was reported that nearly one-quarter of American troops serving in Iraq did not have ceramic plated body armor, which can stop bullets fired from assault rifles and shrapnel. It took months and hundreds of U.S. casualties before the administration finally changed its priorities and decided to outfit all our deployed troops with the most modern interceptor body armor, and to outfit their vehicles with protective armor.

In addition, according to the Army, soldiers have been spending upward of $300 per person on equipment to outfit themselves for war. In response, the Army established the ''Rapid Fielding Initiative'' designed to outfit our soldiers with the most modern equipment available so that they do not have to spend their own money on the latest combat helmets or hydration systems. With this program, our soldiers—many of whom are less than the age of 21, making under $20,000 a year—will have the right gear for their mission, and they won't have to dig deep into their own pockets to buy their own equipment. But unfortunately, not all of our soldiers in Iraq have access to this program, because in the past, it hasn't been fully funded. That needs to be remedied, and my amendment will make sure that our troops don't have to shell out their own money to get the Camelbak hydration systems, advanced combat helmets, and proper clothing they need to do their jobs.

This chart shows what an average foot soldier is wearing in Iraq—60 pounds of body armor plus tactical equipment in the hot desert heat, heavy Kevlar vests, high-tech GPS compass gear, special frame backpacks, and other survival gear. In 120 degrees, carrying all of this equipment becomes quite burdensome, and has made special hydration systems necessary for our troops to safely survive the desert heat. Water-pack systems called Camelbaks are now being attached to soldiers' backpacks, to allow them easy access to water even while they are in patrolling the streets of Iraq. And let's be honest about this. Camelbaks are no longer a matter of convenience. If a soldier has to stop moving to take out his canteen for a sip of water, he may be a sitting duck for a sniper or insurgent fire.

Unfortunately, with a shortage of funds, the Army cannot afford to equip all its soldiers with this kind of equipment, so many soldiers are still using bulky canteens that quickly heat up in the desert sun. Most of the canteens do not have adequate capacity to carry all the water they need in Iraq's extreme heat. In other cases, soldiers are paying hundreds of dollars out of their own pocket to buy the equipment themselves, everything ranging from these Camelbaks to radios, because, in spite of the Army's stated priorities, the administration did not procure enough personal equipment for our fighting men and women. We need to do better than this.

I want to commend the Armed Services Committee for recognizing the importance of this program as well as that of critical body armor systems. I was pleased to see the Senate Armed Services Committee override the President's considerably low budget request for force protection. Under the leadership of Senators WARNER and LEVIN, the Armed Services Committee increased the Rapid Fielding Initiative from the Bush administration's requested $57.2 million to $262 million. They also demonstrated their usual good sense and further added to the President's considerably low-budget request for personal body armor and armored vehicles. The Army told Congress the President's budget was shortchanging them by $295 million in interceptor body armor. And the Marines said they would be short $16.6 million if the Bush budget were to prevail. In spite of the President's proposals, the committee fully funded those programs.

In addition, $905 million was put toward the Stryker armored vehicles that are already proving valuable in military operations in Iraq. Almost $1.1 billion, an increase of $927 million over the President's proposed budget, was used to accelerate procurement of uparmored humvees, as well as add-on ballistic armor for medium and heavy trucks, to protect our troops on patrol in hostile environments. As a result of these provisions, critical resources will be sent to our troops to enhance their safety while in harm's way.

I applaud these efforts. I know some of my colleagues will suggest that because the committee has now funded these programs, my amendment is unnecessary. Or, as I have already been hearing, perhaps they will say that we are encouraging our troops to go out and buy new equipment since we'll just reimburse them in the end. I have the official DOD position paper with talking points opposing my amendment. I would like to address each of the issues raised, point by point.

First, DOD says, ''the amendment may not support the purchase of the proper equipment. The DOD spends millions to test and procure the needed protective, safety, and health equipment for our service members. The DOD will have no way of knowing what testing personally procured items went through or whether the equipment is effective.'' This seems to be an unreasonable argument. In spite of the millions DOD spent on testing equipment, the fact remains that they failed to outfit our soldiers with the gear they needed. The Department acknowledged as much, saying that our soldiers did not receive enough personal body armor until January of this year and will still not have adequately armored vehicles until July. In my modified amendment, we say that a soldier's company commander has the discretion to decide which protective gear would be appropriate for reimbursement. These commanders on the ground know our soldiers' needs the most. And it makes sense for them to be the ones determining what equipment the soldiers lacked when they headed over to Iraq and Afghanistan. This addresses another concern DOD seems to have that my amendment is somehow too broad—this amendment says that if and only if a soldier purchased an item that he absolutely

needed, according to the most knowledgeable soldiers in the field, he will be reimbursed for that item.

DOD's talking points also suggest that my amendment will encourage service members and their loved ones to purchase equipment on their own outside this accountability with the exception of receiving future reimbursement.'' That is absolutely misleading.

This amendment only applies to purchases made during finite periods, and by the Army's own admission they had not provided adequate supplies to our troops. This amendment only applies to purchases for personal body armor and other safety equipment that can be made only for the period between September 11, 2001, and December 31, 2003. For purchases to provide Humvee protection, claims can be made only for the period of September 11, 2001, and July 31, 2004.

We allow an exception to that if the Army decides they will have all the necessary equipment by these dates. If for some reason they are unable to do it, we do not need to come back with another amendment. It seems to me we ought to leave it up to the military people to decide. If they are not able to meet the dates, then they have authority to reimburse later. I leave that up to them to avoid any future need of talking about this issue on the floor of the Senate. We are dealing with finite periods. It is the field commanders who make the decisions.

Finally, to address the charge my amendment sets an unmanageable precedent that the DOD claims will saddle the Department of Defense with an open-ended financial burden, we also modified the amendment to set a $1,100 cap on money that can be reimbursed for purchases made on behalf of any one individual. I was going to make it $1,000. I changed it to $1,100. Candidly, a family in Connecticut paid $1,100 for the vest their child needed while in combat. So we made the cap at that level. I believe, therefore, my colleagues will find this proposal more reasonable and, most importantly, necessary. It is a finite period of time, there are individual caps on the amount that can be reimbursed, field commanders would make the decision, and any extension of time would have to come from a unilateral decision by the Department of Defense.

I think it is reasonable. If people went out, such as my constituents or in communities in New Jersey or towns in Alabama and provided additional protection for our service men and women, the very least, it seems to me, we can do is reimburse their individual soldiers, their families, or the organizations that provided that protection.

I, again, think we all understand how these things can happen. Certainly, there should have been better preparation to see to it these young men and women would have all the protection necessary, but for a variety of reasons, which we do not need to pore over, they were not. And by the Department of the Army's own admission, we were not able to provide that body armor until December 31 of last year. So there is a gap of almost 2 years where people were acquiring that equipment, and up until July of this year, the Humvee protections will not be in place.

I do not think it is asking too much during a finite period of time for a limited amount of money, where field commanders make the decisions, that we cannot say to these families: Show us the proof of what you paid for this equipment, let the field commanders decide, and if you meet those tests, then your Government is going to say you should not have to dish out money from your own pockets, particularly when we are talking about 21-year-old kids making $20,000 a year, where they may have invested $1,000 in decent vests to protect from IEDs and other attacks occurring on the dangerous streets of Iraq and Afghanistan.

I believe this is a reasonable proposal we have offered. If we fail to adopt this amendment, I believe my colleagues and I will once again be forced to answer tough questions, as we all do, when we go back and meet our returning soldiers from the Guard and Reserve and their families in our respective States.

At every meeting I have had in the State of Connecticut with families of men and women serving in Iraq, this issue has come up: Why are we not providing the protection these men deserve?

I, along with General Cugno, my National Guard commander in Connecticut, tried to address these questions of how these things happen. I told him we would make an effort to see that any costs they incurred of these items would be reimbursed. They believe that is the right thing to do. I hope my colleagues do as well.

I know money is tight this year. We are facing enormous budget deficits. Again, I commend my friends and colleagues on the Armed Services Committee. Mr. President, they have done a very good job in beefing up the numbers that otherwise come from the Department of Defense and the White House, and by adding additional resources, they have made it possible to do this.

The amendment provides Secretary of Defense discretion to determine from which accounts moneys will be sought to reimburse our soldiers. One obvious place from which these moneys could be drawn is the $2.5 billion contingency fund that was added by the Warner amendment a few days ago as part of the $25 billion supplemental for operations in Iraq and Afghanistan.

That is my argument. That is the amendment. My hope is we will be able to adopt it without much fanfare. It seems to be a reasonable request to make on behalf of our men and women in uniform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank our colleague. Let me say at the offset, he has been most cooperative in working on this amendment, and he recognizes the concerns the Department of Defense had and the staff for the majority had. We have determined that the Senator has met each and every one of those concerns with a modification to his original amendment. So I am prepared to indicate acceptance of that amendment, but I wish to engage the Senator from Connecticut in a short colloquy.

This is a most unusual type of situation, Mr. President. We had the call-up of a number of reservists, units put together rather hurriedly in some instances. As the Department of Defense—most specifically the Army—stated, some errors were made, but I do not believe, as I listened very carefully to the Senator's presentation, that the total number of errors is very large.

I do not find that it was a widespread situation. I say that only to indicate to the American public that following that unusual type of amendment, which is necessary and we are prepared to accept it, but I do not want to leave the impression with the American public that our commander, starting with the Commander in Chief, the President, sent men and women into harm's way where there was a widespread lacking of the necessary equipment to give them the protections needed.

The concept of the use of body armor has been evolving over the years. It is now proven to have been very successful in the operations in Afghanistan and Iraq. The orders the Army had placed somewhat fell short, as the Senator said, over a period of time last fall. Our committee, indeed the other means of financing—I think some of the money in the supplemental that the Congress has adopted went to provide the necessary funds, but it was not a widespread situation. I think the Senator would concur with me on that point; would he not?

Mr. DODD. Mr. President, if my colleague will yield, I certainly do not disagree. I do not know the numbers myself. Others may have more detailed information. We know there were some large stories—I do not have all of them here. There have been widespread reports of it.

I accept in part what my colleague has said, that it would be unnecessary for massive amounts of this kind of armor. There was an anticipation about a different reception after the military victory in Iraq. We discovered otherwise. Of course, somebody argued we should have anticipated that. Nonetheless, there was concern.

I am not prepared to make a case here that this is terribly widespread. I do not know that. I do know there were enough examples of it that I thought it warranted an issue.

I point out, again—I say this to my friend and Senator LEVIN as well—my colleagues have done a terrific job. There is a difference in this budget between what was sent and what the

committee is asking us to support when it comes to these issues, and the significant increase, from $57 million to $262 million for buying additional equipment, is a significant amount of money. I commend both Senators for doing that.

There were other areas where additional resources were provided by the committee that were not otherwise requested by the DOD. I applaud my colleagues for that. I do not know what the numbers reflect in terms of widespread use. The committee did a very good job, and, as I said at the outset, I commend you immensely for having recognized this issue and jumped into the void so that today it looks as though, based on assessments, by July 31 of this year the issue involving the Humvees will be addressed, and back in December of last year the issue looks as if it was addressed in terms of body armor. So we cover those periods where there apparently was a lack of resources.

I do not think the issue would have come to closure if it had not been for the Senator from Virginia, and I also say this to my colleague from Michigan. It made a significant difference, and I thank my colleagues immensely on behalf of my constituents and literally thousands of soldiers serving in dangerous places.

Mr. WARNER. I thank my colleague for his statement. I would like to address the Humvees because our committee had a special session on that issue. We should understand the Humvee was designed at the time to meet the array of weaponry and other types of threats to it.

The proliferation, primarily in the campaign in Iraq, of the use of buried munitions in the roadway activated by a series of electronic ways, or hand operated, this proposed a challenge because the explosion came up beneath the vehicle. I think in a timely way we started to address that by putting armor on certainly the Humvees and leaving others without armor. One might ask: Well, why is that? It is because once the armor is added, the maneuverability of the particular vehicle that is armored becomes quite limited and that limits its tactical role.

Consequently, the Army thought, and I agree with the Army on this, they needed inventories of both armored and unarmored Humvees. It got to be a misperception across the land that we were not providing adequate armor for our men and women when, in fact, we were, but we had to have the two different inventories and, depending on which vehicle was being used in an operation, problems could arise.

So I am prepared on this side to accept the amendment.

Mr. DODD. Mr. President, I thank my colleague, but I had hoped, if he would not object, we could ask for a rollcall vote because we will be looking to vote anyway, and this would help the conference as a whole. I know we want to move things along.

Mr. WARNER. Certainly the Senator has a right to request it.

Mr. DODD. I would like to respect my friend from Virginia.

Mr. WARNER. I was wondering if, as we go further into the afternoon, depending on the number of votes, we could vitiate the vote, although I recognize the Senator has a perfect right to ask for the vote.

Mr. DODD. That is a reasonable request. I will ask for one and we can vitiate it later.

Mr. WARNER. That is a prudent way to proceed.

Mr. DODD. I ask for the yeas and nays on the Dodd amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

Mr. WARNER. Now we will turn to this side of the aisle for an amendment and then come back to the other side.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today with the intention of calling up amendment No. 3223 to S. 2400, but rather than calling up that amendment, since my intention was to withdraw it, I will make a few comments on it.

I preface my comments by stating something to which no Member of the Senate will disagree, and that is that the way our Nation uses the Reserve components of the U.S. military has fundamentally changed over the last 15 years. Reserve components have changed from a ''force in reserve'' to an absolutely essential component of the warfight. Almost every operation the military engages in today, and career field in the Army, Navy, Air Force, and Marine Corps are represented by our Guard and our Reserve.

The Reserve components are now and continue to become a true operational reserve without which our military cannot operate. This is reflected primarily in the rate of deployments and mobilizations of the Reserve components. This rate of utilization, which has increased three or fourfold over the last decade, necessitates that we reexamine the way we manage the Reserve.

The Department of Defense has made changes in this area by improving the process of training and equipping the Reserve and supporting changes in personnel policies that improve quality of life for members of our Reserve.

I would say with respect to that, last year in the Defense authorization bill we made some changes. Some of them seemed fairly minimal, such as allowing our Guard and Reserve members, while they were not on active duty, to have access to commissaries. This seemingly innocent act on our part was a huge benefit to our Guard and Reserve members who had the availability of commissaries when they were on active duty, but now they have it full time. Particularly, those who are close to military installations have the availability of services they simply did not have before, and it has been a huge morale booster for our Guard and Reserve members.

With the possible exception of the TRICARE issue, though, the changes that we have made have been at the margins. I believe we need to reexamine the personnel policies for the Reserve components based on the fact that the way we use them has fundamentally changed.

As the chairman of the Armed Services Committee Subcommittee on Personnel and co-chairman of the Senate Reserve Caucus, this is an issue I have wrestled with considerably and want to be sure that we account for as we provide oversight of the personnel policies of the Department of Defense.

My amendment follows closely a bill that my colleague from Georgia, Senator ZELL MILLER, introduced several months ago. I, along with Senators COCHRAN, DEWINE, MURKOWSKI, COLLINS, and BEN NELSON, joined Senator MILLER in cosponsoring this bill. My amendment would lower the age at which members of the Reserve component could collect retirement pay based on the philosophy of a reduced annuity. The amount of retirement pay would be reduced by a small percentage for each year below the age of 60 that a member chose to collect their retirement—very similar to the way Social Security benefits are reduced if a beneficiary determines they want to retire following the achievement of age 62.

According to CBO, this provision would cost approximately $5 billion over 5 years.

There are several other bills pending before the Senate that would change the retirement plan for reservists. In fact, I understand the Senator from New Jersey, Mr. CORZINE, may introduce an amendment this week that would reduce the age at which members of the Reserve could collect retirement from age 60 to age 55 with no corresponding reduction in the annuity. According to CBO, this amendment would cost more than $8 billion over 5 years.

The Senator from Louisiana, Ms. LANDRIEU, has also introduced a bill that would reduce the age to 55 but require a reservist to stay in the Reserve longer in order to receive pay earlier.

All of these bills have merit. All of them deserve to be debated. However, all of them, including my own, carry a significant financial cost. What we have to do is try to balance, particularly in the middle of a war that we are now engaged in, whether we want to utilize our funds to provide weapons systems to our men and women who are now in harm's way or whether we want to provide this kind of benefit which was not anticipated in the budget.

As I stand here today, there are three studies currently underway to address the issue of Reserve retirement. As I have already stated, there are many good ideas regarding how the retirement benefit for the Reserve and the

Guard should be changed, and they all have merit.

However, there are two important things about these various options that we do not know. The first is we do not have a firm idea of how much any of these options will cost. We have estimates from CBO to which I have already alluded. They are significant. Costing these various proposals requires predicting the way people are going to behave, and this is an inexact, difficult science.

Secondly, anytime one makes even a small change to something as large and complex as the military personnel process, it changes the entire system. A change in the Reserve retirement system will have effects both on the Reserve and Active-Duty retention, recruiting, and promotion opportunities within the ranks which we cannot foresee without examining the associated impacts very closely.

That is why, even though I have introduced an amendment on this issue, I do not believe that now is the best time to act on the issue. I think we should wait until the three reports currently underway are completed and we have additional data upon which to look at this issue and make a better evaluation.

With this in mind, as I said earlier, I am simply not going to offer my amendment today. Once we have the necessary data to show how the various proposals will impact the force and the cost implications, I look forward to revisiting this issue and dialoguing with the other Senators who have introduced bills or amendments on this issue and those who are concerned, as I am, about how we manage our Reserve components.

There is no more important issue facing the Personnel Subcommittee of the Senate Armed Services Committee than how we treat our men and women in uniform, and their families, because every day this is more a family issue and a family-oriented military. It is my hope that as we proceed with this bill over this week and as the committee entertains the legislation and policy changes in the coming months, that we keep the people at the receiving end of our decisions and deliberations foremost in our minds.

We will continue to include the members of the Reserve components in those deliberations and ensure the Senate adopts policies that work to their advantage, that are fiscally responsible, and that recognize the significant changes that have taken place in the Reserve over the past decade and a half.

I thank my colleague, the Senator from Nebraska, Mr. BEN NELSON, for his cooperation and his work as we have moved through the Personnel Subcommittee process over the last year in preparation for this bill. Senator NELSON feels the same way I do about our Guard and Reserve and was a cosponsor of a number of the amendments to which I have alluded.

I also thank the chairman and the ranking member. We have had dialogues about this issue within our committee, and without their support, guidance, and counsel, we would not be at the point we are with respect to quality-of-life issues that our men and women in both the Guard and the Reserve deserve and ultimately will receive once we enter into the budget process at the appropriate time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 3305

Mr. WYDEN. Mr. President, I ask unanimous consent to call up amendment No. 3305, and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oregon [Mr. WYDEN], for himself and Mr. DORGAN, proposes an amendment numbered 3305.

Mr. WYDEN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To impose a limitation on Department of Defense contracting for performance of acquisition functions closely associated with inherently governmental functions)

On page 194, after line 22, insert the following:

**SEC. 867. CONTRACTOR PERFORMANCE OF ACQUISITION FUNCTIONS CLOSELY ASSOCIATED WITH INHERENTLY GOVERNMENTAL FUNCTIONS.**

(a) LIMITATION.—(1) Chapter 141 of title 10, United States Code, is amended by inserting after section 2382 the following new section:

**"§ 2383. Contractor performance of acquisition functions closely associated with inherently governmental functions**

''(a) LIMITATION.—The head of an agency may enter a contract for the performance of acquisition functions closely associated with inherently governmental functions only if the Secretary determines that—

''(1) appropriate military or civilian personnel of the Department of Defense cannot reasonably be made available to perform the functions;

''(2) appropriate military or civilian personnel of the Department of Defense are—

''(A) to supervise contractor performance of the contract; and

''(B) to perform all inherently governmental functions associated with the functions to be performed under the contract; and

''(3) the contractor does not have an organizational conflict of interest or the appearance of an organizational conflict of interest in the performance of the functions under the contract.

''(b) DEFINITIONS.—In this section:

''(1) The term 'head of an agency' has the meaning given such term in section 2302(1) of this title, except that such term does not include the Secretary of Homeland Security or the Administrator of the National Oceanic and Atmospheric Administration.

''(2) The term 'inherently governmental functions' has the meaning given such term in subpart 7.5 of part 7 of the Federal Acquisition Regulation.

''(3) The term 'functions closely associated with inherently governmental functions' means the functions described in section 7.503(d) of the Federal Acquisition Regulation.

''(4) The term 'organizational conflict of interest' has the meaning given such term in subpart 9.5 of part 9 of the Federal Acquisition Regulation.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2382 the following new item:

''2383. Contractor performance of acquisition functions closely associated with inherently governmental functions.''.

(b) EFFECTIVE DATE AND APPLICABILITY.—Section 2383 of title 10, United States Code (as added by subsection (a)), shall take effect on the date of enactment of this Act and shall apply to—

(1) contracts entered into on or after such date;

(2) any task or delivery order issued on or after such date under a contract entered into before, on, or after such date; and

(3) any decision on or after such date to exercise an option or otherwise extend a contract for program management or oversight of contracts for the reconstruction of Iraq, regardless of whether such program management or oversight contract was entered into before, on, or after the date of enactment of this Act.

Mr. WYDEN. Mr. President, for a number of months I have been working with colleagues on both sides of the aisle—Senator COLLINS from Maine, Senator STEVENS, Senator WARNER—to try to get more oversight over the billions of dollars worth of contracts that have been and are being let to rebuild Iraq. I come to the floor today to offer an amendment with my colleague and friend, Senator DORGAN of North Dakota. We have discussed this amendment with Senator LEVIN and Senator WARNER.

What Senator DORGAN and I have found is a shocking system of so-called oversight with respect to the use of taxpayers' dollars. With the nation facing rising deficits and scarce federal dollars for our many problems here at home, it is imperative that there be strong oversight over the use of taxpayers' money. What our amendment deals with is literally the outsourcing of the oversight of the billions of dollars worth of contracts to rebuild Iraq. It sounds incredible, but the heart of the problem is, instead of having Federal employees oversee these billions of dollars worth of contracts to rebuild Iraq, the Department of Defense has outsourced the oversight of these huge contracts to private companies. These companies are ''overseeing'' the work of other private companies. If many of these companies didn't already have joint ventures elsewhere or interlocking financial interests or boards of directors, I guess one could plausibly say this would be acceptable. But that has not been the case. Putting these companies in charge of oversight of one another strikes Senator DORGAN and me as simply an invitation to flagrant fraud, waste and abuse of taxpayer money.

Senator DORGAN is here as well, and I want to give him ample time to discuss this, but I would like to give a brief example of the kind of problem we seek to address in our legislation. The Parsons Company won two separate Defense Department oversight contracts that totaled nearly $72 million. Under each of those contracts, it overseas the Fluor Company in Iraq. At the same time, Fluor and Parsons have a $2.6 billion joint venture ongoing in Kazakhstan.

The question is, with such a significant shared financial interest, how in the world is anybody in a situation like that going to have a real incentive to take out a sharp pencil and protect the taxpayers.

We are talking about vast sums of money. $18 billion has been allocated by the Congress for reconstruction, and thus far 17 contracts have been let: 10 for reconstruction and 7 for overseeing the reconstruction. I thank the distinguished Senator from Virginia for his cooperation on this amendment. As I discussed with him, this amendment builds on the work that I was able to do in cooperation with Senator DORGAN and Senator COLLINS on the issue of no-bid contracts in Iraq. This amendment establishes that oversight and the protection of the taxpayers' interests in these billions of dollars of contracts, is a Government function. It is not something that can be outsourced. This amendment will prohibit companies with interlocking financial interests from ''overseeing'' one another.

We talk often about giving the fox the opportunity to oversee the henhouse. This is a textbook case of just such a situation.

I mentioned to the distinguished chairman of the committee, the Senator from Virginia, and the ranking member of the committee, the Senator from Michigan, that this boils down to a simple issue of commonsense. This is not a Democrat or Republican issue. Senator DORGAN and I are pursuing this as a commonsense issue—oversight should not be outsourced, particularly when the projects to be reviewed involve billions of taxpayer dollars. What's worse—these are cost-plus-plus contracts. The contractors here get any unforeseen costs, plus they are eligible for a bonus. Essentially, these contractors are rewarded if the folks they oversee perform well. But who evaluates how well those folks perform? The oversight contractors. Clearly, there are some perverse incentives at work in these oversight contracts.

We are talking about cost-plus-plus contracts that involve billions of taxpayers' dollars. It seems to me we have to get the oversight back where it belongs, and that is in the hands of the Department of Defense and not in the hands of the private contractors. Oversight is inherently a governmental function because accountability must be first and foremost to taxpayers.

I see my friend and colleague from North Dakota here. I want to yield time to him. But in wrapping up this portion of my remarks, I would like to express my appreciation to the Senator from Michigan, Mr. LEVIN, and to the chairman of the committee, Senator WARNER. This amendment, in fact, builds on some of the earlier work we have tried to do in a bipartisan fashion. It essentially comes about because, as Senator DORGAN and I have gone forward to try to make sure taxpayers' interests are protected, we found a massive loophole, a loophole that we think nobody in the Senate confronted in the past, that allows for private companies to oversee other private companies, even when they have what strikes us as very serious potential conflicts of interest.

So we are looking forward, with Chairman WARNER and Ranking Member LEVIN'S cooperation, to have this amendment accepted. I believe it warrants bipartisan support.

I yield the floor.

Mr. WARNER. Mr. President, I have looked this over and I am of the opinion that it can be eventually accepted. I am wondering if the colleagues would just allow the Chair to put in a quorum call for no more than 5 minutes, and then I will be right back to the floor to address this amendment.

Mr. DORGAN. Mr. President, it was my intention to speak in favor of the amendment prior to that.

Mr. WARNER. I am very anxious to hear that. My requirement is to depart the floor to check on something and I will be right back.

Mr. DORGAN. At which point I would be recognized?

Mr. WARNER. Absolutely. I have no objection to that.

Mr. DORGAN. I am agreeable to that.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I now understand that the amendment will be accepted in due course, but I am anxious to hear the perspectives of the other cosponsor. I thank my colleagues for their courtesy.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I join my colleague, Senator WYDEN, in working on this amendment.

Let me say first that, as many know, I did not support the funding for reconstruction projects in Iraq with American taxpayers' money. My feeling was, if we were going to use American taxpayers' money to build children's hospitals and restore marshland and swampland, or to purchase garbage trucks, or to have a roads or jobs program, it ought to be done in this country—not Iraq. I felt strongly that the ability to fund the reconstruction in Iraq could easily come from Iraq oil.

It is true they are not pumping quite as much as they had anticipated by July 1 or June 1 of this year, but it is also true that the price is near double what they expected—359 million barrels a day, which is what they intend to get. They will have a substantial amount of excess income over that which they need for Iraq and could easily pay for the reconstruction of Iraq. It is estimated that $160 billion in a 10-year period is the export value of Iraqi oil generated for the country of Iraq. But, nonetheless, the administration and a majority in the Senate and the Congress decided that U.S. taxpayers should fund the reconstruction in Iraq.

The only cut in the reconstruction proposal of some $20-plus billion—the only cut in expenditures of that proposal—was offered by Senator WYDEN and myself. We cut $1.8 billion from it with an amendment on the floor of the Senate which included cutting $100 million for gasoline that was being transported.

Incidentally, I held a hearing on that in the policy committee. We had the person who was in charge of delivering gasoline from the Department of Defense to projects such as this, and he said that the contract for the delivery of gasoline into Iraq was costing $1 more a gallon than would have been delivered into Iraq by the agency in the Department of Defense which normally does that.

Having said all that—pointing out we were the only ones cutting funding for the reconstruction projects—the Congress still passed that reconstruction project of nearly $18 billion in U.S. taxpayer funds for the reconstruction in Iraq.

My concern—and I think the concern expressed by my colleague from Oregon—is that money be spent effectively and wisely and not wasted. If it is going to be spent—and I did not think this was the way to do it—but if it is going to be done, let us make sure it is not wasted.

The Pentagon announced that it wants to fund it and has already signed and implemented contracts to fund $121 million for outsourcing the oversight of these reconstruction contracts.

There is plenty going on in Iraq that ought to give us pause with respect to contractors. This is not a reconstruction contract. But you know what we know now about the Halliburton corporation charging the Federal Government for 42,000 meals a day and serving 14,000 meals a day to our soldiers. Let me say that again: charging for 42,000 meals a day which they say they delivered to U.S. soldiers when in fact they were delivering 14,000 meals a day and missing 28,000 meals somewhere.

There is plenty of reason to be concerned about contractors that are engaged in that kind of behavior.

With respect to these series of contracts for $129 million, they have selected corporations, they have already

signed the contracts. The taxpayers, much to our chagrin, are obligated to pay these contracts. They have signed the contracts with companies that have inherent conflicts, in my judgment. How do you oversee a contract of another company with whom you already have an established business relationship in another contract? I don't know how you do that. Yet these contracts were signed and sealed and delivered and the taxpayer is on the hook for $129 million.

I happen to think ''oversight'' is a responsibility of the Government, of the Federal agency that is going to spend the money. It is their responsibility to provide oversight, not someone else's responsibility. The saying is, ''The buck stops here.'' Where does it stop? It stops, it seems to me, with the Federal agency that is given the funding by this Congress. It is their requirement to provide oversight to make sure that funding is used in a manner that is appropriate.

In this case, the Defense Department has said, no, we are not going to do that. We are going to contract out oversight responsibilities. Now I understand they are saying, well, it is not oversight. Really? That is what the provisional authority calls it. In writing, these are oversight contracts for $129 million. There ought not be oversight that is contracted out. It is a responsibility of the Federal agency.

This chart shows some of the relationships of the companies, companies that are overseeing other companies. I don't intend to say with this chart these are bad companies. I intend to say a company that has a relationship with another company, a business, a contractual relationship, a financial relationship that is now told to oversee the work of this company, even though you have other interests and other financial arrangements with this company, I am saying there is an inherent conflict there. That is not the way to do oversight. Even if these potential conflicts did not exist, I would not support these contracts. Oversight is not the responsibility of a hired gun someplace. It is the responsibility of the Federal agency.

Senator WYDEN and I have offered a relatively simple amendment. We would have offered an amendment that strikes or nullifies those contracts, but we have been told to do so still leaves the Federal Government on the hook. That does not make much sense. It seems to me what we ought to do is make sure this does not happen again.

The amendment we are offering says oversight is a government responsibility, first and foremost. We establish that principle. Second, we say these oversight contracts shall not be renewed. And third, it says the Pentagon cannot award such contracts in the future.

We have provided a couple of exceptions where we think it is impossible for them to do anything other than have some narrow contracts where it is required, but generally speaking, the approach the Pentagon has used would be prevented prospectively by the amendment we now offer.

Again, our original proposal would have terminated all these contracts outright. I prefer that be the case. These contracts, as I understand it, would still obligate the American taxpayers, and are enforceable. I think that is an approach we cannot get through.

Mr. WARNER. If the Senator will yield, yes, the Senator has very carefully recrafted the amendment. That is the reason we will be able to accept it on this side.

Mr. WYDEN. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. WYDEN. I appreciate the Senator's point and the cooperation of the Chairman and Senator LEVIN.

It is also clear if anyone tries to renew any of the old contracts which we sought to set aside, they would have to meet the new conflict-of-interest standards established in our amendment, is that correct?

Mr. DORGAN. I say to my colleague from Oregon, that is correct. Our approach is simple. We think there are so many billions of dollars ricocheting around on reconstruction with respect to Iraq that there is a profound opportunity for waste. I don't think anyone in this Chamber wants money wasted. We all want good oversight. We want good stewardship of the taxpayers' funds. We do not believe that is the case when inherent conflicts of interest result. That is the purpose of our offering this amendment.

Let me again say the Senator from Oregon, Senator WYDEN, not just on this issue but on the other issues relating to the $1.8 billion in spending cuts we got done with our joint amendment, does extraordinary work in this area. I appreciate the opportunity to work with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I commend our colleagues from Oregon and North Dakota for this amendment. They have put their finger on a very significant problem in Iraq which is symptomatic. They would be the first to acknowledge this is a deeper problem. That is, we have reduced the number of our acquisition workforce.

The chairman of the committee and other members of the Armed Services Committee, including myself, every year for the past I don't know how many years have been to conference with the House of Representatives. They have tried and successfully achieved reduction to the acquisition workforce despite our opposition to those efforts. They have made major cuts in the acquisition workforce. They call it bureaucracy. We have fought against some of the cuts. We have been able to reduce the size of the cuts. Nonetheless, over time, there have been significant reductions in the acquisition workforce, including people to oversee contracts, which is what we are talking about here.

Our good friends from Oregon and North Dakota have identified a real problem. I congratulate the Senators for doing it. It is a problem reflective of a deeper problem we have now in the Defense Department.

There has been an amendment offered by Senator BYRD which we have accepted which gradually increases the size of the acquisition workforce. That would help get to the underlying systemic cause of this problem. We are going to go to conference, hoping we will be able to add some people to our acquisition workforce who can do the very oversight which is so essential to avoid the very conflicts of interest which the two Senators have identified.

The fact that the Byrd amendment has been adopted and we have added people on this side will put us in a better position, as well as this amendment, of course, of the Senators from Oregon and North Dakota.

I commend them. It will help us not simply to hopefully avoid this kind of absurd situation where nongovernmental employees are overseeing the operations of Government contracts, frequently with inherent conflicts of interest involved, but where we are going to be able to cure the cause of this situation as well on a long-term basis.

I commend them and thank them for the modifications they have made which I think will put us in a stronger position to defend this action in conference.

Mr. WARNER. Mr. President, this side is prepared to accept this amendment.

Mr. WYDEN. I yield the floor and thank the distinguished chairman and Senator LEVIN.

Mr. DORGAN. I ask the amendment be accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3305) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. I see my distinguished colleague from Connecticut and I yield the floor.

Mr. DODD. I ask unanimous consent to lay aside the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3313, AS MODIFIED

Mr. DODD. I call up amendment 3313 and I send a modification to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself, Mr. LAUTENBERG, and Mrs. FEINSTEIN proposes an amendment numbered 3313, as modified.

The amendment (No. 3313), as modified, is as follows:

(Purpose: To prohibit the use of contractors for certain Department of Defense activities and to establish limitations on the transfer of custody of prisoners of the Department of Defense)

On page 195, between lines 10 and 11, insert the following:

**SEC. 868. PROHIBITIONS ON USE OF CONTRACTORS FOR CERTAIN DEPARTMENT OF DEFENSE ACTIVITIES.**

(a) PROHIBITION ON USE OF CONTRACTORS IN INTERROGATION OF PRISONERS AND COMBAT MISSIONS.—(1) Notwithstanding any other provision of law and except as provided in paragraph (2), the use of contractors by the Department of Defense is prohibited for activities as follows:

(A) Interrogation of prisoners, detainees, or combatants at any United States military installation or other installation under the authority of United States military or civilian personnel.

(B) United States-led combat missions that require routine engagement in direct combat on the ground, except in cases of self-defense.

(2)(A) During fiscal year 2005, the President may waive the prohibition in paragraph (1) with respect to the use of contractors to provide translator services under subparagraph (A) of that paragraph if the President determines that no United States military personnel with appropriate language skills are available to provide translator services for the interrogation to which the waiver applies.

(B) The President may also waive the prohibition in paragraph (1)(A) with respect to any other use of contractors otherwise prohibited by that paragraph during the 90-day period beginning on the date of the enactment of this Act, but any such waiver shall cease to be effective on the last day of such period.

(3) The President shall, on a quarterly basis, submit to the appropriate committees of Congress a report on the use, if any, of contractors for the provision of translator services pursuant to the waiver authority in paragraph (2).

(b) PROHIBITION ON USE OF FUNDS.—No funds authorized to be appropriated by this Act or any other Act may be obligated or expended for the utilization of contractor personnel in contravention of the prohibition in subsection (a), whether such funds are provided directly to a contractor by a department, agency, or other entity of the United States Government or indirectly through a permanent, interim, or transitional foreign government or other third party.

(c) PROHIBITION ON TRANSFER OF CUSTODY OF PRISONERS TO CONTRACTORS.—No prisoner, detainee, or combatant under the custody or control of the Department of Defense may be transferred to the custody or control of a contractor or contractor personnel.

(d) RECORDS OF TRANSFERS OF CUSTODY OF PRISONERS TO OTHER COUNTRIES.—(1) No prisoner, detainee, or combatant under the custody or control of the Department of Defense may be transferred to the custody or control of another department or agency of the United States Government, a foreign, multinational, or other non-United States entity, or another country unless the Secretary makes an appropriate record of such transfer that includes, for the prisoner, detainee, or combatant concerned—

(A) the name and nationality; and

(B) the reason or reasons for such transfer.

(2) The Secretary shall ensure that—

(A) the records made of transfers by a transferring authority as described in paragraph (1) are maintained by that transferring authority in a central location; and

(B) the location and format of the records are such that the records are readily accessible to, and readily viewable by, the appropriate committees of Congress.

(3) A record under paragraph (1) shall be maintained in unclassified form, but may include a classified annex.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committees on Armed Services, Foreign Relations, and the Judiciary of the Senate and the Select Committee on Intelligence of the Senate; and

(2) the Committees on Armed Services, International Relations, and the Judiciary of the House of Representatives and the Permanent Select Committee on Intelligence of the House of Representatives.

Mr. WARNER. Mr. President, I wonder if we could ask the Senator from Connecticut if we could temporarily lay this matter to one side while we finish processing the amendment by the Senator from Colorado? It would take but a few minutes.

Mr. DODD. I am happy to do that.

Mr. WARNER. Mr. President, at this point in time—

Mr. DODD. Mr. President, I have sent the modification to the desk. I inquire, has the Chair ruled on it?

The PRESIDING OFFICER. Without objection, the amendment is modified.

Mr. DODD. Fine.

Mr. WARNER. I thank the Senator from Connecticut.

Mr. President, I ask that the pending amendment be laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I see the Senator from Colorado. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

AMENDMENT NO. 3449

Mr. ALLARD. Mr. President, I have an amendment that we have laid aside. I guess the proper thing is we need to call it up for consideration. The reason I am calling it up is because our staffs have worked this out. There is a second-degree amendment that was offered by Senator REID on behalf of Senator LEVIN. We have worked out an agreement, I understand, between the staffs, and I know the chairman would like to expedite and move forward and not leave these amendments hanging out there.

So I call up that amendment.

The PRESIDING OFFICER. Does the Senator request the regular order with respect to the amendment?

Mr. ALLARD. Yes, I request the regular order on that amendment, please.

The PRESIDING OFFICER. The amendment is pending.

Mr. ALLARD. Now, I think Senator LEVIN has to be recognized to move the modification forward.

The PRESIDING OFFICER (Mrs. DOLE). The Senator from Michigan.

AMENDMENT NO. 3449, AS MODIFIED

Mr. LEVIN. Madam President, has our modification to the second-degree amendment been sent to the desk yet? We will send up a modification to the second-degree amendment, and then I understand, as modified, Senator ALLARD will be accepting the second-degree.

Mr. ALLARD. That is correct.

The PRESIDING OFFICER. The amendment, No. 3449, as modified, is pending.

The amendment, as modified, is as follows:

At the end of the matter proposed to be inserted, insert the following:

**SEC. 1069. POLICY ON NONPROLIFERATION OF BALLISTIC MISSILES.**

(a) POLICY.—It is the policy of the United States to develop, support, and strengthen international accords and other cooperative efforts to curtail the proliferation of ballistic missiles and related technologies which could threaten the territory of the United States, allies and friends of the United States, and deployed members of the Armed Forces of the United States with weapons of mass destruction.

(b) SENSE OF CONGRESS.—(1) Congress makes the following findings:

(A) Certain countries are seeking to acquire ballistic missiles and related technologies that could be used to attack the United States or place at risk United States interests, forward-deployed members of the Armed Forces, and allies and friends of the United States.

(B) Certain countries continue to actively transfer or sell ballistic missile technologies in contravention of standards of behavior established by the United States and allies and friends of the United States.

(C) The spread of ballistic missiles and related technologies worldwide has been slowed by a combination of national and international export controls, forward-looking diplomacy, and multilateral interdiction activities to restrict the development and transfer of such weapons and technologies.

(2) It is the sense of Congress that—

(A) the United States should vigorously pursue foreign policy initiatives aimed at eliminating, reducing, or retarding the proliferation of ballistic missiles and related technologies; and

(B) the United States and the international community should continue to support and strengthen established international accords and other cooperative efforts, including United Nations Security Council Resolution 1540 and the Missile Technology Control Regime, that are designed to eliminate, reduce, or retard the proliferation of ballistic missiles and related technologies.

Mr. LEVIN. Madam President, very briefly—and I thank Senator ALLARD and our staffs for working this out—we have expressed some real concerns in terms of the proliferation challenges in terms of the ballistic missile technology which is at issue.

Technology can be called defensive technology, but it also can be used offensively. The line between offensive and defensive missile technology is not a perfect line and, indeed, some of the technologies are both offensive and defensive. So it is important that the concerns we had expressed, and do express, in our second-degree amendment relative to the technology and the proliferation of these technologies be expressed in the underlying amendment, and that would remain.

What we have removed from our second-degree amendment is the elimination of what amounts to, I guess, that 30-day either goal or deadline,

which is waiveable by the Secretary of State. So what we have in our second-degree amendment now, as modified, is that we have left that 30-day goal in place—and Senator ALLARD had it in his amendment—but the efforts to try to address some of the proliferation concerns will remain in the second-degree amendment.

I understand, as modified, that Senator ALLARD is willing to accept the second-degree amendment.

Mr. ALLARD. Yes.

Madam President, if I could be recognized briefly, we did have some exceptions in that to be sensitive to your concerns about the 30-day portion. In the judgment of the Secretary of State, they could extend that if they believe that is necessary. There is also a paragraph in here that was adopted on policy to address some of your concerns about proliferation and whatnot. Hopefully, we met those concerns.

I think this is a good compromise. I thank the Senator from Michigan for working with me and our staff over here and for your staff working together with us. I think now that we have resolved this matter we can move forward on the amendment.

Now, Madam President, have we adopted the modification?

The PRESIDING OFFICER. The modification has been made.

The amendment is pending.

The question is on agreeing to the second-degree amendment, as modified.

The amendment (No. 3449), as modified, was agreed to.

AMENDMENT NO. 3322, AS AMENDED

The PRESIDING OFFICER. The question is now on agreeing to the Allard amendment, as amended.

The amendment, as amended, is adopted.

The amendment (No. 3322), as amended, was agreed to.

Mr. ALLARD. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 3313, AS MODIFIED

Mr. DODD. Madam President, I ask unanimous consent that we now be allowed to debate amendment No. 3313, as modified.

The PRESIDING OFFICER. The Senator has that right.

Mr. DODD. Thank you, Madam President. And, again, I commend my two friends and colleagues, the chairman and ranking member of the Armed Services Committee.

Let me briefly describe what this amendment is and what we try to do.

This amendment attempts to address what I believe is a very legitimate and serious concern that has come to light in recent days with respect to the use or misuse of contractors in the treatment of detainees in Iraq.

Quite simply, this amendment would prohibit the use of contractors in the interrogation of prisoners and offensive military operations and establish certain restrictions with respect to the transfer of prisoners to contractors and foreign nations.

Let me try to explain why this is so and what the background of all this is. According to some estimates, there are as many as 20,000 contractors operating in Iraq today, many carrying out mission-critical military roles, such as security, protection, interrogation, logistics support, and paramilitary and military training.

Increasingly, U.S. contractor activities have become deeply intertwined with those of U.S. troops and Coalition Provisional Authority personnel. These activities have put them in harm's way. As we have all painfully learned, contractors are among those who have been taken hostage by insurgents in Iraq. They have also suffered terrible injuries and loss of life, the most horrific of which occurred on April 13 of this year when the bodies of four contractors were burned, mutilated, and hung from a bridge in Iraq.

Equally troubling, it looks more and more likely that contractors may have taken part in the interrogation of Iraqi prisoners and may be linked directly or indirectly to the reported abuses of those prisoners. Even today there may be still some taking part in the interrogation of prisoners.

Let me say as an aside, by the way, that I commend, again, the Armed Services Committee under the leadership of Senator WARNER and Senator LEVIN for the very thoughtful hearings the Armed Services Committee had about this matter and the professional manner in which they went about examining these issues and doing the kind of thorough look that a standing committee of the Senate ought to make, regardless of the party in power in the White House. They have done a very good job and have been tremendously helpful to the American public.

We have all read reports and seen graphic pictures of the heinous abuses associated with the incarceration of Iraqi prisoners. Unfortunately, so has almost the entire world been witness to these photographs and the stories about what has occurred.

It does not take much of an imagination to figure out that the consequence of those abuses has been a disaster not only with respect to the U.S. policy in Iraq but also with respect to our policies throughout the greater Middle East. That is why I have included a provision in the pending amendment to prohibit the use of contractors in the interrogation of prisoners, detainees, and combatants. However, mindful that in the short term we may not have sufficient military personnel with requisite language and interrogation skills at certain critical moments, I have also included in this pending amendment Presidential authority to waive these restrictions under certain narrow constrictions: During fiscal year 2005 with respect to their use as translators, and for the first 90 days of the next fiscal year with respect to interrogations.

It should go without saying that any contractor who is employed by the United States as a translator or interrogator must be certified as highly proficient in the areas for which he or she is being employed, and such contractors must be properly supervised at all times by official U.S. military personnel. To help ensure that is the case, the amendment I am offering this afternoon would also require the President to submit a quarterly report to Congress on the use of contractors as translators and in interrogations.

I remind my colleagues that at this very moment contractors in Iraq go about their business virtually unregulated. They have been exempted from local law by CPA regulation. They are also outside the Uniform Military Code of Justice and could, therefore, avoid prosecution in a military court of law. Contractors' accountability under U.S. international law remains untested. And now the Bush administration is putting pressure on the transitional Iraqi government to grant immunity to contractors after the June 30 transfer of power. If the transitional Iraqi government succumbs to this pressure, contractors won't only have immunity from prosecution, they will likely be able to act with impunity while they participate in some of our most sensitive military intelligence operations. I think this is unacceptable and puts our troops and our mission at great risk.

The more we learn, the more it seems this whole business of hiring contractors has gotten out of control. We need to be more scrupulous—not less—about the tasks we assign to contractors. Quite frankly, I don't think it makes much sense to have contractors performing interrogations. Apparently neither does the Army, whose policy reportedly bars contractors from military intelligence jobs such as interrogating prisoners unless there are not enough qualified people in the Army to perform those duties.

According to recent reports, the source of this policy is an Army policy memo, written in December 2000, by Patrick T. Henry, then the Army's top personnel official. In this memo he asserted that allowing private workers to gather military intelligence presented ''a risk to national security.'' That statement is anything but ambiguous. Let me quote it again. From the Army's top personnel official, it is ''a risk to national security,'' in a 2000 memo prepared by the U.S. Army.

Thomas White, the former Secretary of the Army, has also expressed his opposition to hiring contractors to question prisoners, stating in an interview ''the basic process of interrogation should be kept in-house on the Army side.''

Moreover, last week it was reported that CACI International, a contractor caught up in this controversy, was not

even under contract with the Department of Defense. Rather its activities were being managed by the U.S. Department of Interior which approved the company's hiring of interrogators utilizing a preexisting contract for computer services with that company. The particular circumstances of the CACI contract blur even further the accountability of its employees because Department of Interior contractors may not be covered by certain U.S. laws specifically enacted to cover Department of Defense contractors, such as the Military Extraterritorial Jurisdiction Act, which attempts to make U.S. Department of Defense contractors working overseas legally accountable.

How many other contractors have been employed by non-Department of Defense agencies to carry out activities in Iraq? To say we have seen some extraordinary contracting practices in the case of Iraq is an understatement. I would hope these practices are not being employed to circumvent the requirements of the Geneva Conventions or other international U.S. laws, because if you are doing this as a matter of policy, I am deeply concerned that we will be inviting other nations to do the same to the detriment of the safety of American military and civilian personnel around the globe.

Indeed, according to the comprehensive report of MG Antonio Taguba, contractors employed in Iraq participated in prisoner interrogations with minimal supervision. And I quote him:

> They allegedly on occasion even provided direction to U.S. military police.

The words ''minimal supervision'' are not mine. They were part of a job posting for the interrogator international analyst team lead assistant which is listed on the contract at CACI International's Web site.

I have reproduced an excerpt from the job posting as it was reprinted in the Washington Post on May 10 on the poster behind me. It reads:

> Description: Assists the interrogation support program team . . . to increase the effectiveness of dealing with detainees, persons of interest and prisoners of war (POWs) that are in the custody of the U.S./Coalition forces . . . in terms of screening, interrogation, and debriefing of persons of intelligence value. Under minimal supervision, will assist . . .

The key words are ''under minimal supervision.'' The new posting now reads ''under minimal CACI supervision,'' the name of the international company.

This isn't all. A former CACI interrogator was quoted on May 13 in the Washington Post as saying:

> Civilian interrogators were often free to conduct interrogations as they best saw fit.

And General Taguba reportedly recommended to one employee of CACI that he be ''fired, reprimanded, and denied his security clearances for giving instructions to Army policemen that he clearly knew equated to physical abuse.''

Indeed, this lack of supervision may have been the rule rather than the exception in the Abu Ghraib prison. More importantly, with the fate of our mission in Iraq and our international reputation at stake, the American people deserve to know why civilian contractors were participating in these interrogations in the first place.

This Senator—and I am sure many of my colleagues would agree—does not think private contractors have any place in such highly sensitive military operations. That is not only because of these human rights abuses or potential violations of U.S. international law, it is because they have exponentially increased the danger level for more than 135,000 honorable and dedicated U.S. troops currently risking their lives in Iraq. We owe it to all those brave men and women who now face a far more difficult task in winning the hearts and minds of Iraqis or setting the stage for the successful handover of sovereignty to Iraqi officials less than 15 days from now.

My amendment also addresses the related issue of the transfer of prisoners in U.S. custody. It would not only prohibit the U.S. Department of Defense from transferring prisoners into a contractor's custody, but it would also require the Secretary of Defense to keep a written record of prisoner transfers from DOD custody to foreign nations.

Why is this provision necessary? Because according to published reports, interrogation strategies reportedly included sending detainees to third countries where in some cases, according to the New York Times, they are convinced they might be executed.

A set of post-9/11 legal memoranda prepared by the U.S. Government even suggested ''if U.S. Government officials are contemplating procedures that may put them in violation of American statutes that prohibit torture, degrading treatment, or the Geneva Conventions, they will not be held responsible if it can be argued that the detainees are formally in the custody of another nation.''

There may be instances when the transfer of prisoners to third countries would serve our interests. My amendment does not prohibit that from happening. But at the very least, records of transfers should be kept to ensure that the transfer of prisoners to countries with poor human rights records is not used to circumvent U.S. and international law. My amendment would mandate that such records be kept.

Finally, this amendment would also prohibit contractors from participating in most combat operations except in cases of self-defense, and it would prevent U.S. moneys from being used to pay contractors for those purposes. I understand our stated U.S. policy does not permit U.S. contractors in combat. The chaos on the ground has created a climate where, for the most part, these individuals operate with little or no oversight. Without specific language in statute which clearly spells out what are and are not permissible contractor activities, there will always exist the danger that circumstances will draw private citizens into armed conflict.

I would hope my colleagues would support codifying into law what the administration has said is its policy with respect to the use of private contractors in combat situations.

Madam President, I will briefly sum up what I am trying to accomplish with the pending amendment. First, I propose to restrict the use of contractors in prisoner interrogations. I point out that we provide for a little leeway here that would allow, during fiscal 2005, for a little time to be used, because we may not have the people at hand who can do translations, or perform interrogations, so we provide leeway to build this up. We would prohibit such individuals from being employed in prisoner interrogations.

Second, we would prohibit such individuals from being employed in offensive combat missions.

Finally, I would keep private contractors out of the prisoner contracting business.

I commend Senators WARNER and LEVIN for their willingness to address some of the issues I have touched on in this amendment in the last few weeks. This is so we in the Congress ''get it,'' so to speak, and we are ready to begin repairing the damage caused by these problems which, in some cases, continue to endanger our efforts in Iraq and throughout the globe.

I believe the amendment is a reasonable and measured response to the challenges we face. I urge my colleagues to support the efforts embodied in this proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I have looked over this amendment very carefully. We will have to oppose it for a number of reasons. There may be some parts of it on which we could have a meeting of the minds. I would like to walk through the amendment with my good friend and ask him a few questions about this amendment.

Let's go to the title:

> Prohibitions on the Use of Contractors for Certain Department of Defense Activities.
>
> (A) Prohibition on Use of Contractors in Interrogation of Prisoners and Combat Operations.

That and combat operations poses a dilemma. For example, as the distinguished Senator knows, in his State are a number of our submarines. At any one time, those submarines have a board of contractors who are working on the equipment, training of sailors, taking an aircraft carrier. At any one time, you have maybe several hundred contractors aboard an aircraft carrier. On a moment's notice, either of those vessels could be given a tactical order to go into harm's way.

The way this amendment is drawn—so broadly—I think the Senator had better look at it again. I could not in

any way support an amendment that says contractors are prohibited from going into harm's way, because they are forward-deployed with our units; they are aboard our vessels. At any time, on a moment's notice, they could be put into a position of being in harm's way.

Mr. DODD. Let me respond, if I may. It is an anticipated argument. We have similar provisions applying in certain categories under the United States Code here, 10 U.S.C. Section 113, Notice to Congress of Proposed Changes in Combat Assignments to Which Female Members May be Assigned; and also in Public Law 103–160.

I ask unanimous consent to have both of these provisions of the United States Code printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From 10 U.S.C., Public Law 103–160]

SEC. 542. NOTICE TO CONGRESS OF PROPOSED CHANGES IN COMBAT ASSIGNMENTS TO WHICH FEMALE MEMBERS MAY BE ASSIGNED

(a) IN GENERAL.—(1) Except in a case covered by subsection (b), whenever the Secretary of Defense proposes to change military personnel policies in order to make available to female members of the Armed Forces assignment to any type of combat unit, class of combat vessel, or type of combat platform that is not open to such assignments, the Secretary shall, not less than 30 days before such change is implemented, transmit to the Committees on Armed Services of the Senate and House of Representatives notice of the proposed change in personnel policy.

(2) If before the date of the enactment of this Act the Secretary made any change to military personnel policies in order to make available to female members of the Armed Forces assignment to any type of combat unit, class of combat vessel, or type of combat platform that was not previously open to such assignments, the Secretary shall, not later than 30 days after the date of the enactment of this Act, transmit to the Committees on Armed Services of the Senate and House of Representatives notice of that change in personnel policy.

(b) SPECIAL RULE FOR GROUND COMBAT EXCLUSION POLICY.—(1) If the Secretary of Defense proposes to make any change described in paragraph (2) to the ground combat exclusion policy, the Secretary shall, not less than 90 days before any such change is implemented, submit to Congress a report providing notice of the proposed change.

(2) A change referred to in paragraph (1) is a change that either—

(A) closes to female members of the Armed Forces any category of unit or position that at that time is open to service by such members; or

(B) opens to service by such members any category of unit or position that at that time is closed to service by such members.

(3) The Secretary shall include in any report under paragraph (1)—

(A) a detailed description of, and justification for, the proposed change to the ground combat exclusion policy; and

(B) a detailed analysis of legal implication of the proposed change with respect to the constitutionality of the application of the Military Selective Service Act to males only.

(4) For purposes of this subsection, the term ''ground combat exclusion policy'' means the military personnel policies of the Department of Defense and the military departments, as in effect on January 1, 1993, by which female members of the Armed Forces are restricted from assignment to units and positions whose mission requires routine engagement in direct combat on the ground.

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Pub. L. 103–160, div. A, Title V, Sec. 542, Nov. 30, 1993, 107 Stat. 1659, as amended by Pub. L. 106–398, Sec. 1 ((div. A), title V, Sec. 573(b)), Oct. 30, 2000, 114 Stat. 1654, 1654A–136; Pub. L. 107–107, div. A, title V, Sec. 591, Dec. 28, 2001, 115 Stat. 1125, provided that:

''(a) IN GENERAL.—(1) Except in a case covered by subsection (b) or by section 6035 of title 10, United states Code, whenever the Secretary of Defense proposes to change military personnel policies in order to make available to female members of the Armed Forces assignment to any type of combat unit, class of combat vessel, or type of combat platform that is not open to such assignments, the Secretary shall, not less than 30 days before such change is implemented, transmit to the Committees on Armed Services of the Senate and House of Representatives notice of the proposed change in personnel policy.

''(2) If before the date of the enactment of this Act (Nov. 30, 1993) the Secretary made any change to military personnel policies in order to make available to female members of the Armed Forces assignment to any type of combat unit, class of combat vessel, or type of combat platform that was not previously open to such assignments, the Secretary shall, not later than 30 days after the date of the enactment of this Act, transmit to the Committees on Armed Services of the Senate and House of Representatives notice of that change in personnel policy.

''(b) SPECIAL RULE FOR GROUND COMBAT EXCLUSION POLICY.—(1) If the Secretary of Defense proposes to make any change described in paragraph (2) to the ground combat exclusion policy, the Secretary shall, before any such change is implemented, submit to Congress a report providing notice of the proposed change. Such a change may then be implemented only after the end of a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) following the date on which the report is received.

''(2) A change referred to in paragraph (1) is a change that either—

''(A) closes to female members of the Armed Forces any category or unit or position that at that time is open to service by such members; or

''(B) opens to service by such members any category of unit or position that at that time is closed to service by such members.

''(3) The Secretary shall include in any report under paragraph (1)—

''(A) a detailed description of, and justification for, the proposed change to the ground combat exclusion policy; and

''(B) a detailed analysis of legal implication of the proposed change with respect to the constitutionality of the application of the Military Selective Service Act (50 App. U.S.C. 451 et seq.) to males only.

''(4) For purposes of this subsection, the term 'ground combat exclusion policy' means the military personnel policies of the Department of Defense and the military departments, as in effect on January 1, 1993, by which female members of the Armed Forces are restricted from assignment to units and positions whose mission requires routine engagement indirect combat on the ground.

''(5) For purposes of this subsection, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.''

Mr. DODD. In Public Law 103–160, it says:

(4) For purpose of this subsection, the term ''ground combat exclusion policy'' means the military personnel policies of the Department of Defense and the military departments, is in effect on January 1, 1993, by which female members of the Armed Forces are restricted from assignment to units and positions whose mission requires routine engagement and direct combat on the ground.

So there is a precedent here, and I am using this as an example of that same language. First, it would come under defending themselves to a certain point. The idea we are trying to get at is to have these personnel not become directly involved in combat.

Mr. WARNER. That is not the way it is crafted, as I read it. If the Senator wishes to proceed on this part of the amendment, the Senator would be well advised to try to make reference to the existing law in such a way as to make it clear.

Mr. DODD. I am happy to do that. My intention is, obviously, not to try to chart new areas of law.

Mr. WARNER. The way it is drawn, it could be interpreted that way.

Mr. DODD. We will talk with staff to see if we might make the language tighter.

Mr. WARNER. My second concern goes to the question of the interrogation of prisoners. Clearly, the Armed Services Committee has had hearings on the very difficult problems that we encountered in the prisons in Iraq, and perhaps in certain areas in Afghanistan; and we, by no means, have concluded—either the Congress or the Department of Defense—our examination of these problems. As the Senator well knows, the Army, in particular, and the Department of Defense have a number of ongoing investigations with regard to these prisoner problems. It relates, as my good friend from Connecticut stated, to the use of, in some instances, interrogators who were contractors.

This is the problem, as I see it. As we do our defense planning, we do our very best to have trained and ready cadres of individuals in combat areas and cadres of individuals for medical purposes and other purposes. If we were to put this type of prohibition into law, the Department of Defense—primarily the Department of the Army—would have to put into place a very significant number of individuals who would at all times be trained and ready to go in following combat operations to do the interrogations of prisoners.

That, it seems to me, puts a burden on the Department which is not a wise expenditure of funds and use of military personnel. I don't know what the estimate would be. Let's assume that in due course our situations in Afghanistan and Iraq are secured in such a way that our forces withdraw and we hopefully return to a period where there would be more equilibrium in the use of our Armed Forces in conducting missions around the world. As this is drawn, the Department of the Army would have to have a very significant cadre of individuals who are just waiting assignment at a future time, as a

consequence of some future military operation, to perform the interrogations. That has been an area that I think in the past has successfully been performed by contractors, providing there are rules and regulations laying down the specific requirements of the training of those contractors, the expertise. They just cannot pick up individuals off the street and put them into positions of responsibility. It is that general reason—and I will go on in a moment, but I will allow my colleague to reply—that I have great concern about the intention of this amendment. Those are two points I wish to make in terms of opposition to the amendment.

Mr. DODD. If I may respond, it is not an illegitimate concern in talking about personnel. We have all seen what could happen when you have people operating who are unregulated. In some cases, contractors have worked out of the Department of the Interior, so there is no supervision by the DOD. We are asking these people, unregulated, with no clear lines of authority, to do these things, and we have seen what happens when that occurs. It appears this is getting out of hand by private contractors.

In the area of intelligence gathering, dealing with sensitive matters—sensitive to the issue of having enough personnel on the ground to do these things—I am far more worried about the fact of rogue elements being able to cause us tremendous harm.

I think all would admit certainly that the result of what happened in Abu Ghraib prison and what the world knows today has been tremendously harmful to the United States and potentially to our men and women in uniform who may be subjected to interrogations. We know we are going to see the answers raised by others.

I provided in the amendment some leeway to allow for a period of time so it would not be required to have an immediate requirement that all of these individuals be replaced on the adoption of this particular law but allow for some leeway.

Mr. WARNER. Madam President, will the Senator direct the Senate to that portion where he thinks there is flexibility.

Mr. DODD. Madam President, if the Senator will go to page 2 of the amendment, the very bottom line, 25, section (b), the President may also waive the prohibition in paragraph 1 with respect to the use of contractors. Otherwise provided by that paragraph during the 90-day period—going on page 3—beginning on the date of enactment of this act, but any such waiver shall cease to be effective on the last day of such period.

There is also an earlier provision in regard to translator services regarding additional time.

Mr. WARNER. Madam President, I could not find that language. I listened carefully to the Senator's presentation. I can understand the translator.

Mr. DODD. I am quoting from the bill. With regard to 1(a) on page 2—and you go to page 2 of the amendment—

Mr. WARNER. I am on page 2.

Mr. DODD. Then go to line 10. It talks about interrogation of prisoners, detainees, and the like. Paragraph (b), and then it goes, on line 17, during fiscal year 2005 the President may waive prohibition in paragraph 1 with respect to contractors and provide translator services under paragraph (a), if the President determines no United States military personnel or appropriate language skills are available.

Go on down to line 25, page 2, section (b): The President may also waive the prohibition in paragraph 1(a) with respect to the use of any contractors. I am reading on page 3.

Mr. WARNER. Madam President, if the Senator will withhold, I have two amendments here, and I suspect what I was working off of was the—I thought it was the one that had been modified. I am now told this is the original amendment and that you have modified it.

Mr. DODD. I have modified it, yes.

Mr. WARNER. Once again, if the Senator will direct me.

Mr. DODD. On page 2 of the amendment, go down and begin on line 10, and I believe that is section (a). It talks about the interrogation of prisoners, what would not be allowed. Then paragraph (a) and paragraph (b). Then on line 17, 2(a), it says: During fiscal year 2005, the President may waive the prohibition in paragraph 1 with respect to the use of contractors to provide translator services under paragraph (a) of that paragraph.

Without reading the rest of that language, going to line 25, subparagraph (b) on page 2: The President may also waive the prohibition in paragraph 1(a) with respect to use of contractors—page 3 now—otherwise prohibited by that paragraph during the 90-day period beginning on the date of the enactment of this act.

Senator LEVIN raised this question, and we discussed it. It is a legitimate point. We do not expect for this to happen overnight. It would be unreasonable.

The point I want to make generically, because I think my colleague raises a very legitimate issue, is that the war on terror is not going to be over tomorrow, and it seems to me we better get the expertise in these areas. They are going to be an integral part of our Government service to have this talent, this ability. It is a new age we have entered, and we have to be prepared to address it.

I am deeply worried about having these unregulated, uncontrolled contractors, many of which are operating with agencies that are not even under the Department of Defense in a theater of conflict where the ability to control, regulate, and supervise may be going out the window.

As I say, I was stunned to read about the Department of the Interior. What is the Department of the Interior doing and what authority does the Department of Defense have over contractors hired by the Department of the Interior operating in a prison environment in Baghdad? That worries me. If they are not trained, who are these people gathering intelligence? How much reliance can we have?

I realize we are in tough shape with personnel, but my point is the sooner we start developing the in-house capabilities—I recall reading after 9/11 that we actually ran advertisements in local papers for people who could speak Arabic for jobs in the State Department. This is a terrible revelation that we do not have people capable of doing this skill.

I am worried that if we continue to rely on a very loose operation—we found out what happens, and we have suffered terribly as a result of these abuses that occurred.

I do not know to the extent and, obviously, others are looking into the details of it now, but certainly we know now there were a number of private contractors basically unsupervised operating in their own world and may have been directed by our military personnel under certain circumstances.

I am sensitive to the concerns raised by the chairman who, by the way—and I will state it again. The hearings that the chairman and the ranking member have held on this issue have been tremendously worthwhile, and I commend them immensely for what they are doing. If there are ways in which this amendment can be modified to address the not illegitimate concerns about how do you transition from a present situation into one we can build, then I am interested in how we do that.

I am not interested in having an amendment and having a vote, allowing it to come out one way or the other. I think it is a critically important issue. We have at least 20,000 people operating as independent contractors in a very important theater, and we are going to face more situations not unlike this in the coming years.

It seems to me we better start addressing this pretty quickly, and this amendment is an effort to do that.

Mr. WARNER. On the question of the interrogation, I would like to have an opportunity to revisit that. My immediate concern is maybe 90 days is short and perhaps there is some flexibility there.

If I can return to the part B, that gives me very serious concern, and that is the combat missions that require routine engagement. For example, so much of the security for Ambassador Bremer today is all contracted. Much of the security, as I understand, which is given to other members of the Iraqi government, to the extent they avail themselves of what the coalition forces—that is nonmilitary, Ambassador Bremer's operation—make available to them, I do not know how we are going to meet those needs. If you follow this to the letter, you would have to have all soldiers doing that.

Mr. DODD. As I said, the idea is it is one thing for them to be in a capacity to provide protection and certainly take steps for self-defense. I am trying to draw a distinction of engaging in offensive combat missions because there is some concern they have been involved in that level of activity.

Again, I hope the language used in existing law that draws a distinction between ground activity, combat activity, and noncombat activity, defensive activity, would be clear enough. Again, I am happy to spell out that language more clearly. I am just trying to avoid a situation where, again, people who are untrained, unregulated, and unsupervised can get us into a lot of difficulty in a very sensitive area.

Mr. WARNER. Madam President, the Senator's point is well taken. He has served in this body many years and during that period of time, we have engaged in a number of military operations. This one is unique.

I made a quick reference to the existing statutes, 113 U.S.C. and others. I am fearful the Senator has thrown out a fishnet here that catches too many when he says prohibit the use of contractors as relates to combat missions. I just do not know how we would operate aboard our ships. I do not know how we would operate in a number of theaters without the benefit of contractors, and, at certain times, they are in harm's way.

So at the moment we will have to have very vigorous opposition to this amendment as it is presently drawn. If the Senator from Connecticut wants to lay it aside and take a look at it, I will be happy to do so.

Mr. DODD. Madam President, let me put this in the RECORD, if I may, for my colleagues. Under Public Law 107–306, November 27, 2002, subsection (e), ''Limitation on Participation of United States Personnel'':

No United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available under this section, except for the purpose of acting in self defense or rescuing any United States citizen to include United States Armed Forces personnel, United States civilian employees, and civilian contractors employed by the United States.

I am not creating new law. That is a public law that is on the books. So I say to my colleagues, I do not believe we are going off in an area that would be unwarranted.

I ask unanimous consent that a copy of this Public Law 107–306 dated November 27, 2002 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Public Law 107–306—Nov. 27, 2002]

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

**SEC. 501. USE OF FUNDS FOR COUNTERDRUG AND COUNTERTERRORISM ACTIVITIES FOR COLOMBIA.**

(e) LIMITATION ON PARTICIPATION OF UNITED STATES PERSONNEL.—No United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available under this section, except for the purpose of acting in self defense or rescuing any United States citizen to include United States Armed Forces personnel, United States civilian employees, and civilian contractors employed by the United States.

Mr. DODD. It is Title V, the Department of Defense Intelligence Activities. That is the section, subsection e, of that title V.

Mr. WARNER. Madam President, I again draw my colleague to paragraph B, United States-led combat missions that require routine engagement in direct combat, that implies that the uniformed people are in direct combat and the presence in a supporting role of contractors can often be the case unexpectedly in connection with naval vessels which are a matter of a moment's notice.

Mr. DODD. I have no difficulty with——

Mr. WARNER. I am not sure this is drawn in such a way as to continue what I deem essential practice with regard to naval ships. I would have to study it considerably to determine how it might impede ground operations.

Mr. DODD. I always appreciate the advice and counsel of the chairman of the committee so I will take a look and see if there is some common language that might meet those concerns.

Mr. WARNER. Is it the intention of my colleague in due course to lay this aside?

Mr. DODD. I presume others would want to lay it aside when other amendments are being considered. I do not object to that.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, first let me comment on what I think is the heart of the amendment the Senator from Connecticut has offered, and that has to do with the interrogation function and whether that ought to be performed by private contractors.

It seems to me abundantly clear that we cannot hire private contractors to perform a function that is inherently governmental, inherently sensitive, indeed inherently explosive, and on which there must be accountability, such as the interrogation of prisoners. We have treaty obligations. We have to live up to those treaty obligations, not because they are treaty obligations, although that should be enough, but also because the safety of our own troops is directly involved if we fail to abide by treaty obligations.

The stakes are absolutely huge and we must have people performing these functions who are accountable to us, where there is accountability.

Now the chairman has pointed out a problem with so-called subparagraph 1(b). I do think that is going to require additional exploration, and the Senator from Connecticut is perfectly happy to take a look at that additional exploration.

As the Senator from Connecticut points out, there may indeed already be law on the books that this simply would reinforce. If that is true, it is possible we may not even need this provision, but that is something which the exploration of law can tell us. We may not need, or the Senator from Connecticut more properly may not need, the provision 1(b) if the current law already addresses that issue. But that is something we ought to explore when we lay this amendment aside.

I will tell my friend from Virginia, the chairman of the committee, that the heart of this amendment, as I read it, is not section 1(b) but section 1(a). I think the Senator from Connecticut can speak most directly to that issue, but it is a question of whether we are going to contract out the interrogation function, where there is no accountability in something as grave as this procedure. Interrogating people who are captured in war has ramifications that are so significant to the security of our own troops, I think we must have the full accountability, which is only achievable when we have this performed by our own governmental operations, our own forces, our own governmental employees. So I think 1(a) is right on target.

It is possible, and I think there is another reason to lay this aside, that according to at least an article which I read over the weekend there already is an Army policy directive on this subject, when I read this article——

Mr. WARNER. Excuse me, Madam President, but on which subject?

Mr. LEVIN. On the subject of (a).

Mr. WARNER. Let us make it clear because the Senator is mixing (a) and (b).

Mr. LEVIN. I thank my chairman. This is what the article reads, and because I have a reprint of it I am not sure what paper I read it in, but this is the computer reprint of an article by Joe Brinkley, which says the following: That the use of private contractors as interrogators at Abu Ghraib and other prisons violates an Army policy that requires such jobs to be filled by Government employees because of the risk to ''national security,'' among other concerns, the Army acknowledged on Friday. An Army policy directive published in 2000 and still in effect today, the military said, classifies any job that involves the gathering and analysis of tactical intelligence as inherently governmental functions borrowed from private sector performance.

Now if we are going to set this amendment aside, there is an additional reason to do so. In addition to taking a look at whether 1(b) is necessary, the issue raised by the chairman, we should also take a look at what current Army policy is relative to the hiring of contractors to perform the interrogation function. I have tried in the last few minutes to get a copy of that Army policy, and I have been unable to do so in the last few minutes, so I could actually check it out myself. So

if this amendment is laid aside, I would seek to do exactly that.

One other comment, and that is this so-called Department of Interior. What is the Department of Interior doing here? Talk about lack of accountability. This is a contract which the Department of Interior entered into with private contractors to do interrogation. We talk about lack of responsibility, lack of accountability. The Army has lost control of its own contractors. These are not Army contractors, they are Department of Interior contractors. And why? Because they have engaged in a so-called offloading mechanism, where they use a contract of another agency to pay for the performance of functions which they, the Army, want.

That is an area which I would hope our committee would look into because, to me, we have laws against this kind of offloading. The subcommittee of which I am ranking member, the Permanent Subcommittee of Investigations, has had hearings on these offloading abuses. We have passed law to try to prohibit these offloading abuses. We have language, as a matter of fact, in this bill that would prevent some of the abuses the GSA was involved in in terms of offloading. If we had known about this particular problem, we would have included that in our committee consideration of this issue.

The Senator from Connecticut is pointing out something which is vitally important to us, and that is people who do interrogations on behalf of our Nation, relative to prisoners of war, must be accountable. We must be able to deter abuses of the rights of prisoners under treaties, or else when our people are captured, we are going to find we are in the same position as these prisoners. We need accountable people. That requires the people who are doing the interrogation be Government employees, at a minimum, hopefully uniformed employees, secondly.

We have two problems that are sort of parallel. We have this offloading problem where the Department of Interior contract is used to hire contractors. By the way, this also goes back in part to the reduction of the acquisition workforce. It goes back to the same issue we addressed on the prior subject. The chairman of our committee, of which the Presiding Officer is an extremely valued member, will remember the last conference, and the conference before that, and the conference before that with the House of Representatives. Every year we face this effort to reduce the amount of people who are working in our acquisition workforce. We are paying the price for those cuts.

We tried to stop those cuts, and we succeeded in at least reducing the scope of the cuts year after year, but as conferences work out, there are compromises on this. So there have been cuts, against our wishes, in the acquisition workforce. This again is a price we are paying for the reductions in the acquisition workforce which have occurred in prior years.

I commend the Senator from Connecticut for identifying an issue. We must make sure the interrogation of prisoners, detainees, or combatants, as he puts it in his amendment, at any U.S. military installation or any installation under the authority of the U.S. military or civilian personnel must be carried out by people who are responsible to us, who are part of the U.S. Government. If they are not in the military, or at least governmental employees, and not simply contractors, where the accountability is much less, where is the accountability for contractors? Where is the accountability? We passed a law recently which provides the criminal accountability if you can make out a crime, but it is very difficult at times to prove crimes.

Mr. WARNER. Will the Senator yield?

Mr. LEVIN. I am happy to yield, but I encourage us to lay aside this amendment.

Mr. WARNER. So we can accommodate Senators, I would like to propose a unanimous consent request that the vote in relation to Dodd amendment No. 3312, which is the one covering equipment for the military forces, occur today at 5:30 p.m., provided that no amendments be in order to the amendment prior to the vote.

Mr. LEVIN. Would the Chairman add 10 minutes of discussion on the amendment prior to the vote?

Mr. WARNER. I suggest we go to the vote. I have indicated a willingness to support it, so I don't think——

Mr. DODD. Let's take 1 minute prior to the vote.

Mr. WARNER. Fine, 1 minute each side? Let's make it 2. I can't clear my throat in 1.

I repropound the unanimous consent request to the Presiding Officer.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. It was modified to 2 minutes, equally divided.

Mr. WARNER. Two minutes to each side, not equally divided.

Mr. DODD. OK. Two minutes to each side.

The PRESIDING OFFICER. If there is no objection, it is so ordered.

Mr. LEVIN. Madam President, if that is out of the way, I will yield the floor——

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I support the suggestion that the pending amendment of the Senator from Connecticut be laid aside to hear two issues.

Mr. WARNER. I failed to hear what you said. Would you repeat that?

Mr. LEVIN. I am sorry. I want to support the suggestion that the pending amendment of the Senator from Connecticut be laid aside so that two things can be carried out: One is that we look at section 1(b) relative to the combat language, both in terms of the points that the chairman has made and also in terms of the current law relative to combat. Also, that would give us an opportunity to check out this reported Army policy directive which has been referred to in this newspaper article to see what the current law is, at least what the current policy——

Mr. WARNER. Regulations.

Mr. LEVIN.——regulations of the Army are relative to this particular issue. I think it is important we at least know that before we act on the amendment. I leave this up to our friend from Connecticut, but I think the heart of this amendment relates to the interrogation of the prisoners, rather than 1(b).

Mr. DODD. If my colleague will yield, just going over this—and I certainly have no difficulty at all trying to clear up, if we can, the section 1(b) issue that my colleague from Virginia has raised. To the best of my knowledge at this point, we will explore it further, but my examination shows dealing with interrogation is a directive. It's not a law. It has been a policy, and the policy allowed for exceptions to be made when there were not enough personnel or whatever else to deal with it.

That is what has happened here. This is a policy that has been around for about 4 years—maybe a little earlier, maybe 1998, certainly no later than 2000. As such, it lacks codification in any sense at all, and it has been adhered to in the breach more than in the letter of it. That is how I understand this. I know of no Army regulations dealing with this issue, other than a general policy direction.

It seemed to me on this particular point, the codification of our feelings about this, if a majority of my colleagues in the other body agree, should be put in place. We are going to be faced with more of this in the years ahead. I think some very clear direction for the U.S. Congress on how interrogations ought to be conducted and who conducts them, under what authority, what supervision, what regulation, is absolutely essential.

That is the heart of the amendment. The combat function was really just a throwaway because it was existing law, as I understood it. But I am prepared to be corrected if that is not the case. I was reading from existing statutes regarding contractors and use in combat situations, under what parameters they are allowed to operate, sort of tracking that as to be included here. But I am prepared to stand corrected if that is not the case.

Mr. LEVIN. Will the Senator yield on this issue?

Mr. DODD. Certainly.

Mr. LEVIN. I very much support his effort to codify what should be the rule relative to the use of outside people when it comes to carrying out such a critical function as interrogating prisoners of war.

The same article says—this is the exceptions reference the Senator made—according to the public affairs officer, military commanders in Iraq, and I presume otherwise, ''retain the right to

make exceptions.'' That is the reference the Senator from Connecticut made.

The paragraph after that said the rule does not authorize exceptions involving collection or analysis of tactical intelligence. That is not in quotes. I think it really is important that we see exactly what that policy currently provides, not because it will take the place of a law—it will not, for the reasons given by the Senator from Connecticut. I think we must codify what is right in this area. Whether the policy that exists now is correct or not, we should put this into law because we have to make this point about how significant this is. That means the highest possible level of requirement, which is law—not policy, which can easily be changed or ignored, but law which cannot be ignored—is appropriate here.

I think for a lot of reasons we should try to take a look at what the exact wording of the policy is, not because it will substitute for what the Senator is doing, which is essential, but because we ought to know precisely what the current provisions are.

Mr. DODD. I thank my colleague from Michigan for his comments. I totally agree with him. I thank my colleague from Virginia as well for his counsel.

I ask unanimous consent this amendment be laid aside unless my colleague wants to address it any further, and then we will do some work to see if we can't resolve some of these issues before we move on.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Wyoming.

AMENDMENT NO. 3295

Mr. ENZI. I ask the pending amendment be set aside, and I call up an amendment numbered 3295.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. ENZI] proposes an amendment numbered 3295.

Mr. ENZI. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize the purchase of aircraft for use in aerial firefighting)

On page 280, after line 22, insert the following:

**SEC. 1068. AERIAL FIREFIGHTING EQUIPMENT.**

(a) FINDINGS.—Congress makes the following findings:

(1) The National Interagency Fire Center does not possess an adequate number of aircraft for use in aerial firefighting and personnel at the Center rely on military aircraft to provide such firefighting services.

(2) It is in the national security interest of the United States for the National Interagency Fire Center to purchase aircraft for use in aerial firefighting so that military aircraft used for aerial firefighting may be available for use by the Armed Forces.

(b) AUTHORITY TO PURCHASE AERIAL FIREFIGHTING EQUIPMENT.—(1) The Secretary of Agriculture is authorized to purchase 10 aircraft, as described in paragraph (2), for the National Interagency Fire Center for use in aerial firefighting.

(2) The aircraft referred to in paragraph (1) shall be—

(A) aircraft that are specifically designed and built for aerial firefighting;

(B) certified by the Administrator of the Federal Aviation Administration for use in aerial firefighting; and

(C) manufactured in a manner that is consistent with the recommendations for aircraft used in aerial firefighting contained in—

(i) the Blue Ribbon Panel Report to the Chief of the Forest Service and the Director of the Bureau of Land Management dated December 2002; and

(ii) the Safety Recommendation of the Chairman of the National Transportation Safety Board related to aircraft used in aerial firefighting dated April 23, 2004.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture for fiscal year 2005 such funds as may be necessary to purchase the 10 aircraft described in subsection (b).

Mr. ENZI. Madam President, I thank the chairman and ranking member for their cooperation on this amendment.

The purpose of this amendment is to authorize the Secretary of Agriculture to purchase 10 aircraft that were designed and built to fight fires.

The U.S. Forest Service and Bureau of Land Management need to develop a new fleet of aircraft for aerial firefighting in order to free up current military aircraft to fly military missions.

My amendment takes the first step to create a new fleet of aircraft specifically designed for aerial firefighting. Once the new fleet is in place all dedicated military aircraft will be freed up and allowed to be dedicated, once again, for military missions.

On May 10, 2004, the USDA Forest Service and the Department of the Interior terminated the contract for 33 large airtankers used for aerial fire fighting because of ''concerns over the airworthiness of the aircraft and public safety.'' The large, fixed-wing airtankers were used in wildland firefighting primarily for initial attack and structure protection support.

The old fleet was made up of aging, former military aircraft that were purchased at bargain basement prices from the surplus military market. They were the worst of the worst and required extensive repairs and refurbishing before they were ready for aerial firefighting.

The USFS has planned to replace the 33 air tankers with 8 military C130s that will be dedicated during the fire session to fly support for domestic fire fighting missions. These planes, therefore, will not be available to support necessary military missions.

The first step in relieving these planes from domestic duty, and making them available for military utilization, is to find a reasonable replacement that is safe and specifically designed for aerial fire fighting.

One example of the kind of aircraft that could be purchased is the Be-200 that would be serviced by a company in my home State of Wyoming.

It was specifically designed to operate as an air tanker and can deliver up to 6,000 gallons of water or other fire suppressants.

It is an amphibious plane that can scoop up the water on the fly.

It can mix the water with slurry in regulated amounts while in the air so it will not be required to fill up at a slurry base after every run.

And, because the water tanks were designed to fit under the cabin floor, it can also carry up to 60 firefighters and their gear as a transport plane while it is functioning as a firefighting tanker.

Our pilots put their lives on the lines to save our property and to save other lives. We owe it to them to have a modern fleet where the risks they face are significantly diminished.

We also owe it to our military to free up our military aircraft for military missions. Right now there are 8 C–130 transport aircraft that cannot be used to fly support missions in the Middle East because they have to be on hand to fight fires in the West.

We have options available to free those aircraft up and we should be developing those options as quickly as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. SMITH. Madam President, I ask unanimous consent to set aside the pending amendment so that I might bring up amendment 3183.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Without objection, the pending amendment is set aside.

AMENDMENT NO. 3183

(Purpose: To provide Federal assistance to States and local jurisdictions to prosecute hate crimes)

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH] proposes an amendment numbered 3183.

(The amendment is printed in today's RECORD under ''Amendments Submitted.'')

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Oregon.

Mr. SMITH. Mr. President, if there were a Senator here objecting to laying aside an amendment, I apologize to him or her, but I make no apology for the amendment I am submitting.

The Senate knows well the substance of this amendment because we have debated it in every Congress because it

needs to be debated. But, more importantly, it needs to be passed; that is, the whole issue of hate crimes. People will wonder why it is on a defense authorization. The answer is simply: Because the military, as I will demonstrate, is not immune to the scourge of hate crimes in our country. Second, this is a piece of legislation that needs to pass, and this issue needs to get as far in the process as possible, and I hope to the desk of the President so it can be signed into law.

It needs to be taken up as well because it has overwhelming support in the Senate. On this Defense authorization and in a previous Congress, 57 Senators voted in favor of this amendment. I believe it will have well over 60 this time.

Unfortunately, despite the fact that a majority of Senators support the legislation, Senator KENNEDY and I have felt we need to look for opportunities where there is an obvious nexus between this needed law and a piece of legislation that is likely to move.

The last time, 13 Republicans voted in favor of this legislation. I urge more to do so at this time.

It is no secret that with all the turmoil on the issue of gays and lesbians and their rights in this country, there are very strong feelings on both sides of this issue. I, for one, seek happiness for gays and lesbians in America. I believe in gay rights. But I also believe it is not right in the case of marriage for a few liberals to dictate to the rest of the country a new standard.

Notwithstanding that, I have always felt before you get to marriage, you ought to get rid of hate. I say that as a man who has been married nearly 30 years now. And I think before we take up the issue of marriage we ought to deal with the issue of hate crimes.

Back to the nexus between hate crimes and the defense of our Nation. Two obvious examples come to mind.

In 1992, Navy Seaman Allen R. Schindler was brutally murdered by his shipmate Terry Helvey in Okinawa, Japan. Helvey beat and stomped Schindler to death simply because he was gay. He was attacked so viciously that he destroyed every organ in Schindler's body. He was so badly beaten that Schindler's own mother could not identify him except by the remains of the tattoo on his arm. The medical examiner compared Schindler's injuries to those sustained by victims of fatal airplane crashes.

In another tragic case, PFC Barry Winchell was forced outside his barracks at Fort Campbell Army Base where he was stationed. In the early morning hours of July 5, 1999, Winchell was repeatedly beaten with a baseball bat by another Army private. He was beaten with such force and his injuries so severe that he died shortly thereafter. Barry was only 21, and he was murdered simply because he was gay.

As a nation—a nation that serves as the beacon of freedom and liberty everywhere—we simply cannot tolerate violence against people based on their race, color, religion, or national origin.

No matter how far our Nation has come and the progress we have made in protecting civil rights for all Americans, there is much work that remains. You cannot fight terror abroad and accept terror at home. We have had in this country hate crimes laws on our books for well over 30 years. They were contested as to their legitimacy all the way to the U.S. Supreme Court. For conservatives who would argue we should not have this as a category of crime, I simply respond it is a category of crime. Motive has always been a category of crime and establishing whether a crime has occurred. William Rehnquist, Justice of the U.S. Supreme Court, now its Chief Justice, wrote the opinion. It is hard to think of a more conservative Justice than Justice Rehnquist. But he is the one who said hate crimes are not just legitimate, they are constitutional.

So the question then becomes, if we have constitutional hate crimes laws on the Federal books that cover race and religion, why not sexual orientation? Is it because some hate them? Do some think it is not legitimate to include them? I simply say that America, if it is to live up to its motto, e pluribus unum, must include them.

I think we all know too well the tragic story of James Byrd who was dragged to death in Texas because of his race. We all know the tragically heartrending story of Matthew Shepard who was beaten to death along a lonely stretch of Wyoming fence because he was hated—not because they wanted his watch or his wallet; they didn't like him because he was gay. So they beat him to death.

Why Federal hate crimes laws? Wyoming does not have them, but many States do have hate crimes laws. Why isn't that enough?

Look at what happened in Wyoming. When this little town of Laramie began to pursue the issue, it took on national ramifications. They could have used the help of the Federal Government and its resources. But because of the nature of this hate crime—because it would involve sexual orientation and not race—the Federal authorities were not able to be of any assistance to this case in Wyoming. A Republican sheriff from Wyoming told me they could have used the help, and that he supported this legislation based on his experience.

These last two Congresses, I have entered into the RECORD everyday statements on hate crimes, actual hate crimes committed in our country. I have entered countless hate crime statements into the RECORD—over 300 in the last 300 days we have been in session. I do it to raise awareness, not only about the severity of these crimes but to show the frequency of these crimes.

As the Nobel laureate Eli Wiesel once said: ''To hate is to deny another person's humanity.'' So I do it to remember the victims of these hate crimes and to give a human face to this violence—to the murderers of these men, the Navy man, the Army private, to Matthew Shepard, to James Byrd.

These murders have shocked the Nation. To think that such virulent hatred of another person's skin or sexual orientation drove another to commit such a heinous act is truly unthinkable, yet it has happened.

Hate crimes tear at the very fabric of our Nation. They seek to intimidate entire groups of Americans and as such divide our Nation. These kinds of crimes do more than harm the victims. They terrorize our entire society and send a message of hate and intolerance to millions of Americans.

What can we do? We can pass this legislation. This legislation, known as the Local Law Enforcement Enhancement Act, is a symbol that can become substance.

The law is a teacher, and we should teach our fellow Americans that bigotry will not be tolerated. The Federal Government must have the power to persuade, to pursue, and to prosecute when hate is the motive of violence against an American, no matter their race, sexual orientation, religion, disability, or gender. By changing the law, we can change hearts and minds as well.

I urge my colleagues to do so, to change hearts and minds, and in some cases to change their vote, and to vote in favor of this amendment. Don't go to marriage until we have gotten rid of hate.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SMITH. I yield the floor.

Mr. WARNER. Mr. President, the amendment from our distinguished colleague from Oregon will require the attention of a number of colleagues. While there was no specific agenda for the amendments today, as a matter of comity we need some time.

For the moment, I am wondering if we could put in a quorum so we can assert the availability of one or more Members who might wish to address this. If not, there are other amendments which the Senator from Michigan and I are prepared to clear. Without any procedure by which it impedes the Senate addressing the Senator's amendment, I am sure the Senator would be willing to lay the amendment aside for the purpose of clearing amendments.

Mr. SMITH. I would accommodate any colleagues in any sense of comity that is appropriate to the Senate. I do want to vote. I do want to debate. We do not need to take a lot of time. This has overwhelming bipartisan support. We do not mean to gum up this bill. As I believe the chairman knows, this is offered in good faith. I know there are some objections to it. It is fine to air those. But let's discuss it quickly and

vote on it so we can get on with the other defense issues.

Mr. WARNER. In no way do I indicate it would gum up the bill. I am just trying to address the procedure so colleagues on the other side are given the opportunity to come to the Senate. I am exploring that now. It is a very serious amendment, and it deserves careful consideration by the proponents as well as the opponents.

Mr. LEVIN. Mr. President, I know Senator KENNEDY cosponsored this bill and has a major interest in this bill. We are trying to determine whether he wishes to speak at this point.

For the reasons given by our chairman, I gather this amendment will be laid aside until other colleagues who wish to have something to say on it have that opportunity. We are checking also with Senator KENNEDY.

Mr. SMITH. I note that Senator KENNEDY did not know I was coming here today, but I was told by good authority that if we wanted this included at all, we should include it today. I would very much like to make available a time—a time agreement can be short—that includes remarks by Senator KENNEDY.

Mr. LEVIN. I don't know whether it is possible to enter into a time agreement. The chairman would have a better feel for that.

I am a strong supporter of this amendment and this effort of Senator SMITH and Senator KENNEDY. From my perspective, the sooner we vote on this, the better. It is long overdue that it become law. I commend the Senator on this amendment and Senator KENNEDY for his tenacity as well. I hope the chairman can work out with other colleagues who want to speak on it in relation to some time agreement.

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3312, AS MODIFIED

Mr. LEVIN. Mr. President, I think now the order of business is that we have 2 minutes, as I remember, equally divided on the Dodd amendment. Then we will proceed to a vote at 5:30.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, first of all, I thank my colleagues on the Armed Services Committee, the chairman, Senator WARNER, and Senator LEVIN. I do not want to speak for the majority, but based on what Senator WARNER said earlier, I believe he may be supportive of the amendment. If that is the case, I welcome that.

Very briefly, the amendment is designed to provide reimbursement dollars for expenditures incurred by people in the military, their family members, or nonprofit organizations that have purchased body armor, additional protection for our men and women serving in Afghanistan and Iraq.

There are limitations. There is a time-definite period during which those acquisitions had to occur. The acquisitions must be approved by field commanders rather than just the individuals. There is a dollar-amount limitation of $1,100 on any purchase.

I do not know how widespread this is. I have commended the Armed Services Committee for substantially increasing the President's request of some $57 million to $262 million in this area, which I believe is going to tremendously assist in seeing to it that our men and women in uniform have whatever they need to allow them to perform their very difficult functions in two very different and difficult theaters.

Certainly, having loved ones acquire this equipment is unacceptable to all of us. This amendment is designed to make whole those who have incurred the costs. Again, I am grateful to the Armed Services Committee for what I assume is an indication of some support of the amendment.

Mr. LAUTENBERG. Mr. President, I rise today to discuss a very important amendment to the Defense authorization bill. I have worked with my colleague from Connecticut to draft an amendment that will reimburse U.S. troops serving in Iraq and Central Asia and their family members for flak jackets, weapons and other equipment they have bought out of their own pocket.

At the beginning of this war, the President claimed, ''We must always make sure that America's soldiers are well-equipped and well trained to fight this war on terror.'' However, the administration has not provided the adequate equipment the troops need to do their work, such as enough body armor or the most up to date Global Positioning Systems, GPS.

In March 2004, I traveled to Iraq with a group of Senators. I spoke to soldiers from all different types of units, both active duty and reservists. When I spoke to the brave members of our Armed Services, I was appalled to hear that many of them needed higher quality flak jackets, more modern, lighter rifles, and armor for their HUMVEE vehicles.

I have since learned that worried mothers and fathers throughout the country have gone to great lengths to purchase expensive equipment for sons or daughters, because they are dissatisfied with the inferior, inadequate equipment the Pentagon is providing.

In a few instances, parents in New Jersey and elsewhere have gone out and bought the equipment for their sons and daughters and shipped it through Federal Express to Iraq. I find this fact incredible. It is unconscionable that the parents of our service members and their loved ones fighting on behalf of our country have been abandoned by the civilian war planners at the Pentagon.

The administration, because of its inept planning and military miscalculations has forced hardworking Americans to pay for equipment that should be provided by the Armed Services.

Our amendment instructs the Secretary of Defense to immediately reimburse our courageous troops and their families for protective, safety or health equipment they have purchased with their own funds. This includes both the cost of the equipment itself and the shipping costs.

The civilian Pentagon war planners have been planning the Iraq war since 2002. That is two years to figure out how to get the correct body armor and lighter weapons to our troops. The Pentagon's inability to equip our young men and women who are sacrificing their lives on behalf of this country is just among many egregious, unforgivable mistakes they have made.

I am deeply disappointed with the civilian war planners at the administration and I hope through this amendment, the Senate will speak on behalf of the over 170,000 U.S. personnel currently serving in Iraq and Afghanistan and their safety and protection.

I yield the floor.

Mr. WARNER. Mr. President, I have indicated my support. I ask unanimous consent that I may proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I had asked my colleague, in the course of our colloquy, and I think he agreed with me, that so much of this purchase of odd pieces of equipment is anecdotal. You actually had a case in which you had documentation. But a lot of the other instances are anecdotal. Given the callup of so many people in the Reserves and Guard and so forth, coming loyally to do their duty, I think there had been some misunderstanding. We agreed in the area of Humvees, the Army got a bit behind on some of the modifications necessary. The Army got somewhat behind on the body armor. But generally speaking, the U.S. military has been well supplied and well equipped, and no large numbers of them were sent into harm's way—in this particular situation, two of them in Afghanistan and Iraq—without the benefit of that equipment. We concur on that.

But I am glad to assist the Senator and indicate a willingness to support the amendment in those isolated areas where in good faith citizens of our community and the soldiers themselves bought bits and pieces of equipment.

Mr. DODD. Mr. President, I have no information to argue with the conclusions of the chairman of the committee. My hope would be that is exactly the case. There are only a few isolated cases. If there are more, we will discover that. But on the basis of what we know thus far, there was a case in Connecticut, a serious one in Alabama, one in New Jersey. There

have been others. Even if there are a few, they are a few too many. In this case, we will provide some compensation for them as a result of those acquisitions.

Mr. WARNER. Mr. President, it is my understanding the yeas and nays have been ordered. We are prepared to move forward with the vote.

The PRESIDING OFFICER. That is correct. The yeas and nays have been ordered.

The question is on agreeing to amendment No. 3312, as modified. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from Utah (Mr. HATCH) is necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Delaware (Mr. CARPER), the Senator from New Jersey (Mr. CORZINE), the Senator from North Carolina (Mr. EDWARDS), the Senator from Vermont (Mr. JEFFORDS), the Senator from Massachusetts (Mr. KERRY), the Senator from Wisconsin (Mr. KOHL), and the Senator from Vermont (Mr. LEAHY) are necessarily absent.

I further announce that, if present and voting, the Senator from Vermont (Mr. LEAHY) would vote ''yea.''

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 112 Leg.]

YEAS—91

| | | |
|---|---|---|
| Akaka | Dole | McConnell |
| Alexander | Domenici | Mikulski |
| Allard | Dorgan | Miller |
| Allen | Durbin | Murkowski |
| Baucus | Ensign | Murray |
| Bayh | Enzi | Nelson (FL) |
| Bennett | Feingold | Nelson (NE) |
| Bingaman | Feinstein | Nickles |
| Bond | Fitzgerald | Pryor |
| Boxer | Frist | Reed |
| Breaux | Graham (FL) | Reid |
| Brownback | Graham (SC) | Roberts |
| Bunning | Grassley | Rockefeller |
| Burns | Gregg | Santorum |
| Byrd | Hagel | Sarbanes |
| Campbell | Harkin | Schumer |
| Cantwell | Hollings | Sessions |
| Chafee | Hutchison | Shelby |
| Chambliss | Inhofe | Smith |
| Clinton | Inouye | Snowe |
| Cochran | Johnson | Specter |
| Coleman | Kennedy | Stabenow |
| Collins | Kyl | Stevens |
| Conrad | Landrieu | Sununu |
| Cornyn | Lautenberg | Talent |
| Craig | Levin | Thomas |
| Crapo | Lieberman | Voinovich |
| Daschle | Lincoln | Warner |
| Dayton | Lott | Wyden |
| DeWine | Lugar | |
| Dodd | McCain | |

NOT VOTING—9

| | | |
|---|---|---|
| Biden | Edwards | Kerry |
| Carper | Hatch | Kohl |
| Corzine | Jeffords | Leahy |

The amendment (No. 3312), as modified, was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I ask unanimous consent that the managers of the bill may proceed to do cleared amendments, and for that purpose I ask unanimous consent that all amendments be laid aside.

The PRESIDING OFFICER (Mr. FITZGERALD). Without objection, it is so ordered.

Mr. WARNER. I thank the Presiding Officer. We will be on the way here momentarily.

AMENDMENT NO. 3344

Mr. LEVIN. Mr. President, on behalf of Senator BYRD, I call up amendment No. 3344 which would modify the Report on the National Technology and Industrial Base required by section 841 of the bill.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. BYRD, for himself, Ms. SNOWE, Mr. KERRY, Mr. ALLEN, and Mr. COLEMAN proposes an amendment numbered 3344.

The amendment is as follows:

(Purpose: To require the Commission on the Future of the National Technology and Industrial Base to consider shortages of critical technologies and to make recommendations regarding shortages; and to ensure adequate consideration of small business interests by the Commission)

Beginning on page 167, strike line 6 and all that follows through ''(4)'' on page 170, line 10, and insert the following:

(B) persons who are representative of labor organizations associated with the defense industry, and persons who are representative of small business concerns or organizations of small business concerns that are involved in Department of Defense contracting and other Federal Government contracting.

(3) The appointment of the members of the Commission under this subsection shall be made not later than March 1, 2005.

(4) Members shall be appointed for the life of the Commission. A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(5) The President shall designate one member of the Commission to serve as the Chairman of the Commission.

(c) MEETINGS.—(1) The Commission shall meet at the call of the Chairman.

(2) A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(d) DUTIES.—(1) The Commission shall—

(A) study the issues associated with the future of the national technology and industrial base in the global economy, particularly with respect to its effect on United States national security; and

(B) assess the future ability of the national technology and industrial base to attain the national security objectives set forth in section 2501 of title 10, United States Code.

(2) In carrying out the study and assessment under paragraph (1), the Commission shall consider the following matters:

(A) Existing and projected future capabilities of the national technology and industrial base.

(B) The impact on the national technology and industrial base of civil-military integration and the growing dependence of the Department of Defense on the commercial market for defense products and services.

(C) Any current or projected shortages of a critical technology (as defined in section 2500(6) of title 10, United States Code), or the raw materials necessary for the production of such technology, that could adversely affect the national security of the United States.

(D) The effects of domestic source restrictions on the strength of the national technology and industrial base.

(E) The effects of the policies and practices of United States allies and trading partners on the national technology and industrial base.

(F) The effects on the national technology and industrial base of laws and regulations related to international trade and the export of defense technologies and dual-use technologies.

(G) The adequacy of programs that support science and engineering education, including programs that support defense science and engineering efforts at institutions of higher learning, with respect to meeting the needs of the national technology and industrial base.

(H) The implementation of policies and planning required under subchapter II of chapter 148 of title 10, United States Code, and other provisions of law designed to support the national technology and industrial base.

(I) The role of the Manufacturing Technology program, other Department of Defense research and development programs, and the utilization of the authorities of the Defense Production Act of 1950 to provide transformational breakthroughs in advanced manufacturing technologies and processes that ensure the strength and productivity of the national technology and industrial base.

(J) The role of small business concerns in strengthening the national technology and industrial base.

(e) REPORT.—Not later than March 1, 2007, the Commission shall submit a report on its activities to the President and Congress. The report shall include the following matters:

(1) The findings and conclusions of the Commission.

(2) The recommendations of the Commission for actions by Federal Government officials to support the maintenance of a robust national technology and industrial base in the 21st century.

(3) The recommendations of the Commission for addressing shortages in critical technologies, and shortages of raw materials necessary for the production of critical technologies, that could adversely affect the national security of the United States.

(4) Any recommendations for legislation or changes in regulations to support the implementation of the findings of the Commission.

(5) * * *

Mr. WARNER. Mr. President, it has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3344) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3435

Mr. WARNER. Mr. President, on behalf of Senator MCCONNELL and Senator GRAHAM of South Carolina, I call up amendment No. 3435 which would authorize the Secretary of the Navy to convey land at the Naval Weapons Station in Charleston, S.C.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. MCCONNELL, for himself and Mr.

GRAHAM of South Carolina, proposes an amendment numbered 3435.

The amendment is as follows:

(Purpose: To provide for a conveyance of land at the Naval Weapons Station, Charleston, South Carolina)

On page 365, between lines 18 and 19, insert the following:

**SEC. 2830. LAND CONVEYANCE, NAVAL WEAPONS STATION, CHARLESTON, SOUTH CAROLINA.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Berkeley County Sanitation Authority, South Carolina (in this section referred to as the ''Authority''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of not more than 23 acres and comprising a portion of the Naval Weapons Station, Charleston, South Carolina, for the purpose of allowing the Authority to expand an existing sewage treatment plant.

(b) CONSIDERATION.—As consideration for the conveyance of property under subsection (a), the Authority shall provide the United States, whether by cash payment, in-kind services, or a combination thereof, an amount that is not less than the fair market value, as determined by an appraisal acceptable to the Secretary, of the property conveyed under such subsection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—(1) The Secretary may require the Authority to cover costs incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including appraisal costs, survey costs, costs related to compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and environmental remediation, and other administrative costs related to the conveyance. If the amounts are collected from the Authority in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Authority.

(2) Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be made available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Authority.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Mr. LEVIN. Mr. President, that amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3435) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3314

Mr. LEVIN. Mr. President, on behalf of Senator LANDRIEU, I call up amendment No. 3314 which would authorize the Army to convey the inactive Louisiana army ammunition plant to the State of Louisiana in return for an agreement that the State would guarantee that the Army and the Army Guard can continue to use it as a training site and the State would also assume cleanup responsibilities after 5 years.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mrs. LANDRIEU, proposes an amendment numbered 3314.

The amendment is as follows:

(Purpose: To authorize the conveyance of land at Louisiana Army Ammunition Plant, Doyline, Louisiana)

On page 365, between lines 18 and 19, insert the following:

**SEC. 2830. LAND CONVEYANCE, LOUISIANA ARMY AMMUNITION PLANT, DOYLINE, LOUISIANA.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the State of Louisiana (in this section referred to as the ''State'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 14,949 acres located at the Louisiana Army Ammunition Plant, Doyline, Louisiana.

(b) CONSIDERATION.—As consideration for the conveyance of property under subsection (a), the State shall—

(1) maintain at least 13,500 acres of such property for the purpose of military training, unless the Secretary determines that fewer acres are required for such purpose;

(2) ensure that any other uses that are made of the property conveyed under subsection (a) do not adversely impact military training;

(3) accommodate the use of such property, at no cost or fee, for meeting the present and future training needs of Armed Forces units, including units of the Louisiana National Guard and the other active and reserve components of the Armed Forces;

(4) assume, starting on the date that is five years after the date of the conveyance of such property, responsibility for any monitoring, sampling, or reporting requirements that are associated with the environmental restoration activities of the Army on the Louisiana Army Ammunition Plant, and shall bear such responsibility until such time as such monitoring, sampling, or reporting is no longer required; and

(5) assume the rights and responsibilities of the Army under the armaments retooling manufacturing support agreement between the Army and the facility use contractor with respect to the Louisiana Army Ammunition Plant in accordance with the terms of such agreement in effect at the time of the conveyance.

(c) PAYMENT OF COSTS OF CONVEYANCE.—(1) The Secretary may require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to State.

(2) Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of each survey shall be borne by the State.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Mr. WARNER. Mr. President, I wonder if the Senator from Michigan would look at the preamble. It states ''and the Army Guard.'' That would be the Army National Guard.

Mr. LEVIN. The Senator is correct.

Mr. WARNER. There is no objection, Mr. President.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3314) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3229

Mr. WARNER. Mr. President, on behalf of Senator MCCAIN, I call up amendment No. 3229 that would authorize up to 50 permanent or career professors at each of three service academies to be excluded from consideration under existing statutory grade limitation for officers.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. MCCAIN, proposes an amendment numbered 3229.

The amendment is as follows:

(Purpose: To exclude service academy permanent and career professors from a limitation on strengths applicable to active duty officers in grades of major, lieutenant colonel, and colonel and Navy grades of lieutenant commander, commander, and captain)

On page 60, after line 23, insert the following:

**SEC. 403. EXCLUSION OF SERVICE ACADEMY PERMANENT AND CAREER PROFESSORS FROM A LIMITATION ON CERTAIN OFFICER GRADE STRENGTHS.**

Section 523(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(8) Up to 50 permanent professors of each of the United States Military Academy and the United States Air Force Academy, and up to 50 professors of the United States Naval Academy who are career military professors (as defined in regulations prescribed by the Secretary of the Navy).''.

Mr. LEVIN. Mr. President, the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3229) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I would like to commend the distinguished Senator from Arizona. He serves on the Naval Academy Board. He is very familiar with the academy structure, being a graduate himself of the Naval Academy. I strongly support him in the objective he has in his amendment.

AMENDMENT NO. 3257, AS MODIFIED

Mr. LEVIN. Mr. President, on behalf of Senator KENNEDY, I call up amendment No. 3257 which would codify certain requirements for public-private competition for the performance of the Department of Defense functions, and also on behalf of Senator KENNEDY I send a modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. KENNEDY, for himself and Mr. CHAMBLISS, proposes an amendment numbered 3257, as modified.

The amendment is as follows:

(Purpose: To provide for improved assessment of public-private competition for work performed by civilian employees of the Department of Defense)

On page 184, between lines 16 and 17, insert the following:

**Subtitle F—Public-Private Competitions**

**SEC. 856. PUBLIC-PRIVATE COMPETITION FOR WORK PERFORMED BY CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.**

(a) LIMITATION.—Section 2461(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5)(A) Notwithstanding subsection (d), a function of the Department of Defense performed by 10 or more civilian employees may not be converted, in whole or in part, to performance by a contractor unless the conversion is based on the results of a public-private competition process that—

''(i) formally compares the cost of civilian employee performance of that function with the costs of performance by a contractor;

''(ii) creates an agency tender, including a most efficient organization plan, in accordance with Office of Management and Budget Circular A–76, as implemented on May 29, 2003;

''(iii) requires continued performance of the function by civilian employees unless the competitive sourcing official concerned determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of $10,000,000 or 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; and

''(iv) ensures that the public sector bid would not be disadvantaged in the cost comparison process by a proposal of an offeror to reduce costs for the Department of Defense by not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of such function under a contract or by offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than that which is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5.

''(B) Any function that is performed by civilian employees of the Department of Defense and is proposed to be reengineered, reorganized, modernized, upgraded, expanded, or changed in order to become more efficient shall not be considered a new requirement for the purpose of the competition requirements in subparagraph (A) or the requirements for public-private competition in Office of Management and Budget Circular A–76.

''(C) A function performed by more than 10 Federal Government employees may not be separated into separate functions for the purposes of avoiding the competition requirement in subparagraph (A) or the requirements for public-private competition in Office of Management and Budget Circular A–76.

''(D) The Secretary of Defense may waive the requirement for a public-private competition under subparagraph (A) in specific instances if—

''(i) the written waiver is prepared by the Secretary of Defense or the relevant Assistant Secretary of Defense, Secretary of a military department, or head of a Defense Agency;

''(ii) the written waiver is accompanied by a detailed determination that national security interests are so compelling as to preclude compliance with the requirement for a public-private competition; and

''(iii) a copy of the waiver is published in the Federal Register within 10 working days after the date on which the waiver is granted, although use of the waiver need not be delayed until its publication.''.

(b) INAPPLICABILITY TO BEST-VALUE SOURCE SELECTION PILOT PROGRAM.—(1) Paragraph (5) of section 2461(b) of title 10, United States Code, as added by subsection (a), shall not apply with respect to the pilot program for best-value source selection for performance of information technology services authorized by section 336 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1444; 10 U.S.C. 2461 note).

**SEC. 857. PERFORMANCE OF CERTAIN WORK BY FEDERAL GOVERNMENT EMPLOYEES.**

(a) GUIDELINES.—(1) The Secretary of Defense shall prescribe guidelines and procedures for ensuring that consideration is given to using Federal Government employees on a regular basis for work that is performed under Department of Defense contracts and could be performed by Federal Government employees.

(2) The guidelines and procedures prescribed under paragraph (1) shall provide for special consideration to be given to contracts that—

(A) have been performed by Federal Government employees at any time on or after October 1, 1980;

(B) are associated with the performance of inherently governmental functions;

(C) were not awarded on a competitive basis; or

(D) have been determined by a contracting officer to be poorly performed due to excessive costs or inferior quality.

(b) NEW REQUIREMENTS.—(1) No public-private competition may be required under Office of Management and Budget Circular A–76 or any other provision of law or regulation before the performance of a new requirement by Federal Government employees commences, the performance by Federal Government employees of work pursuant to subsection (a) commences, or the scope of an existing activity performed by Federal Government employees is expanded. Office of Management and Budget Circular A–76 shall be revised to ensure that the heads of all Federal agencies give fair consideration to the performance of new requirements by Federal Government employees.

(2) The Secretary of Defense shall, to the maximum extent practicable, ensure that Federal Government employees are fairly considered for the performance of new requirements, with special consideration given to new requirements that include functions that—

(A) are similar to functions that have been performed by Federal Government employees at any time on or after October 1, 1980; or

(B) are associated with the performance of inherently governmental functions.

(c) USE OF FLEXIBLE HIRING AUTHORITY.—The Secretary shall include the use of the flexible hiring authority available through the National Security Personnel System in order to facilitate performance by Federal Government employees of new requirements and work that is performed under Department of Defense contracts.

(d) INSPECTOR GENERAL REPORT.—Not later than 180 days after the enactment of this Act, the Inspector General of the Department of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the compliance of the Secretary of Defense with the requirements of this section.

(e) DEFINITIONS.—In this section:

(1) The term ''National Security Personnel System'' means the human resources management system established under the authority of section 9902 of title 5, United States Code.

(2) The term ''inherently governmental function'' has the meaning given that term in section 5 of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501 note).

**SEC. 858. COMPETITIVE SOURCING REPORTING REQUIREMENT.**

Not later than February 1, 2005, the Inspector General of the Department of Defense shall submit to Congress a report addressing whether the Department of Defense—

(1) employs a sufficient number of adequately trained civilian employees—

(A) to conduct satisfactorily, taking into account equity, efficiency and expeditiousness, all of the public-private competitions that are scheduled to be undertaken by the Department of Defense during the next fiscal year (including a sufficient number of employees to formulate satisfactorily the performance work statements and most efficient organization plans for the purposes of such competitions); and

(B) to administer any resulting contracts; and

(2) has implemented a comprehensive and reliable system to track and assess the cost and quality of the performance of functions of the Department of Defense by service contractors.

Mr. WARNER. Mr. President, I believe the amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3257) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3224

Mr. WARNER. Mr. President, on behalf of Senator COLLINS and Senator LEVIN, I send an amendment No. 3224 to the desk which would provide Federal employees with bid protection rights and actions under the OMB Circular 876 process.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Ms. COLLINS, for herself and Mr. LEVIN, proposes an amendment numbered 3224.

The amendment is as follows:

(Purpose: To amend title 31, United States Code, to provide Federal Government employees with bid protest rights in actions under Office of Management and Budget Circular A–76, and for other purposes)

On page 290, after line 22, insert the following:

**SEC. 1107. BID PROTESTS BY FEDERAL EMPLOYEES IN ACTIONS UNDER OFFICE OF MANAGEMENT AND BUDGET CIRCULAR A–76.**

(a) ELIGIBILITY TO PROTEST.—(1) Section 3551(2) of title 31, United States Code, is amended to read as follows:

''(2) The term 'interested party'—

''(A) with respect to a contract or a solicitation or other request for offers described in paragraph (1), means an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract; and

''(B) with respect to a public-private competition conducted under Office of Management and Budget Circular A–76 regarding performance of an activity or function of a Federal agency, includes—

''(i) any official who submitted the agency tender in such competition; and

''(ii) any one person who, for the purpose of representing them in a protest under this subchapter that relates to such competition, has been designated as their agent by a majority of the employees of such Federal agency who are engaged in the performance of such activity or function.''.

(2)(A) Subchapter V of chapter 35 of such title is amended by adding at the end the following new section:

**''§ 3557. Expedited action in protests for public-private competitions**

''For protests in cases of public-private competitions conducted under Office of Management and Budget Circular A–76 regarding performance of an activity or function of Federal agencies, the Comptroller General shall administer the provisions of this subchapter in a manner best suited for expediting final resolution of such protests and final action in such competitions.''.

(B) The chapter analysis at the beginning of such chapter is amended by inserting after the item relating to section 3556 the following new item:

''3557. Expedited action in protests for public-private competitions.''.

(b) RIGHT TO INTERVENE IN CIVIL ACTION.—Section 1491(b) of title 28, United States Code, is amended by adding at the end the following new paragraph:

''(5) If a private sector interested party commences an action described in paragraph (1) in the case of a public-private competition conducted under Office of Management and Budget Circular A–76 regarding performance of an activity or function of a Federal agency, then an official or person described in section 3551(2)(B) of title 31 shall be entitled to intervene in that action.''.

(c) APPLICABILITY.—Subparagraph (B) of section 3551(2) of title 31, United States Code (as added by subsection (a)), and paragraph (5) of section 1491(b) of title 28, United States Code (as added by subsection (b)), shall apply to—

(1) protests and civil actions that challenge final selections of sources of performance of an activity or function of a Federal agency that are made pursuant to studies initiated under Office of Management and Budget Circular A–76 on or after January 1, 2004; and

(2) any other protests and civil actions that relate to public-private competitions initiated under Office of Management and Budget Circular A–76 on or after the date of the enactment of this Act.

Mr. LEVIN. Mr. President, the amendment has been cleared on this side. I am a proud cosponsor of this amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3224) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3340

Mr. LEVIN. Mr. President, on behalf of myself and Senator FEINSTEIN, I call up amendment No. 3340 which would give authority to the Navy to settle a claim related to property associated with a former naval hospital in Oakland. This settlement has been agreed to by, I guess, all of the parties.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mrs. FEINSTEIN, proposes an amendment numbered 3340.

The amendment is as follows:

(Purpose: To authorize the settlement of the claim of the Oakland Base Reuse Authority and Redevelopment Agency of the City of Oakland, California)

At the end of subtitle D of title XXVIII, add the following:

**SEC. 2844. AUTHORITY TO SETTLE CLAIM OF OAKLAND BASE REUSE AUTHORITY AND REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND, CALIFORNIA.**

(a) AUTHORITY.—The Secretary of the Navy may pay funds as agreed to by both parties, in the amount of $2,100,000, to the Oakland Base Reuse Authority and Redevelopment Agency of the City of Oakland, California, in settlement of Oakland Base Reuse Authority and Redevelopment Agency of the City of Oakland v. the United States, Case No. C02–4652 MHP, United States District Court, Northern District of California, including any appeal.

(b) CONSIDERATION.—As consideration, the Oakland Base Reuse Authority and Redevelopment Agency shall agree that the payment constitutes a final settlement of all claims against the United States related to said case and give to the Secretary a release of all claims to the eighteen officer housing units located at the former Naval Medical Center Oakland, California. The release shall be in a form that is satisfactory to the Secretary.

(c) SOURCE OF FUNDS.—The Secretary may use funds in the Department of Defense Base Closure Account 1990 established pursuant to section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) for the payment authorized by subsection (a) or the proceeds of sale from the eighteen housing units and property described in subsection (b).

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3340) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3432

Mr. WARNER. Mr. President, on behalf of myself, Senator LEVIN and others, I call up amendment No. 3432 which would amend the short title of the Defense authorization bill in honor of the late President Ronald W. Reagan.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself, Mr. FRIST, Mr. STEVENS, Mr. MCCONNELL, Mr. LEVIN, Mr. MCCAIN, Mrs. HUTCHISON, Mr. INHOFE, Mr. KYL, Mr. SANTORUM, Mr. ROBERTS, Mr. ALLARD, Mr. SESSIONS, Ms. COLLINS, Mr. ENSIGN, Mr. TALENT, Mr. CHAMBLISS, Mr. GRAHAM of South Carolina, Mrs. DOLE, Mr. CORNYN, Mr. INOUYE, Mr. COCHRAN, Mr. GRASSLEY, Mr. LUGAR, Mr. NICKLES, Mr. BURNS, Mr. LOTT, and Mr. LIEBERMAN, proposes an amendment numbered 3432.

The amendment is as follows:

(Purpose: To amend the short title to name the bill in honor of the late Ronald W. Reagan, the 40th President of the United States)

On page 2, beginning on line 2, strike ''National Defense Authorization Act for Fiscal Year 2005'' and insert ''Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005''.

Mr. LEVIN. The amendment has been cleared and very strongly cosponsored by many Members on this side of the aisle, as well as I think probably everyone if they had the opportunity which they can, of course, do at a later time.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 3432) was agreed to.

Mr. WARNER. I appreciate the Presiding Officer's action on that. I am very proud to have initiated this. I am very proud of the number of cosponsors on both sides, and Senator LEVIN's strong bipartisanship.

I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3221

Mr. WARNER. Mr. President, on behalf of Senators LOTT, COCHRAN,

SNOWE, and COLLINS I call up amendment No. 3221, which ensures the continuity of search and rescue capabilities of the Federal Government.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. LOTT, for himself, Ms. SNOWE, Mr. COCHRAN, and Ms. COLLINS, proposes an amendment numbered 3221.

The amendment is as follows:

(Purpose: To ensure continuity of the search and rescue capabilities of the Federal Government)

On page 280, after line 22, insert the following:

**SEC. 1068. PRESERVATION OF SEARCH AND RESCUE CAPABILITIES OF THE FEDERAL GOVERNMENT.**

The Secretary of Defense may not reduce or eliminate search and rescue capabilities at any military installation in the United States unless the Secretary first certifies to the Committees on Armed Services of the Senate and the House of Representatives that equivalent search and rescue capabilities will be provided, without interruption and consistent with the policies and objectives set forth in the United States National Search and Rescue Plan entered into force on January 1, 1999, by—

(1) the Department of Interior, the Department of Commerce, the Department of Homeland Security, the Department of Transportation, the Federal Communications Commission, or the National Aeronautics and Space Administration; or

(2) the Department of Defense, either directly or through a Department of Defense contract with an emergency medical service provider or other private entity to provide such capabilities.

Mr. WARNER. The amendment has been cleared and is agreeable.

Mr. LEVIN. The amendment has been cleared on this side.

Mr. WARNER. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3221) was agreed to.

Mr. WARNER. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3376, AS MODIFIED

Mr. LEVIN. On behalf of Senator BILL NELSON, I call up amendment No. 3376, which will set forth the sense of the Congress that the Secretary of Defense should provide support for reduced launch costs and enhanced technical capabilities at space launch ranges through additional safety systems, and on behalf of Senator NELSON I send a modification to the desk and ask that the modification be considered.

The PRESIDING OFFICER. Without objection, it is so modified.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. NELSON of Florida, proposes an amendment numbered 3376, as modified.

The amendment is as follows:

(Purpose: To express the sense of Congress on space launch ranges)

On page 256, between lines 10 and 11, insert the following:

**SEC. 1035. SENSE OF CONGRESS ON SPACE LAUNCH RANGES.**

It is the sense of Congress that the Secretary of Defense should provide support for, and continue the development, certification, and deployment of portable range safety systems that are capable of—

(1) reducing costs related to national security space launches and launch infrastructure; and

(2) enhancing technical capabilities and operational safety at the Eastern, Western, and other United States space launch ranges.

Mr. WARNER. The amendment has been cleared. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3376) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3167

Mr. WARNER. Mr. President, on behalf of Senator DOMENICI, I call up amendment No. 3167, which requires the Secretary of Defense to submit a report on potential missile defense test ranges.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. DOMENICI, proposes an amendment numbered 3167.

The amendment is as follows:

(Purpose: To require a report on the availability of launch sites that permit realistic overland test flights for defenses against short-range ballistic missile systems)

At the end of subtitle C of title X, add the following:

**SEC. 1022. REPORT ON AVAILABILITY OF LAUNCH SITES PERMITTING REALISTIC OVERLAND TEST FLIGHTS FOR DEFENSES AGAINST SHORT-RANGE BALLISTIC MISSILE SYSTEMS.**

(a) FINDING.—Congress finds that the testing of defenses against short-range ballistic missile systems require overland flights of such systems of at least 1,000 kilometers in order to accurately simulate realistic environmental conditions that affect such defenses.

(b) REPORT ON AVAILABILITY OF LAUNCH SITES.—The Secretary of Defense shall submit to Congress a report assessing the availability to the Department of Defense of launch sites that permit overland flights of short-range ballistic missile systems of at least 1,000 kilometers in order to accurately simulate realistic environmental conditions that affect such defenses.

Mr. LEVIN. The amendment has been cleared on this side.

Mr. WARNER. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3167) was agreed to.

Mr. WARNER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3296

Mr. LEVIN. Mr. President, on behalf of Senator SARBANES, I call up amendment No. 3296, which would grant a Federal charter to the Korean War Veterans Association, Incorporated.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. SARBANES and Mr. WARNER, proposes an amendment numbered 3296.

The amendment is as follows:

(Purpose: To grant a Federal charter to Korean War Veterans Association, Incorporated)

At the end of subtitle G of title X, add the following:

**SEC. 1068. GRANT OF FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED.**

(a) GRANT OF CHARTER.—Part B of subtitle II of title 36, United States Code, is amended—

(1) by striking the following:

**"CHAPTER 1201—[RESERVED]"**; and

(2) by inserting the following:

**"CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED**

**"Sec.**

''120101. Organization.
''120102. Purposes.
''120103. Membership.
''120104. Governing body.
''120105. Powers.
''120106. Restrictions.
''120107. Duty to maintain corporate and tax-exempt status.
''120108. Records and inspection.
''120109. Service of process.
''120110. Liability for acts of officers and agents.
''120111. Annual report.

**"§ 120101. Organization**

''(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the 'corporation'), incorporated in the State of New York, is a federally chartered corporation.

''(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) expires.

**"§ 120102. Purposes**

''The purposes of the corporation are as provided in its articles of incorporation and include—

''(1) organizing, promoting, and maintaining for benevolent and charitable purposes an association of persons who have seen honorable service in the Armed Forces during the Korean War, and of certain other persons;

''(2) providing a means of contact and communication among members of the corporation;

''(3) promoting the establishment of, and establishing, war and other memorials commemorative of persons who served in the Armed Forces during the Korean War; and

''(4) aiding needy members of the corporation, their wives and children, and the widows and children of persons who were members of the corporation at the time of their death.

**"§ 120103. Membership**

''Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

**"§ 120104. Governing body**

''(a) BOARD OF DIRECTORS.—The board of directors of the corporation, and the responsibilities of the board of directors, are as provided in the articles of incorporation of the corporation.

''(b) OFFICERS.—The officers of the corporation, and the election of the officers of the corporation, are as provided in the articles of incorporation.

**"§ 120105. Powers**

''The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

**"§ 120106. Restrictions**

''(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

''(b) POLITICAL ACTIVITIES.—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

''(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

''(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any of its activities.

**"§ 120107. Duty to maintain corporate and tax-exempt status**

''(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

''(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

**"§ 120108. Records and inspection**

''(a) RECORDS.—The corporation shall keep—

''(1) correct and complete records of account;

''(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

''(3) at its principal office, a record of the names and addresses of its members entitled to vote on matters relating to the corporation.

''(b) INSPECTION.—A member entitled to vote on matters relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

**"§ 120109. Service of process**

''The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the Corporation.

**"§ 120110. Liability for acts of officers and agents**

''The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

**"§ 120111. Annual report**

''The corporation shall submit an annual report to Congress on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.''.

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle II of title 36, United States Code, is amended by striking the item relating to chapter 1201 and inserting the following new item:

''1201. Korean War Veterans Association, Incorporated .....120101''.

Mr. WARNER. The amendment has been cleared.

I ask to be made a cosponsor as I am proud to have served in the Korean war in the Marines.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 3296) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3316, AS MODIFIED

Mr. LEVIN. Mr. President, on behalf of Senator HARKIN, I call up amendment No. 3316, which expresses a sense of the Senate that the Secretary of Defense should develop appropriate methods of oversight of the American forces radio and television service system to ensure presentation of all sides of important public questions, and on behalf of Senator HARKIN, I send a modification to the desk and ask unanimous consent the modification be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Mr. HARKIN, proposes amendment numbered 3316, as modified.

The amendment is as follows:

(Purpose: Expressing the sense of the Senate on Armed Forces Radio and Television Service programming)

At the appropriate place add the following:

Whereas it is the mission of the American Forces Radio and Television Service to provide U.S. military commanders overseas and at sea with a broadcast media resource to effectively communicate DoD, Service-unique, theater, and local command information to personnel under their commands and to provide U.S. military members, DoD civilians, and their families stationed outside the Continental U.S. and at sea with the same type and quality of American radio and television news, information, sports, and entertainment that would be available to them if they were in the continental U.S.; and

Whereas key principles of American Forces Radio and Television Service broadcasting policy, as outlined in Department of Defense Regulation 5120.20R, are to ensure political programming characterized by fairness and balance and to provide a free flow of political programming from U.S. commercial and public networks without manipulation or censorship of any news content to the men and women of the Armed Forces and their dependents; and

Whereas the stated policy of the American Forces Radio and Television Service is to select programming that represents a cross-section of popular American radio and television offerings and to emulate stateside scheduling and programming seen and heard in the United States; and

Whereas it is the policy of American Forces Radio and Television Service to select news and public affairs programs for airing that provide balance and diversity from available nationally recognized program sources, including broadcast and cable networks, Headquarters, American Forces Radio and Television Service, the military departments, and other government or public service agencies. Therefore, be it

*Resolved,* That it is the sense of the Senate—

that the mission statement and policies of the American Forces Radio and Television Service appropriately state the goal of maintaining equal opportunity balance with respect to political programming and that the Secretary of Defense should therefore ensure that these policies are fully being implemented by developing appropriate methods of oversight to ensure presentation of all sides of important public questions with the fairness and balance envisioned by the Department of Defense throughout the American Forces Radio and Television Service system.

Mr. WARNER. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3316) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3164, AS MODIFIED

Mr. WARNER. On behalf of Senator GREGG, I call up amendment No. 3164 that expresses the sense of the Senate that the Internal Revenue Service should provide further guidance to clarify under the tax laws the rights and responsibility of employers who generously continue payments to employees who are mobilized Reserve or Guard members, and on behalf of Senator GREGG, I send a modification to the desk and ask it be agreed to.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. GREGG, proposes an amendment numbered 3164, as modified.

The amendment is as follows:

(Purpose: To express the sense of the Senate on the coordination of rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 with the Internal Revenue Code of 1986)

On page 280, after line 22, insert the following:

**SEC. 1068. COORDINATION OF USERRA WITH THE INTERNAL REVENUE CODE OF 1986.**

(a) FINDINGS.—Congress makes the following findings:

(1) Employers of reservists called up for active duty are required to treat them as if they are on a leave of absence or furlough under the Uniformed Services Employment and Reemployment Rights Act of 1994 (in this section referred to as ''USERRA'').

(2) USERRA does not require employers to pay reservists who are on active duty, but many employers pay the reservists the difference between their military stipends and their regular salaries. Some employers provide this ''differential pay'' for up to 3 years.

(3) For employee convenience, many of these employers also allow deductions from the differential payments for contributions to employer-provided retirement savings plans.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Internal Revenue Service should, to the extent it is able within its authority, provide guidance consistent

with the goal of promoting and ensuring the validity of voluntary differential pay arrangements, benefits payments, and contributions to retirement savings plans related thereto.

Mr. GREGG. Mr. President, military action in Afghanistan and Iraq has brought to light yet another example of how outdated and burdensome government policies often punish generous employers in America. Apparently, when it comes to companies showing respect for employees who are called to active duty in the military, there is special meaning to the old cliche that ''no good deed goes unpunished.''

The National Committee for Employer Support for the Guard and Reserve, a nationwide association, reports that over 2,500 employers have signed a pledge of support and have gone above and beyond the requirements of the law in support of their National Guard and Reserve employees. This includes many of our Nation's largest and most reputable corporations, including 3M, McDonalds, Wal-Mart, Home Depot, Liberty Mutual and many others. These remarkable companies provide reservist employees who are on active duty with ''differential pay'' that makes up the difference between their military stipend and civilian salary.

National companies are not the only patriotic businesses providing special pay to our men and women who are called to serve overseas. Some of the most remarkable stories of corporate patriotism can be found in my state of New Hampshire.

BAE Systems of Nashua provides differential pay to their 25 called-up employees and continuing access to benefits to family members. The company even provides a stipend to make up the lost pay of active duty spouses of company employees when the spouse's employer is not able to provide differential pay. The corporate culture of support for the troops at BAE Systems is universal. Employees are encouraged to stay in touch with the families of fellow employees on active duty to help out where they can, and to avoid the Vietnam Syndrome of isolation. When you walk into BAE Systems headquarters, you cannot help but notice the flags of the branches of the United States armed services.

And then there is the story of Mr. Marian Noronha, Chairman and Founder of Turbocam, a manufacturer based in Dover, New Hampshire. An immigrant from India, Mr. Noronha has not only provided his employees with differential pay and continued family health benefits, but he has also extended to each of his activated employees a $10,000 line of credit. His active duty reservist and Guard employees have used this money to, among other things, purchase personal computers so their families can communicate with them while they are overseas. Beyond this, Mr. Noronha actively encourages other employers to treat their reservist employees in a similar manner.

Several other New Hampshire private-sector companies, including Hitchiner Manufacturing Company in Milford, also have exemplary records when it comes to dealing with their employees in the Reserves and National Guard.

Finally, New Hampshire's Governor Benson by Executive Order has also extended differential pay for up to 18 months to State employees who have been called to active duty.

Unfortunately, an arcane IRS interpretation of tax law actually penalizes these kinds of employers that voluntarily pay their National Guard and reservist employees the difference between their military stipends and their previous civilian salaries—which appropriately is called ''differential pay.'' The law also penalizes employers that continue making contributions to retirement plans for such employees.

According to the IRS, members of the Guard and reserves called up for active duty are required to be treated as if they are on a leave of absence by their employers under the Uniformed Services Employment and Reemployment Rights Act of 1994, USERRA. Therefore, the act does not require employers to pay workers who are on active duty. However, many employers—out of a sense of civic duty—continue to pay active duty Guard members and reservists the difference between their military stipends and their regular salaries with some employers providing such ''differential pay'' for up to 3 years. In additions, many of these remarkable companies go even further and allow their active duty employees to continue making contributions to their 401(k) retirement plans via deductions from the ''differential payments.''

However, rather than applauding and encouraging such selfless behavior by companies in continuing to provide retirement benefits for Reservists, the IRS's 1969 Revenue Ruling requires that the active duty workers be treated as if they were ''terminated.'' As a result, this law then puts at risk the retirement plan for an employer's entire workforce and could make all amounts in the plan immediately taxable to the plan's participants and the employer. Adding to the absurdity of the situation, preventing an employer from treating ''differential pay'' as wages under the law means employers are prohibited from withholding income taxes, which in turn causes their active duty former employees to face large and unexpected tax bills at the end of the year.

We should change this Vietnam War-era IRS interpretation of tax law that actually penalizes responsible, caring, patriotic employers like BAE Systems, Hitchiner Manufacturing, and many other companies who voluntarily provide differential pay. I have offered a bill to do just that, S. 2448, but the problem could be corrected more appropriately and quickly by the Internal Revenue Service by revising the outdated revenue ruling that effectively discourages employers from providing additional pay to their employees who are reservists or Guard members called to active duty. The sense of the Senate amendment I am offering today urges the Internal Revenue Service to reconsider the ramifications of applying a Vietnam-era revenue ruling to the prevailing circumstances of the present day.

Specifically it expresses the sense of the Senate that the IRS should, ''to the extent it is able within its authority, provide guidance consistent with the goal of promoting and ensuring the validity of voluntary differential pay arrangements, benefits payments, and contributions related thereto.''

Employers should not be penalized for the generosity they provide to our nation's reservists and members of the Guard. This sense of the Senate urges the Internal Revenue Service to help employers avoid these problems.

Mr. President, I also ask unanimous consent a newsletter be printed in the RECORD from BAE Systems titled ''Connections,'' published last month, that outlines the differential pay benefits that BAE provides their employees called up to active National Guard or Reserve duty.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BAE SYSTEMS SPOUSES GET SUPPORT WHILE LOVED ONES ARE MILES AWAY FROM HOME

Marine Corps Reserve Sgt. Hunter Philbrick returned to his civilian job as a Milford, N.H., police officer in January. His year-long military deployment in support of the War on Terrorism was made a little easier by BAE Systems' support for his family.

Sgt. Philbrick's wife Tina—a senior program control administrator on the F/A–22 program—says the Company helped to ease the difficulties of her husband's absence. Philbrick is one of four Information & Electronic Warfare Systems (IEWS employees whose non-BAE Systems spouses have been called to active duty over the past few years.

''It was really, really appreciated.'' says Philbrick.

''IEWS is committed to supporting its Reservists,'' said Jon Murphy, vice president of IEWS' Human Resources. ''IEWS' policy goes well beyond the 1994 Uniformed Serviced Employment and Reemployment Rights Act (USERRA).''

IEWS' policy is so strong, a New Hampshire state legislator recently attempted to model state policy after IEWS' outreach towards its Reserve and Guard employees.

''IEWS' policy is seen as a real beacon of support for our Guard and Reserve employees and their families.'' said Dennis Viola of the State Veterans Council. ''When we asked Ted Kerr of the New Hampshire Guard office about company policies to emulate, he didn't hesitate to mention BAE Systems and Public Service of New Hampshire.''

IEWS employs 72 U.S. military Reservists or National Guardsmen and women. Nine of these employees, currently on active duty, support operations Nobel Eagle, Enduring Freedom, and Iraqi Freedom. Four other employees have non-BAE Systems spouses also called to active duty.

''Anything the Company does for members of the military and their families is really appreciated'' Said Philbrick.

BAE Systems does all it can to support men and women in uniform and that includes employees who are ''Citizen Soldiers'' by

serving in the National Guard and Reserve. Not only do we support those directly serving in the Armed Forces, but we're also here to help the families of troops. Whether it's through a Charity Challenge bike drive where employees raise money and donate time to build bikes for distribution to local military families, or through a business unit stipend, we stand behind men and women who choose to serve our country. Support may vary somewhat between business units and locations, but the desire to do the right thing is always there.''

Mr. LEVIN. The amendment has been cleared.

Mr. WARNER. I urge its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3164) was agreed to.

Mr. WARNER. I move to reconsider the vote, and I move to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3295

Mr. WARNER. Mr. President, I call up an amendment on behalf of the Senator from Wyoming, Mr. ENZI, amendment No. 3295. My understanding is it has been cleared on both sides.

Mr. LEVIN. The amendment has been cleared on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 3295) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 3307

Mr. LEVIN. Mr. President, I call up an amendment on behalf of Senator HARRY REID. I believe it is No. 3307.

Mr. WARNER. There is no objection on this side.

The PRESIDING OFFICER. The amendment is pending.

Mr. LEVIN. Mr. President, this amendment provides for parallel compensation for our POWS from the first gulf war. I think the language is at the desk.

Mr. REID. I appreciate very much the hard work of these two great Senators. I especially appreciate their recognizing the importance of this amendment. We had 17 American prisoners of war, and they were treated very brutally, with jaws broken, electricity applied to various parts of their body. A number of the 17 have permanent damages as a result of this brutal treatment.

They had a large judgment at one time. It was opposed by the Justice Department. Last week, that was knocked out.

I simply want, as the ranking member of the committee said, that these POWs who were so brutalized have equal treatment with the Iraqis who were brutalized in the prison in Iraq. This does not call for a specific sum of money. It just says the Defense Department must come up with a plan for these 17 people before we agree to anything for the Iraqis who the Secretary of Defense has said should be compensated.

It is the fair thing to do. We have these 17 brave American patriots who feel put down by their Government for having had Saddam Hussein's money at one time taken away from them.

Mr. WARNER. Mr. President, I associate myself with the remarks of our distinguished Democratic leader. The amendment is carefully thought through. It should be given to these men and families.

I would like to be added as a cosponsor.

Mr. LEVIN. Mr. President, let me add my thanks to the Senator from Nevada for, as always, looking out for the interests of our troops, the men and women in the Armed Forces. Where it is necessary to make up for failures, he is the first to find ways to do that. It is a very important function of this Senate. I commend the Senator.

I ask to be added, also, as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 3307) was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, while I have the attention of the two managers of the bill, just so other Senators have an idea of what we on this side are planning on doing, I have consulted with the distinguished manager of the bill on our side. Senator CRAPO is going to try to offer an amendment sometime tomorrow. Once that is resolved one way or the other, the next Democratic amendment in order will be by the distinguished Senator from Illinois. So that is going to be our next amendment in order following the Crapo amendment. We are having a few little parliamentary problems with that right now, but we will work on that through the evening and tomorrow.

Mr. WARNER. Mr. President, reserving the right to object, and I do not think I will, I just want to clarify the situation. I would have to object now to any further amendments being laid down tonight.

Mr. REID. No. If my distinguished friend will yield, Mr. President, what I simply said is that it is my understanding the next Republican amendment in order is the Crapo amendment. We have an objection on our side at this time that that amendment be laid down.

Mr. WARNER. Right.

Mr. REID. We are going to try to resolve that. What I indicated is that following that amendment, we would likely go to Senator DURBIN, unless Senator CANTWELL wants to offer hers. But those are our next two amendments in order, and the next one will either be Cantwell or Durbin, whenever she decides she wants to offer hers. That is just an agreement so people know what we are trying to do on our side.

Mr. WARNER. Fine. I hope we are not asking for any unanimous consent to lock anything in. You are simply notifying the Senate. I would like to be cooperative to see that sequence of events transpires. So at this time there will not be a laying down of an amendment.

Mr. REID. That is right. Until we get the matter resolved with Senator CANTWELL and Senator HOLLINGS, we will not be able to go to the Crapo amendment. We are going to work on that. But after that, we have a number of amendments on our side that we want to offer, and I have indicated to the Chair what we plan to do.

Mr. WARNER. So we have had a colloquy in which we have indicated this is the manner in which we hope to proceed. We will have the Kennedy amendment first. Once that is concluded—presumably there will be a rollcall vote—then we will proceed to the next amendment. It is a Republican that is in the queue. It is likely to be Mr. CRAPO. At that time, I hope this matter will be resolved so there can be this sequence of events.

Mr. REID. One reason I want to do this, I say through the Chair to the distinguished managers, is that Senator DURBIN is a very patient man. He has actually three amendments. He is only going to offer one at this time. He always is willing to wait until someone else does something else, and in this instance we believe he should be one of those first Democratic amendments offered because he has been ready to go for some time.

Mr. WARNER. Mr. President, that choice is entirely on your side. If that is your wish, I think, in all likelihood, it will take place.

Mr. DURBIN. Will the Senator yield?

Mr. WARNER. Yes.

Mr. DURBIN. Mr. President, I am not sure who has the floor at this moment.

Mr. WARNER. At this point in time the Chair is perfectly in order to recognize the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Thank you, Mr. President. I thank the chairman of the committee, Senator WARNER, and his ranking member, Senator LEVIN, for their endurance and patience.

This is an extremely important bill with many important issues. I say to the Senators, you have served the Senate well, both of you, in the manner you have handled this bill. Many of us with amendments that we consider of importance have stepped back, some

because of events, such as the departure and the demise of President Reagan, and others because of other issues.

It is my understanding that there will not be a unanimous consent request tonight in terms of the order of business. I am not going to make one. I thank Senator REID for acknowledging that I do have several amendments pending. I am anxious to call up the amendments. I will agree to time limits on debate so this will not go on for a lengthy period. I would just like to bring the matters to the floor for resolution.

Mr. WARNER. Mr. President, does the Senator from Illinois have the number of the amendment he is likely to propose in the event the sequence of events as outlined by the three Senators here, momentarily, evolves?

Mr. DURBIN. I thank the Senator from Virginia. I spoke to him earlier about an amendment relative to the policy on torture. That is amendment No. 3386. But I would like to defer that until the Senator from Virginia has had a chance to review it, in the hopes he will be supportive.

Another amendment is No. 3196, reservist pay. This is an amendment which passed the Senate with a 96-to-3 vote last year, which I am hoping we can make a part of this bill. Finally, I have an amendment relative to the sale of dietary supplements on base exchanges, amendment No. 3225. Those are the three amendments I have pending.

Mr. WARNER. I say to the Senator, thank you.

Now, Mr. President, I think that concludes the matters with regard to this bill for tonight. I believe we can now proceed to wrap-up session.

## MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TRIBUTE TO FORMER PRESIDENT RONALD REAGAN

Mr. LUGAR. Mr. President, I pay special tribute to Nancy Reagan who has been indispensable throughout the public life of the Reagans, and particularly during this past decade. It was my privilege to sit beside Mrs. Reagan during several White House and Republican Party events and to understand her strength and shared dream for America.

The service of President Reagan to our country can only be approached by understanding how wide he cast the net of potential achievement, and fulfillment of dreams, hopes and visions.

President Reagan actually believed and articulated that our country had a special destiny, that no barriers were insurmountable because we are Americans. He actually believed and said that the Soviet Union was an evil empire, that its political and economic institutions were disintegrating, and that if its leadership and people knew the alternatives which our country presented, they would choose democracy and market economics.

President Reagan was prepared to invest an increasing portion of our national treasure in military defense with the certainty that we would negotiate successfully with our adversaries from a position of strength. He shocked foreign policy and defense specialists by proposing that all intermediate nuclear missiles be destroyed, a negotiating position labeled universally as a bizarre arms-control non-starter.

He affirmed the staying power of NATO by deploying Pershing missiles to Germany and cruise missiles to Italy even after the Soviets declared that such deployment would end all arms control negotiations and stimulate Soviet nuclear buildup.

Add to this, President Reagan's startling proposal that the United States should develop a Strategic Defense Initiative to protect our country against incoming missiles fired upon us. He contended that we should and could try to defend ourselves against the so-called balance of terror.

He proposed to President Gorbachev that the United States and the Soviet Union ban all nuclear weapons. In fact, he was confident that if he could take Gorbachev on an extended tour of America that Gorbachev would want to shape the Soviet Union into many of our successful traditions.

Meanwhile, President Reagan knew that substantial new growth must occur in our domestic economy to pay for the special leadership role he had envisioned in foreign policy. He was confident that substantial cuts in individual marginal tax rates and a host of investment incentives would establish and sustain the longest peacetime prosperity we had ever enjoyed. Our prosperity underwrote the magnificent gains in free and fair trade which he championed and world wide wealth grew abundantly.

When Ronald Reagan stood on a balcony of the Reichstag in Berlin and challenged Gorbachev to tear down the Berlin Wall, he could see white crosses just below where courageous persons seeking freedom had lost their lives in that pursuit. Everything still appeared to be so locked up and grim, and sophisticated observers were barely patronizing in comment on his Berlin wall challenge.

The ''evil empire'' crumbled, the Berlin wall and other walls fell, all of the Intermediate Nuclear Force weapons were destroyed exactly in three years as the INF Treaty provided, and the United States became the only superpower with the strongest economy and the ability, uniquely, to extend military authority around the world.

All of this occurred because President Reagan persuaded the Congress and his countrymen to build our armed forces, to build our economy through the growth incentives termed ''Reaganomics,'' to maintain the successful strategies of our NATO alliance, to utilize military force to support foreign policy as required, and to commence Strategic Defense Initiative research.

We now know that the Soviets were much weaker than experts estimated. We now know that they could not keep up the pace and that desperate attempts to do so led to the collapse of the Soviet Empire and then to the collapse of the Union, itself.

President Reagan advocated two more things which were inspiring and critically important in world history.

First, he rejected the Brezhnev Doctrine, the idea that territory which socialism had occupied could never be reclaimed. When he advocated this roll back of the iron curtain, he created deep anxiety and alarm among most international foreign policy advisers who loved liberty a lot, but loved stability even more.

U.S. Stinger missiles shipped to the expert ministrations of the Mujadahin in Afghanistan were a major instrument of the Soviet roll back, and the world watched in awe as the Soviet troops withdrew to a smaller Socialist world.

Second, President Reagan enunciated a new policy in a statement sent to the Congress after the Philippine election and revolution. He stated that henceforth, we would oppose tyranny of the left and tyranny of the right, that we were for democracy developed by people who sought to know and enjoy democracy and human rights. This statement was severely criticized by experts who suggested that in the ''real world'' a good number of dictators were friendly to the U.S. and certainly useful in waging the cold war against Communism.

In articulating his vision on the roll back of the Iron Curtain; in identifying with nations all over the world who applauded our passion for building democratic institutions; in celebrating human rights and free market principles; in all of these areas, Ronald Reagan was far ahead of the prevailing wisdom. Yet he ultimately brought other leaders in America and around the world to his point of view in a relatively short interval.

President Reagan was courageous and on the right side of history. He performed these deeds in a very public way which instructed and inspired others. Those of us in public service learned much from President Reagan as we watched him speak and act. He was charismatic, he was determined and consistent, and he enjoyed a remarkable batting average of being right.

Mr. GRASSLEY. Mr. President, at sunset last Friday, the 40th President of the United States was laid to rest on a hill overlooking the Pacific Ocean. The consummate optimist, who etched the promise of a ''shining city upon a

hill'' into the Nation's conscience, leaves behind a legacy that beckons us to stay true to the American spirit.

Whether folks agree with his political philosophy or not, the actor-turned-politician-turned-statesman from the Midwest helped usher in the dawn of a new day for millions of jobless Americans and to those living in oppression behind the Iron Curtain.

Through bold, buoyant leadership, Ronald Wilson Reagan, 1911–2004, persuaded his fellow citizens that it was ''morning again in America'' by restoring the promise of peace and prosperity.

The outpouring of support during last week's remembrance for the former President reflects Reagan's ability to bring out the best in people and unite America.

The pageantry evoked patriotism. The solemnity of the events underscored the public's appreciation and respect for this leader who championed the cause of freedom all around the world. For 8 years, he served as a beacon of hope for those cast under the dark shadows of totalitarianism.

The ''Great Communicator'' arrived in the Oval Office when America was licking wounds left by Watergate and Vietnam. Stifled by a sinking economy, joblessness and sky-high inflation, the national mood also wavered under the uncertainty of the Cold War. Americans yearned for brighter days.

Elected to his first term in November 1980, President Reagan exuded optimism, charm and kinship with ordinary Americans. His good-natured disposition, self-deprecating humor and can-do attitude launched a new era in American politics. Like Reagan, I won an upset victory over an incumbent in that election.

He and I shared a conservative political philosophy rooted in core beliefs spelled out by the Nation's Founders and agreed much more often than not. Now 24 years after the ''Reagan Revolution,'' I am privileged to continue advancing our shared principles: Big ideas instead of big government. Deregulation to foster free enterprise. Tax relief that encourages productivity, growth and individual ingenuity. Self-reliance rather than self-pity.

Reagan's policies proved that economic and political freedom bring about peace and prosperity. As Reagan said in his 1989 farewell address to the Nation: ''Democracy, the profoundly good, is also the profoundly productive.''

Many people grossly underestimated the strength of Reagan's convictions and the foot soldiers who helped sweep him into office. With a steely determination coupled with folksy charm, Reagan masterminded the efforts that liberated Eastern Europe in 1989.

Eight years earlier, he had predicted the end of Communism as the ''sad, bizarre chapter in human history whose last pages are even now being written.'' Reagan's leadership helped change the course of history for the better.

On June 5, 2004, Reagan lost his 10-year battle with the Alzheimer's disease. A decade earlier, in a hand-written note to the American people, Reagan again looked on the bright side: ''When the Lord calls me home, whenever that day may be, I will leave with the greatest love for this country of ours and eternal optimism for its future.''

President Reagan valued the gift of life. He used his to expand human freedom. His legacy shapes America's character and lights our way as we continue the ''march to freedom'' against evil in the world.

Mr. SANTORUM. Mr. President, I rise today in great sadness, to speak on the passing of President Ronald Wilson Reagan. It is a sad time for our Nation; a monumental figure in the history of the United States has gone to his rest. The response to his passing in our Nation's capital and across this country has been overwhelming and a fitting tribute to this giant of 20th century politics.

First, I would like to offer my heartfelt condolences to Nancy and the Reagan family in this difficult time. Mrs. Reagan was not only an incredible role model for faithfulness to her spouse, but was always the rock that he leaned on when the entire world leaned on him.

In speeches on this floor, we have heard much about President Reagan's vision and leadership on foreign and economic policy, which indeed continue to bear fruit. Yet, I come to the floor to speak about an aspect of the Reagan Presidency that is less commented upon: President Reagan's legacy on social policy, which stands still as a moral compass for our Nation's future.

As has been remarked, President Reagan was a fabulous optimist. He worked to create a society where good and evil, life and death, are recognized for what they are, and are not obscured by the gray tones of moral relativism. After years of lingering malaise following Vietnam and Watergate, Ronald Reagan came forward and proclaimed that America was ''in the midst of a spiritual awakening and a moral renewal.'' That was a message of hope that America sorely needed to hear.

He believed that America's strength came not just from military might, but also from its moral superiority. As much of a priority as he made foreign and military policy, he strived just as hard to ensure that our Nation's roots as a people of faith, who value life and each other, was not diminished. It was that social foundation that made us different from the godless Soviet state that oppressed the Russian people.

President Reagan spoke forcefully and brilliantly about the importance of family, the religious foundations of American democracy, and the tragedy of Roe v. Wade. He knew that strong families were a key to America's continued success as the land of opportunity. This conviction is clear in a proclamation he issued one Father's Day, where he asserted:

> There is no institution more vital to our Nation's survival than the American family. Here the seeds of personal character are planted, the roots of public virtue first nourished. Through love and instruction, discipline, guidance and example, we learn from our mothers and fathers the values that will shape our private lives and our public citizenship.

His political beliefs were greatly shaped by the sensible religion he grew up with in small-town Illinois, which permeated all aspects of daily life. He found the attempts of some to excise religion from the public square wrong-headed. He knew that Founding Fathers barred not only the government establishment of religion, but also any law ''prohibiting the free exercise thereof.''

As President Reagan told those gathered at the Ecumenical Prayer Breakfast during the Republican National Convention in Dallas, TX:

> Without God, there is no virtue, because there's no prompting of the conscience. Without God, we're mired in the material, that flat world that tells us only what the senses perceive. Without God, there is a coarsening of the society. And without God, democracy will not and cannot long endure. If we ever forget that we're one nation under God, then we will be a nation gone under.

I began this speech by stating I would focus of President Reagan's moral and social legacy rather than on the tremendous impact he had in bringing down the Iron Curtain and freeing Eastern Europe. But in truth, these different areas of policy all flowed from the same wellspring of faith and conscience.

In a particularly moving speech before the National Religious Broadcasters Convention in 1984, President Reagan tied together these seemingly separate strands. He told listeners:

> Our mission stretches far beyond our borders: God's family knows no borders. In your life, you face daily trials, but millions of believers in other lands face far worse. They are mocked and persecuted for the crime of loving God. To every religious dissident trapped in that cold, cruel existence, we send our love and support. Our message? You are not alone; you are not forgotten; do not lose your faith and hope because someday you, too, will be free.

Mr. President, I ask unanimous consent that a larger excerpt of this speech be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. SANTORUM. Ronald Reagan was a champion of the pro-life movement and believed that abortion was a grave threat to the liberties we cherish as Americans. When President Reagan came to office, the shock of Roe v. Wade was still fresh. It was commonly believed that the Supreme Court had had the final say on abortion, and that there was no hope in turning back the tide of the abortion-on-demand culture. The conventional wisdom was that enacting legislation to regulate abortion was politically impossible.

But President Reagan chose to use the one tool that the Senate could not stall and the House could not block: his voice. His voice was strong and reassuring, and it reached the American people in their living rooms, bypassing those in Washington who thought they knew much better. Even his own advisors urged him not to speak out on abortion, yet he would not be silenced. He always spoke his conscience on the matters that weighed heavily on his heart, and no one could convince him to do otherwise.

On the tenth anniversary of Roe v. Wade, President Reagan spoke from the heart against the abortion-on-demand culture, to poignant effect. That day, he said:

> I too have always believed that God's greatest gift is human life, and that we have a duty to protect the life of an unborn child. Until someone can prove the unborn child is not a life, shouldn't we give it the benefit of the doubt, and assume it is?

Perhaps the only President to publish a book while in the Oval Office, President Reagan's 1984 volume, entitled Abortion and the Conscience of the Nation, stood as a thoughtful and moving essay that inspired the growing pro-life movement. This message of this book was hopeful. ''As a nation today, we have not rejected the sanctity of human life,'' he writes. ''I am convinced that Americans do not want to play God with the value of human life.''

Given his remarkable legacy on foreign and economic policy, I am not surprised that his moral agenda is less commented upon. Yet in his March 8, 1983 ''evil empire'' speech, President Reagan devoted as much time talking about the sanctity of all human life as he did addressing foreign policy. On abortion, he told the audience:

> Human life legislation ending this tragedy will someday pass the Congress, and you and I must never rest until it does.

Sadly, President Reagan has gone to his rest without being able to see that glorious day when we again recognize the full and equal value of all human lives. But those of us who proudly follow in his footsteps will tirelessly continue the struggle until we correct this grievous wrong.

President Reagan, that day, I know you will be smiling down on us from above.

EXHIBIT 1

''AMERICA IS HUNGRY FOR A SPIRITUAL REVIVAL . . . ''

(BY RONALD REAGAN)

An excerpt from President Reagan's address January 30, 1984, at the National Religious Broadcasters Convention in Washington D.C.

I was pleased last year to proclaim 1983 The Year of the Bible. But, you know, a group called the A.C.L.U. severely criticized me for doing that. Well, I wear their indictment like a badge of honor. I believe I stand in pretty good company. Abraham Lincoln called the Bible, ''The best gift God has given to man. But for it,'' he said, ''we could not know right from wrong.''

Like that image of George Washington kneeling in prayer in snow at Valley Forge, Lincoln described a people who knew it was not enough to depend on their own courage and goodness. They must also look to God their Father and Preserver. And their faith to walk with Him, and trust in His Word, brought them the blessings of comfort, power, and peace that they sought.

The torch of their faith has been passed from generation to generation. ''The grass withereth, the flower fadeth, but the word of our God shall stand forever.'' More and more Americans believe that loving God in their hearts is the ultimate value. My experience in this office I hold has only deepened a belief I've held for many years: within the cover of that single Book are all the answers to all the problems that face us today—if we'd only read and believe.

Let's begin at the beginning. God is the center of our lives: the human family stands at the center of society: and our greatest hope for the future is in the faces of our children. God's most blessed gift to His family is the gift of life. He sent us the Prince of Peace as a babe in a manger. I've said that we must be cautious in claiming God is on our side. I think the real question we must answer is, are we on His side?

Our mission stretches far beyond our borders: God's family knows no borders. In your life, you face daily trials, but millions of believers in other lands face far worse. They are mocked and persecuted for the crime of loving God. To every religious dissident trapped in that cold, cruel existence, we send our love and support. Our message? You are not alone; you are not forgotten; do not lose your faith and hope because someday you, too, will be free.

If the Lord is our light, our strength and our salvation, whom shall we fear? Of whom shall we be afraid? No matter where we live, we have a promise from Jesus that can soothe our sorrows, heal our hearts and drive away our fears. He promised there will never be a dark night that does not end. Our weeping may endure for a night, but joy cometh in the morning. He promised if our hearts are true, His love will be as sure as sunlight. And, by dying for us, Jesus showed how far our love should be ready to go: all the way.

''For God so loved the world that He gave His only begotten Son, that whosoever believeth in Him should not perish but have everlasting life . . . '' Helping each other, believing in Him, we need never be afraid. We will be part of something far more powerful, enduring and good than all the forces here on earth. We will be part of a paradise.

May God keep you always and may you always keep God.

## RONALD REAGAN

Mr. ENSIGN. Mr. President, I rise today to honor and remember the greatest President of the 20th century, Ronald Wilson Reagan.

Ronald Reagan is widely known for taking some of the most courageous stands on behalf of our Nation and for truly changing the course of the world, but Ronald Reagan may have never known the impact that he had on so many individuals, including me.

I was in college when Ronald Reagan swept through our country in 1980—on a mission to empower Americans by reducing taxes, shrinking the Federal bureaucracy, and instilling a sense of hope for the future. Until that point, I had always considered myself a Democrat. Ronald Reagan's straight talk and emphasis on common sense and individual empowerment changed the way I looked at politics. As Ronald Reagan used to say—and he would know—I became ''a former Democrat who saw the light.'' He opened my eyes to a philosophy that I truly felt could change the direction of our country.

I was not alone. President Reagan's popularity while in the Oval Office for two terms showed that Americans—Republicans, Democrats, and independents—were inspired by him the way I was. More impressively, tens of thousands of Americans are mourning his death and reflecting on how he touched and changed their lives. The endless line of mourners, waiting for hours to walk past his coffin and pay final respects, is unparalleled. The most heartwarming for me is to see parents with their children, teaching them about the legacy of this great President and hopefully instilling a dose of Reagan optimism in the next generation.

There are many lessons to teach our children about Ronald Reagan. I know I will teach them to my own children.

Respect for others: Many of the stories that are being shared by those who knew Ronald Reagan revolve around his respect for all people. Whether it was someone who washed dishes in the White House or the leader of another Nation, Ronald Reagan treated each with the same amount of dignity and respect—and loving humor.

Commitment to principles: Ronald Reagan never shied away from his principles. His steadfast commitment led to monumental changes in the world landscape—making it a better place for all of us. On Memorial Day 1986, President Reagan said at Arlington National Cemetery:

> If we really care about peace, we must stay strong. If we really care about peace, we must, through our strength, demonstrate our unwillingness to accept an ending of the peace. We must be strong enough to create peace where it does not exist and strong enough to protect it where it does. That's the lesson of this century. . . .

And that is a lesson from our 40th President.

Mutural love and admiration: I would be remiss if I did not note the relationship that Ronald and Nancy Reagan shared. Reading some of their old love letters, watching them together during his presidency, and seeing her devotion over these most trying last 10 years, one cannot help but be touched by the feelings that emanated from their marriage. Nancy Reagan was every bit Ronald Reagan's partner in the White House, and his legacy is theirs. Today Nancy Reagan grieves—she has lost her soul mate. And we grieve for her loss.

Optimism and hope for tomorrow: If nothing else, I hope that Americans today are inspired by Ronald Reagan's eternal optimism. He believed in this country and its people with every fiber of his being. He once told a gathering of youth in 1985 that:

> True wealth, and the real hope for the future comes from the heart—from the treasure of ideas and spirit, from free people with a vision of the future, trust in their fellow men, and faith in God. The better future that

we all yearn for will not be built by skeptics who spend their lives admiring the complexity of the problems. It'll be built by free men and women who believe in themselves.

I know Ronald Reagan is in a better place today, and, from his view, he is rooting for us and believing in our future.

Leaders like Ronald Reagan change the course of history with their vision and inspire a new generation. I serve Nevada in the United States Senate because I, too, was inspired by Ronald Reagan. Today, I thank him from the bottom of my heart for his service to this nation, for his unwavering leadership, and for his spirit that will always represent our greatness and remind us that we can achieve anything.

President Reagan, may God bless you and watch over you. And may God continue to bless America.

## FLAG DAY AND THE BIRTHDAY OF THE ARMY

Mr. DASCHLE. Mr. President, our Nation celebrates two birthdays today.

On June 14, 1775, the Continental Congress agreed to forge, from several different State militias, one single Army to fight America's War of Independence.

Congress called for 10 companies of expert rifleman to be raised from among the colonies of Pennsylvania, Maryland, and Virginia and ordered them to march to Boston to meet the British Army.

Two years later, Congress established a flag for the young Army to fight under.

With the war still raging, and the future of the Revolution very much in doubt, the Continental Congress decreed it ''Resolved, That the Flag of the 13 United States be thirteen stripes, alternate red and white; That the union be thirteen stars, white in a blue field, representing a new constellation.''

In a way, the entire history of our Nation is contained within these events. From diverse parts, America set forth to create a single nation, founded on common values and a shared vision for its future.

Struggling against the preeminent military power of its age, our Founding Fathers looked upon the different rebellions waged by State militia, independent of one another, taking place throughout the colonies, and determined that if the 13 colonies were to share a single fate, it would be best if we chose to meet it together.

The design of the new American flag reflected that wisdom and symbolizes the union of disparate parts. While the 13 stripes and the 13 stars represented the different colonies, the colors signified the common values that bound us together as a nation. Red for valor. White for liberty. Blue for justice.

Today, Old Glory is America's most treasured national symbol. It captures the imagination of both young and old because, in a way, each American is represented.

Each of us can see among the stars in the deep blue field one star that represents our State, our neighborhood, ourselves. And in the 13 stripes representing the colonies that banded together, each of us can also feel the connection to our history.

In this way, the flag is alive. Each American adds to its meaning and significance through the work we do to build our Nation.

Few expressed this better than Franklin Lane, Woodrow Wilson's Secretary for the Interior. Speaking to a group of civil servants in 1914, Secretary Lane imagined a conversation with, as he called it, ''Mr. Flag.''

''Yesterday,'' the Flag tells Lane, ''the President spoke a word that made happier the future of ten million . . . but that act looms no larger on the Flag than the struggle which the boy in Georgia is making to win the Corn Club prize this summer. . . .

''Yesterday the Congress spoke a word which will open the door of Alaska; but a mother in Michigan worked from sunrise until far into the night, to give her boy an education. She, too, is making the Flag.

''Yesterday we made a new law to prevent financial panics, and yesterday, maybe a schoolteacher in Ohio taught his first letters to a boy who will one day write a song that will give cheer to the millions. . . . We are all making the Flag. I am your belief in yourself, your dream of what a people may become . . . I am no more than what you believe me to be and I am all that you believe I can be. . . . I am what you make me; nothing more.''

Looking back at 227 years under Old Glory, the American people can be proud of what we have made the flag. Throughout the world it is recognized as a symbol of freedom and valor.

And, there can be no doubt, few American institutions have done more to make this true than the United States Army, the oldest institution in the world dedicated to defending a democracy.

In its 229 years, the Army has engaged in more than 175 different campaigns to defend our Nation, and to defend freedom throughout the world.

As we celebrate the Army and the incalculable contributions it has made to the life of our Nation, and the world, members of the Army are once again far from their families, fighting shoulder to shoulder, to extend freedom's reach throughout the world.

Each day, we see new examples of the courage, loyalty, and fortitude that have been hallmarks of the Army since its birth more than two centuries ago.

The stories of the heroism of Army troops rescuing our Nation from a pivotal moment are too numerous to count. But I would like to relate one of my favorites from the War of 1812.

For the first 2 years of that war, the American forces had been beaten badly by the British. The English generals had become openly contemptuous of the American forces, which they considered little more than a ragtag band of untrained and unprofessional conscripts.

As the British met the American Army on the banks of the Chippewa River, the British general looked out over the American Army and mocked them as little more than a militia—the same forces they had been routing for the past 2 years.

The British opened fire, expecting the Americans to scatter. But the Army marched directly through the British fire.

Seeing a bravery and professionalism he had never encountered, the British general cried out, ''Those are regulars, by God.''

Soon, the Army troops had encircled the British forces, catching them in crossfire. The Battle of Chippewa was soon won, and it brought about a turning point in the War of 1812, and the history of our young Nation.

Countless times, the United States Army has stunned an enemy commander by its discipline, its skill, and its bravery. But while America continues to be awed by the achievements of the U.S. Army, we are no longer surprised.

Whether on the banks of the Chippewa, the fields of Gettysburg, the banks of Normandy, or the streets of Baghdad, the U.S. Army continues to represent the best hopes and the best achievement of a single nation, united in common defense of its shared values and dreams.

They have brought honor and freedom to our Nation for 229 years. And while it is historical coincidence that the Army birthday and Flag Day fall together on June 14 each year, it is altogether fitting that they do so.

The same values the Flag represents, the Army exemplifies and defends. When we look upon the flag, we see the heroism with which our military has defended it, and we are proud.

All this is represented in the American flag. And when Americans pledge allegiance to the flag, it is this history, these values, these ideals, to which we promise loyalty.

Knowing the power of the Pledge to unite Americans, I was encouraged to learn that the Supreme Court has rejected the recent challenge to the constitutionality of the Pledge.

I have long believed in the constitutionality of the Pledge of Allegiance, and though the Supreme Court Decision was made on procedural grounds, it represents a positive step forward in our efforts to affirm its central place in the life of our Nation.

In a simple way, the Pledge gives us the chance to reaffirm the history and values that bind us together—the history and values represented by our flag.

When I think of the importance of the flag to our country, I am reminded of the days after September 11, 2001.

One week after the attacks, I recall walking into the Hart Senate Office Building to see American flags hanging

from each window, on each of the eight floors of the building.

Like the individual stars standing united together, the Senate offices were spontaneously united in a pure and impromptu display of patriotism and loyalty.

If anyone ever had doubts about our Nation's resolve to persevere in the face of terrorism, they would be put to rest at that moment.

As Franklin Lane said, each of us makes the Flag.

As we work to build our Nation and extend its ideals throughout the world, we are extending the constellation of stars our Founding Fathers saw in the 13 colonies. And today, the light of this constellation extends throughout the world.

This is what we celebrate on both Flag Day and the Army's birthday.

Each in its way reminds us of the continuing work of our Nation, to create a more perfect union, united under one flag, defended by one force, and inspired by a shared vision of a future, as the Pledge states, ''with liberty and justice for all.''

## AULD-BROKAW TRAIL DAY

Mr. DASCHLE. Mr. President, today I recognize the Auld-Brokaw Trail Day that is scheduled for June 19, 2004, in Yankton, SD. This day-long initiative is the culmination of years of hard work from numerous Yankton leaders, including the Yankton Rotary Club, the Auld-Brokaw Trail Committee, the City of Yankton and the Yankton Parks and Recreation Department.

This day also represents the completion of Tom Brokaw and Meredith Auld Brokaw's vision to further enhance the community where they first met nearly a half century ago.

Several years ago, Yankton leaders designed the concept for an expansive walking trail as part of a flood mitigation project. Yankton raised $1 million for the Auld-Brokaw Trail, relying upon investments from residents—past and present. With a generous donation from the Brokaws, the dream soon became a reality. The city began construction in 2001.

As the trail began to take shape, an Outdoor Classroom to further capitalize on the educational opportunities that it presented. The partnership that developed between the Brokaws, the Yankton Rotary Club and the Rotary Foundation is the way that most things get accomplished in my State—good people working together toward a shared vision.

The Outdoor Campus along the Auld-Brokaw Trail will feature flowers and grasses native to the South Dakota prairie. The nearly 3 acres of natural lands will be a great resource to showcase the area's beauty. The Yankton Chamber of Commerce has already found the Auld-Brokaw Trail to be a strong regional recreational attraction.

As we know all too well, Americans are spending less active time outdoors. This trend is having a negative impact on our country's collective health, and I was pleased to learn that the Avera Sacred Heart Hospital in Yankton will sponsor health and walking programs along the Auld-Brokaw Trail in conjunction with the upcoming events. A Pilates demonstration, nutrition forum and community walk will teach area residents about the important contribution that the Auld-Brokaw Trail can make to the community's health.

The Auld-Brokaw Trail is an outstanding enhancement of Yankton's beauty, and the Outdoor Classroom addition will strengthen the trail's attractiveness. I am pleased that Yankton residents will soon come together to celebrate the completion of this outstanding project, and I am proud to recognize this outstanding effort.

Tom and Meredith Brokaw's friendship began in high school. He went to Boys State, allowing him to have lunch with South Dakota Governor Joe Foss, a World War Congressional Medal of Honor winner. She went to Girls Nation, where she met President Eisenhower in the Rose Garden of the White House. They were class leaders; Tom's broadcast career began on KYNT Radio. Though they are far away geographically, their emotional bond remains strong.

''The world in which I work and live is a long way from home,'' Brokaw wrote in his 2002 book, ''but the early bearings I took as a child on the prairie, surrounded by working people and the communities they established, often in difficult circumstances, have been a steadying and reassuring presence. They are familiar markers and sentinels, useful and reliable even now, forty years after I left the land and the people that launched me.''

Yankton continues to be blessed by the generous way that Tom and Meredith Brokaw have chosen to give back to the community that provided so much to them. The Auld-Brokaw Trail and the Outdoor Classroom are two of the latest examples.

## CONGRATULATING SHANKARI RAJAGOPAL

Mr. REID. Mr. President, I congratulate Shankari Rajagopal on her outstanding performance at the 77th annual Scripps National Spelling Bee.

Nevada's lone speller at the national competition, Shankari outlasted 219 of 265 contestants to earn a spot among the top 46 competitors. An eighth grader at Churchill County High School, Shankari won the Nevada State Spelling Bee in March to earn the right to participate in the national competition. She had finished 12th and 6th in the State contest the previous 2 years.

Administered by The E.W. Scripps Company in conjunction with more than 250 sponsors around the world, the Scripps National Spelling Bee is the Nation's largest and longest-running educational promotion. Each sponsor organizes a spelling bee program in its community, with the local champions advancing to the finals in Washington, DC. This tremendous program helps thousands of students every year improve their spelling and expand their vocabularies through a fun competition.

I was able to visit with Shankari an hour before her last day of competition. She was relaxed and satisfied with her tremendous accomplishment, as well she should be. I was very impressed with her parents who came to Washington, DC, to support her. They too were proud of what she had accomplished, and this helped to put her at ease.

I have seen too many parents, in athletics and other student activities, put such tremendous pressure on their children that it takes away from the pleasure of the student's involvement. But not so with Shankari's parents. I congratulate Jeeks and Karpagam, her mother and father, for doing such a great job of raising their daughter.

The Fallon community and the State of Nevada can take great pride in Shankari's performance in the State and national competitions. It reflects her strong commitment to her education and her tremendous potential. Please join me in congratulating this talented young Nevadan on her impressive achievement.

## CONGRATULATING ALVIN McLANE

Mr. REID. Mr. President, I congratulate Mr. Alvin McLane, a Nevada Bureau of Land Management, BLM, volunteer, on his selection for the ''Making A Difference'' award. This award recognizes Alvin's strong commitment to preserving the natural and cultural heritage of our public lands.

Mr. McLane is one of seven individuals who received this prestigious national award this year. As a volunteer for the Nevada BLM's Carson City field office, he recorded more than 120 discrete cultural sites primarily in the Dry Lake area of northwestern Nevada. Mr. McLane also instituted a full-scale monitoring program for the area.

Thousands of volunteers throughout the country contribute to the preservation of the 261 million acres of public lands managed by the BLM. Volunteers donated approximately 1.5 million hours last year alone, tantamount to the work of 866 full-time employees with an estimated value of $25 million. Launched in 1996 as a part of the ''Take Pride in America'' initiative, the ''Making A Difference'' program has recognized 87 individuals or groups for their exemplary service.

Mr. McLane has demonstrated a commendable commitment to public service. Please join me in thanking him for his tremendous efforts.

## HONORING ROGER PELTYN

Mr. REID. Mr. President, I extend my condolences to the family of Roger

Peltyn, who passed away in Las Vegas on June 3.

Roger left behind his loving wife Sandy, with whom he shared his life for 33 years, and two sons, R.J. and Michael. His passing leaves an empty place in the lives of those who knew and loved him. It also leaves a void in our community.

Roger was a structural engineer, and he was instrumental in building many glamorous structures that are synonymous with Las Vegas—landmarks like the Mirage, Bellagio, Mandalay Bay, Luxor, and Excalibur. He also helped to build many schools, stores, office properties, and much more.

But Roger did not just build structures. He also helped to build a stronger community in southern Nevada. The projects and causes that he adopted are almost too numerous to name: the UNLV President's Council, the Nevada Development Authority, the Clark County Public Education Foundation, the Desert Research Institute, Opportunity Village, and many other charities.

For the past decade, Roger served as president of an organization called Nevada Arts Advocates, which is dedicated to improving the cultural climate in Nevada and promoting the arts. His love of the arts enriched our whole State.

With Sandy by his side, Roger raised millions of dollars for worthy causes. Every Nevadan owes both of them a debt of gratitude.

Roger was born in Brooklyn, and he came to Las Vegas as so many folks do, by way of California. He moved to Las Vegas when Steve Wynn asked for his help during the expansion of the famous Golden Nugget resort. And just a month ago, Roger was still giving Steve Wynn advice about the new resort he is building.

Roger and his partner Jack Martin started a 5 man engineering firm that now employs more than 60 people. That is a testament to the amazing growth of Las Vegas, which would not have been possible without Roger Peltyn.

Nevada will miss Roger Peltyn. He left us too soon. But his legacy will live on in the magnificent buildings he helped to construct, and the community he helped to create. Nevada is a better place because of him.

## HONORING OUR ARMED FORCES

### LANCE CORPORAL JEREMY BOHLMAN

Mr. JOHNSON. Mr. President, I am saddened to report the passing of Lance Corporal Jeremy Bohlman of Sioux Falls, SD. He was killed on June 7, 2004, while serving in Operation Iraqi Freedom.

Jeremy was assigned to the 1st Light Armored Reconnaissance Battalion out of Camp Pendleton, CA. He first went to Iraq in January 2003, before the invasion, and returned to the United States in June 2003. He was completing his second tour of duty in Iraq when he was killed by an explosion while conducting combat operations in Al Anbar Province, Iraq.

Jeremy, who was married 2 weeks before being deployed, is described by friends and family as a hard worker with lots of friends who found his niche in the Marines. He served with great distinction and received the Combat Action Ribbon, the Marine Corps Good Conduct Medal, the Marine Corps Expeditionary Medal, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal and the Sea Service Deployment Ribbon.

The lives of countless people were enormously enhanced by Jeremy's goodwill and service. He inspired all those who knew him. Our Nation is a far better place because of his life. All Americans owe Jeremy, and the other soldiers who have made the ultimate sacrifice in defense of freedom, a tremendous debt of gratitude for their service.

I express my sympathies to the family and friends of Lance Corporal Jeremy Bohlman. I believe the best way to honor him is to emulate his commitment to our country. I know he will always be missed, but his service to our Nation will never be forgotten.

## FLAG DAY

Mr. BYRD. Mr. President, in August 1814, during the War of 1812, the British Navy bombarded Fort McHenry in Baltimore. A lawyer and amateur poet named Francis Scott Key from nearby Washington witnessed the attack from a British ship, where he had been attempting to secure the release of some American prisoners. The bombardment continued through the night and many watching feared that the fort, which guarded the approach to Baltimore, would shatter under the onslaught. When at last the dawn came, Fort McHenry still stood, its enormous American flag, though tattered, still flying. The exhausted British forces retreated.

Francis Scott Key captured the relief and exhilaration of that turning point in history in a poem, which he titled ''The Defense of Fort M'Henry.'' His verses were subsequently printed widely, and a note added that said the accompanying tune was ''Anacreon in Heaven,'' then a popular tune. In October 1814, a Baltimore actor sang Key's new song in a public performance, calling it, for the first time, ''The Star Spangled Banner.'' The Star Spangled Banner became the national anthem in 1931 by an act of Congress. Though difficult for many people to sing, this anthem has retained its popularity because it so eloquently captures the love we have as a nation for our flag and the tender regard we have for the Nation those colors represent.

Since the tragic events of September 11, 2001, Americans have grown used to the sight of American flags. Beginning just hours after those horrifying images hit our television screens, people reached into their closets and hung flags by their front doors, in their front yards, from their cars, and in front of their businesses. After the gauntlet of terrorism had been flung in our face, we as a nation answered the insult in a resounding and defiant way. Instinctively, we knew what to do. Our collective consciousness recalled the words from the Star Spangled Banner: ''Oh, say, does that star spangled banner yet wave? O'er the land of the free, and the home of the brave?'' Together, we made sure that our banner still waved.

This last weekend, on the 60th anniversary of the D-Day invasion of Normandy, American flags again flew proudly as Americans and Europeans remembered and honored the heroic sacrifices of June 4, 1944, that led to the liberation of that beleaguered continent. On those distant shores, the last cohort of an earlier generation accepted the enduring thanks of nations and peoples freed from the terrible bonds of occupation.

World War II brought out the best in America. Facing a clear and present danger, the Nation, like a team of horses hitched to a heavy load, dug deep and pulled together to put the enormous energy and resources of our bountiful land to work. Vast armies were trained and sent to battlefields across three continents. Fleets of ships were built to ferry unimaginable quantities of materiel to support those troops. Swarms of aircraft, armadas of battleships, and vast thundering herds of tanks were built and sent forth to defeat our enemies. Our scientists harnessed their creativity to produce new technology and new weapons more deadly and more terrifying than any mankind had ever before seen. Though our losses were staggering, the Nation persevered until the happy days that American flags drove proudly into Paris and flew over Germany, Italy and Japan. Never before, and, I fervently hope and pray, never again will the world see war waged on such a scale.

Today, we are again at war. Our enemies are different, shadowy and elusive, and their tactics and methods of operation are most un-military. Not for them the open field of battle, but rather the saboteur's stealthy attack. Still, American troops lie encamped in Afghanistan and Iraq. Daily, they face attacks that, sadly, send home too many of our men and women in uniform shrouded beneath an American flag. For these fallen heroes, the music is ''Taps,'' not the ''Star Spangled Banner.'' The flag, however, was much the same as the one that flew over Fort McHenry all those years ago.

Each June 14, we honor the flag, marking the day in 1777 that the Continental Congress adopted a resolution that stated simply: ''Resolved, That the flag of the thirteen United States be thirteen stripes alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.''

In the Nation's early years, the actual design of the flag, whether the

stars had five points or six or whether they were arranged in rows or a circle, was open to different interpretations. Also in our Nation's early years, a new star and a new stripe were added as each new State was added to the Union. The flag that flew over Fort McHenry in 1814 had fifteen stars and fifteen stripes. On April 4, 1818, President James Monroe signed into law the Flag Act of 1818. That act stipulated that, as of July 4, 1819, the flag would consist of thirteen stripes, for the thirteen original colonies, and twenty stars, one for each State at the time. Further, upon admission to the Union, a new star would represent each new State. Thus was born the flag that we know today, the flag that flies over this Capitol building.

Through war and peace, triumph and tragedy, our flag, like our Nation, has endured much over the last two centuries. Hoisted over the victory stand at the Olympics, as it surely will be this summer in Greece, draped over the gaping wound in the side of the Pentagon before it was reconstructed, or printed on sacks of relief supplies sent to crisis situations across the globe, our Nation's flag conveys our pride, our courage, our defiance, and our magnanimity in the face of great challenges. The flag is a part of so many other holidays and celebrations. At the Fourth of July, on Memorial Day, on Veterans Day, and now on the 11th of September, the flag will be flying. And always, the sight of the red, white, and blue pulls us to our feet and stirs our emotions. So it is more than fitting that on one day each year, we honor the flag itself.

I would like to close with one of my favorite poems, by Henry Holcomb, entitled ''Hats Off.'' It is a fitting tribute to our flag.

FLAG DAY

Hats off!
Along the street there comes
A blare of bugles, a ruffle of drums,
A flash of color beneath the sky:
Hats off!
The flag is passing by!

Blue and crimson and white it shines,
Over the steel-tipped, ordered lines.
Hats off!
The colors before us fly;
But more than the flag is passing by.

Sea-fights and land fights, grim and great,
Fought to make and save the State:
Weary marches and sinking ships;
Cheers of victory on dying lips;

Days of plenty and years of peace;
March of a strong land's swift increase;
Equal justice, right and law,
Stately honor and reverend awe;

Sign of a nation, great and strong
Toward her people from foreign wrong;
Pride and glory and honor, all
Live in the colors to stand or fall.

Hats off !
Along the street there comes
A blare of bugles, a ruffle of drums;
And loyal hearts are beating high:
Hats off!
The flag is passing by!

## TRIBUTE TO MAJOR ANNETTE ORTIZ, U.S. AIR FORCE

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize an outstanding Air Force Officer, MAJ Annette Ortiz, for the tremendous work she has done as a member of my staff during the 108th Congress. It is my privilege to recognize her career accomplishments and to commend her for the superb service she has provided the Air Force, the great State of Mississippi, and our Nation.

Major Ortiz earned her commission through ROTC at the University of Hawaii where she graduated in 1990 with a bachelor of arts degree in telecommunications with a minor in German. She completed specialized undergraduate navigator training at Mather Air Force Base in November 1991, and KC–135 Combat Crew Training School at Castle Air Force Base in August 1992. In July 1994, Major Ortiz retrained into the C–130E at Little Rock Air Force Base, where she demonstrated academic excellence.

Following flight school, Major Ortiz reported to the 906th Air Refueling Squadron, 43rd Air Refueling Wing, at Minot Air Force base. While assigned to the 906th, she deployed on intercommand refuelings in the Pacific, European, and Southwest Asian theaters. In support of Operation Restore Hope, the humanitarian re-supply operation in Somalia, she was the lone recipient of the coveted ''outstanding performance'' evaluation rating during the 15th Air Force Standardization and Evaluation Inspection. She also flew several combat missions into Tuzla and Sarajevo, Bosnia-Herzegovina, including participation in Operations Provide Promise, Joint Endeavor, Deny Flight, Joint Guard, and other NATO supported European operations.

Major Ortiz subsequently served as an Instructor Navigator, C–130E, for the 37th Airlift Squadron, 86th Airlift Wing, at Ramstein Air Force base. During this assignment, she instructed combat employment of the C–130 Adverse Weather Aerial Delivery System, AWADS, and Aircraft Defensive System, ADS. She also led tactical formations of multiple aircraft during joint airborne transportability training and special assignment airdrop missions. Following that assignment, Major Ortiz served as a C–130 FTU instructor navigator and assistant flight Commander at the 53rd Airlift Squadron, Little Rock Air Force base. In this capacity, she provided training to students from the US Armed Forces and 27 allied nations regarding combat mission planning, tactical formation, and airdrop/airland procedures.

Major Ortiz's next assignment was air operations staff officer, Special Operations Command Pacific, Camp Smith, HI. During this tour, she was first attached to the Air Mobility Warfare Center Tactics Division where she assisted with the instruction of the Combat Aircrew Tactics Training course. She also updated and developed course curriculum, including the Blue Command and Control course that focused on development of tactics. Subsequently, Major Ortiz was attached to the headquarters Air Force, Directorate for Future Strategic Plan. In this capacity, she participated in the Quadrennial Defense Review and developed strategic personnel initiatives. Major Ortiz was instrumental in the formulation of doctrine and policy that pertained to the total force of Active, Reserve, and civilian Air Force personnel.

In October 2002, Major Ortiz was selected to serve as a legislative fellow and special assistant on my staff. During this 1-year assignment, she was responsible for a wide spectrum of issues that directly affected the security and national defense of the United States. She was also instrumental in carrying out a wide range of special projects, and was particularly effective at coordinating and resolving a broad range of complex military issues for constituents. Major Ortiz also provided expert advice regarding foreign policy matters, and provided effective liaison with senior staff of the Foreign Relations Committee and both Defense Committees. Upon completion of her fellowship, Major Ortiz resumed her status as a Reservist and became a permanent member of my staff, serving as the deputy national security advisor.

Throughout her most distinguished career, MAJ Annette Ortiz has served the Air Force and our Nation with pride and excellence. Her awards include two Air Force commendation medals, Air medal, three Aerial Achievement medals, two with Oak Leaf Cluster, the 15th Air Force outstanding performance flight evaluation, and numerous other campaign and unit distinctions.

Major Ortiz has been an integral member of my staff and has contributed greatly to the best-trained, best-equipped, and best-prepared Air Force in the history of the world. Annette's superb leadership, integrity, and limitless energy have had a profound impact on my entire staff and will continue to positively impact the United States Air Force and our Nation. On behalf of my colleagues on both sides of the aisle, I wish Annette, her husband Carlos, and their children Sofia Anna and Carlos Joseph Alejandro the best of luck in their bright future.

## LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On July 23, 2003, Gregory Johnson, a 17-year-old gay man, and his female friend Brandie Coleman were shot in

the front of the head at point-blank range. The gunman was angry because his sexuality was threatened after an intimate encounter with the cross-dressing Johnson. The bodies were found in the back seat of a burned-out automobile.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

## PLEDGE OF ALLEGIANCE ORAL ARGUMENTS

Ms. MURKOWSKI. Mr. President, today the United States Supreme Court issued its decision in the case of Elk Grove Unified School District v. Michael Newdon. In Elk Grove, as my colleagues are very much aware, the United States Circuit Court of Appeals for the Ninth Circuit held that the phrase ''under God'' in the Pledge of Allegiance was unconstitutional. On an 8 to 0 vote the Supreme Court dismissed the case on procedural grounds. The ruling effectively preserves the right of children in public schools to recite the full Pledge of Allegiance. I applaud the decision of the Supreme Court.

It is truly right, and a bit ironic, that the Supreme Court issued its decision today on ''Flag Day.'' Today is also the Golden Anniversary of congressional action that added the words ''under God'' to the Pledge of Allegiance.

I commend Chief Justice William Rehnquist and Judges Sandra Day O'Connor and Clarence Thomas who agreed, I believe properly, that the decision by the Circuit Court of Appeals for the Ninth Circuit should be overturned not on the standing issue but instead because the words ''under God'' in the pledge do not violate the Constitution.

In response to the decision by the Ninth Circuit Court of Appeals, I introduced Senate Resolution 71, which passed this body by a 94 to 0 vote. The resolution expressed the sense of the Senate that we ''strongly disapprove'' the decision of the Ninth Circuit and further instructed the Senate Legal Counsel to intervene in the case to defend the constitutionality of the words ''under God'' in the Pledge and if unable to intervene, to file an amicus curiae brief in support of continuing the constitutionality of the words ''under God'' in the Pledge.

I do not if my colleagues have had the opportunity to read the amicus curiae brief filed on behalf of the United States Senate. But I want to compliment Patricia Mack Bryan, the Senate Legal Counsel; Morgan J. Frankel, the Deputy Senate Legal Counsel; and Grant Vinik and Thomas Caballero, who are Assistant Senate Legal Counsels. I know they worked hard on the brief that was filed in December. They said in the brief:

> The First Congress not only acknowledged a proper role for religion in public life, but did so at the very time it drafted the Establishment Clause.

They also noted that:

> the Public manifestations of our Nation's religious heritage include ''an unbroken history of official acknowledgement by all three branches of the government.

The mere reference to a Higher Being or God does not amount to a breach of the establishment clause of the Constitution.

The children born of this century will probably never appreciate the cold war and how in the early fifties, our country felt threatened by China, Russia and the spread of communism. It was in that historical context that Congress added the phrase ''under God'' to the pledge. As the Senate Legal Counsel related in their brief, the legislative history makes clear that Congress wanted to give credence to the fundamental truth that a Government deriving its powers from the consent of the governed must look to God for divine leadership.

There can be no doubt our Founding Fathers believed then, as I firmly believe today, that our Nation was founded on a fundamental belief in God, and that the actions we take here in the United States Senate and those of our children when they start their day in school each morning must be governed by the principles invoked by a belief in a dedication to our Country and to God, by whatever name you choose to make reference to that power and foundation.

I welcome the decision of the United States Supreme Court that preserves the right of our children and ourselves to say the words ''under God'' in our Pledge of Allegiance.

## SCHIP EXPANSION ACT SUPPORT

Mr. GRAHAM of Florida. Mr. President, I ask unanimous consent that the following letters related to the May 13 introduction of the SCHIP Expansion Act, S. 2420, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF CHILDREN'S HOSPITALS,
*June 4, 2004.*

Hon. BOB GRAHAM,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR GRAHAM: On behalf of the National Association of Children's Hospitals and our more than 120 member hospitals from across the country, I would like to express our strong support for your bill, S. 2420, ''the SCHIP Expansion Act of 2004.'' Your legislation takes important steps to ensure broader access to health coverage for children, which in turn will improve the overall state of our nation's health.

Since 1997, State have made remarkable progress in their effort to insure low-income children under SCHIP. As of June 2003, SCHIP provided health coverage for 3.9 million children. Over the year from June 2002 to June 2003, enrollment of children in the State Children's Health Insurance Program (SCHIP) increased by roughly 264,000, an increase of 7.3 percent.

But for all that the SCHIP program has accomplished, still more needs to be done. More than 6 million children in the United States remain uninsured. We could reduce the number of uninsured children by more than two-thirds—thereby insuring almost all children—if all children eligible for Medicaid and SCHIP were simply enrolled. By eliminating the upper income eligibility limit in SCHIP, your bill would pave the way to removing children from the ranks of the uninsured.

As providers of care to all children, regardless of their economic status, children's hospitals have extensive experience in assisting families to enroll eligible children in Medicaid and SCHIP. They are keenly aware of the importance of addressing the challenges that states face in enrolling this often hard to reach population of eligible children. We strongly support your efforts to reward States that streamline the SCHIP enrollment and renewal process by providing them with a five percentage point increase in the SCHIP matching rate for specified outreach activities, particularly presumptive and 12-month continuous eligibility.

The Nation's children's hospitals are grateful for your leadership in attempting to provide States with the needed funding and flexibility to expand health coverage to our country's uninsured children. We look forward to working with you to advance this important legislation and once and for all ensure that all children have access to the quality health services they need and deserve.

Sincerely,

LAWRENCE A. MCANDREWS,
*President & Chief Executive Officer.*

AMERICAN ACADEMY OF PEDIATRICS
*Washington, DC, June 8, 2004.*

Hon. BOB GRAHAM,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR GRAHAM: I write today on behalf of the 57,000 members of the American Academy of Pediatrics to express our support for the SCHIP Expansion Act of 2004 (S. 2420).

As you know, the State Children's Health Insurance Program (SCHIP) provides health insurance to over 6 million low-income children whose family income is not low enough to qualify for Medicaid but are unable to afford health insurance in the private market. SCHIP and the Medicaid program are a critical child health safety net that currently provides health insurance to over 17 million low-income children. Furthermore, eligibility of these programs covers almost two-thirds of the more than 9 million uninsured children in this country; however, these 6.7 million children remain uninsured because of insufficient enrollment and outreach efforts to enroll these eligible children. Your legislation is an important step towards strengthening and sustaining SCHIP, an important part of the child health safety net.

In particular, this legislation would provide necessary additional funds to fix the SCHIP funding ''dip'' and allow states to maintain current coverage in the program. As you know, when SCHIP was enacted it was funded at lower levels in the later years of the program in order to meet budget requirements. This ''dip'' in program funding is coming at a time when states are in need of funds. Estimates suggest that 17 states will experience a federal funding shortfall by FY07. S. 2420 provides necessary funds to allow states to maintain current coverage in SCHIP. This legislation also provides an incentive to the states to improve outreach

and enrollment efforts in both Medicaid and SCHIP in order to enroll the nearly 7 million children who are eligible for Medicaid or SCHIP but unenrolled. In addition, this legislation addresses another important barrier to enrolling SCHIP eligible children by prohibiting states from capping their SCHIP programs without first exhausting all available federal funding. Although this provision is a step in the right direction, the American Academy of Pediatrics believes that any cap on health care funding for public program coverage is detrimental to ensuring that all uninsured, eligible children and families are able to enroll.

The American Academy of Pediatrics believes that all children, regardless of income, should have access to affordable health insurance such that their families can afford health care services necessary for healthy development. We therefore commend your efforts to strengthen the SCHIP program and give states the option to expand this program to reach more children in their state whose families are unable to afford health insurance in the private market. We encourage states to maintain efforts mandated in the SCHIP statute to minimize crowd-out of the private market as they consider such expansions of SCHIP coverage. Because in most states Medicaid and SCHIP currently pay physicians who care for children at inadequate rates, maintaining the private market is necessary to allow physicians to subsidize care for these children. The Academy urges Congress to consider the impact of inadequate payment rates for services under Medicaid and SCHIP on access to necessary services for beneficiaries in these programs.

The American Academy of Pediatrics is committed to protecting Medicaid and SCHIP. We look forward to working with you on this and other legislative efforts to protect, sustain, and strengthen these critical child health safety net programs.

Sincerely,

CARDEN JOHNSTON, MD, FAAP,
*President.*

## THREE MONTHS AND COUNTING

Mr. LEVIN. Mr. President, 3 months from yesterday is the expiration date for the assault weapons ban. Despite Senate passage of a bipartisan amendment that would have reauthorized the ban, it appears that this important gun safety law will be allowed to expire. The House Republican leadership opposes reviewing the law and President Bush, though he has said he supports it, has done little to help keep the law alive.

In April of this year, the Brady Campaign to Prevent Gun Violence joined hundreds of local elected officials and senior law enforcement officials to urge President Bush to push for reauthorization of this critical piece of gun safety legislation. I commend them for their efforts and continue to support this commonsense gun safety legislation.

The 1994 law banned a list of 19 specific weapons, as well as a number of other weapons incorporating certain design characteristics such as pistol grips, folding stocks, bayonet mounts, and flash suppressors. The assault weapons ban also prohibited the manufacture of semiautomatic weapons that incorporate at least two of these military features and which accept a detachable magazine.

I support the efforts of the law enforcement community and local leaders who are calling for legislation extending the law. In 1994, I voted for the assault weapons ban and, in March of this year, I joined a bipartisan majority of the Senate in voting to extend the assault weapons ban for 10 years.

Law enforcement support for the assault weapons ban is broad. It includes the International Association of Chiefs of Police, the Major Cities Chiefs Association, the Police Foundation, the Police Executive Research Forum, the International Brotherhood of Police Officers, the National Association of School Resource Officers, the National Fraternal Order of Police, the National Organization of Black Law Enforcement Executives, the Hispanic American Police Command Officers Association, and the National Black Police Association.

In addition, mayors and police chiefs from Detroit, Los Angeles, San Francisco, Miami, Seattle, Chicago, and Washington, D.C. have joined over 200 other local leaders in urging Congress to immediately pass a 10-year extension of the current ban.

Despite broad support for this law, the National Rifle Association fought against passage of the assault weapons ban in 1994 and continues to oppose it to this day. The ban is a major public safety measure that protects citizens and police officers and I urge the President and the Congress to act immediately to reauthorize the law.

## FRANCES WILLIAMS PRESTON

Mr. ALEXANDER. Mr. President, today I pay tribute to an outstanding native Tennessean, Frances Williams Preston.

Frances Preston was born in Nashville, TN and attended elementary, high school and Peabody College at Vanderbilt University there. She holds honorary degrees from the Berklee School of Music, Boston, MA, Lincoln College, Lincoln, IL, and Oklahoma University, Tulsa, OK. Ms. Preston is married to Nashville businessman E.J. Preston, and she is the mother of three children and the grandmother of six children.

This year, Frances Preston will retire from her position of President and Chief Executive Officer of Broadcast Music Inc., BMI. Under Ms. Preston's leadership for the past 18 years, BMI gained international respect as a leader in the entertainment industry and is viewed as one of the music industry's most consistently successful and progressive entities. BMI was founded in 1939 and it operates as a non-profit making business. After operating expenses are paid, BMI returns all royalties to approximately 300,000 creators and copyright owners that it represents.

Ms. Preston began her career in the music industry when she joined the nationally known Nashville radio station, WSM, in mid-1950 as a mail room employee and where she answered fan mail sent to Hank Williams. Later, she became the popular hostess of a daily fashion and style television show on the WSM station. In 1958, Ms. Preston became a part of BMI when she opened a BMI operation in Nashville as a result of some slight prodding by the first President of BMI, Bob Burton. Ms. Preston began her career with BMI with one assistant working in her parents' garage and oversaw the company's growth to more than 400 employees in Nashville. In 1986, Ms. Preston was appointed to serve as President & CEO of BMI. Ms. Preston played a lead role in building BMI's 2004 repertoire of nearly 4.5 million musical works.

Ms. Preston has been vigilant and supported legislation with respect to rights and incomes of songwriters, composers and publishers.

Frances Preston has received numerous awards and recognition, including but not limited to the T.J. Martell Foundation Humanitarian Award in 1992, the Friar's Applause Award in 1993, the International Achievement in Arts Humanitarian Awards in 1995 and 1997, the American Women in Radio and Television's Outstanding Achievement Award in 1998, the American Women in Radio and Television President's Award in 1998, the National Trustees Award at the 1998 Grammy Awards, the Society for the Advancement of Women's Health Research Woman of Achievement Award in 1999, the National Music Publishers' Association's President's Award in 2001, the Nashville Songwriters Association International President's Award in 2002, the Women in Music Touchstone Advocate Award in 2003, the Michael Bolton Charities' Lifetime Achievement Award in 2003, the Irving Waugh Award of Excellence, and the Broadcasters' Foundation's Golden Mike Award in 2004.

Ms. Preston sits on numerous boards and generously volunteers her time to many charitable organizations.

This brief statement cannot capture all the strengths of Frances Williams Preston and her manifold good works for songwriters, composers and publishers, and America as a whole. I did want to bring to my colleagues' attention the accomplishments and legacy of Frances Preston, and I am honored to recognize the contributions of this great Tennessean.

## ADDITIONAL STATEMENTS

### TRIBUTE TO MR. WILLIAM GREENBLATT

• Mr. BOND. Mr. President, today I congratulate Mr. William Greenblatt, a man whose accomplishments are a true testament to what a business and community leader should be, as he celebrated his 50th birthday on June 9, 2004.

Mr. Greenblatt began his career providing photography services for commercial, industrial, public relations

and nonprofit organizations including the City of St. Louis, Make-A-Wish Foundation, United Way, and American Heart Association. He also serves as the St. Louis Fire Department's photographer recreating fire scene construction and investigations as well as documenting training and incidents.

During Mr. Greenblatt's career, he has had the honor of being the official photographer for many of the most prominent Missouri Federal, State, and local politicians, as well as St. Louis artists Nelly and Toya. In addition to his services at United Press International, he has contributed to numerous publications such as the Chicago Tribune, Los Angeles Times, Newsweek Magazine, New York Times, and the Washington Post.

Mr. Greenblatt has dedicated both his professional and personal life to the betterment of his community. He has served on several nonprofit boards as well as being a member of several professional organizations including the St. Louis Regional Chamber and Growth Association, St. Louis Journalism Review Board of Editorial Advisors, Urban League of Metropolitan St. Louis, and the James S. McDonnell Board of Directors.

Throughout his service, Mr. Greenblatt has been honored with several achievements including placing in the Baseball Hall of Fame Photo Contest, Certificate of Appreciation from the City of St. Louis Emergency Management Agency, Outstanding Citizen Award.

Mr. Greenblatt has a distinguished record of service in his public and private life. I thank him for his dedication to his profession as well as his contributions to the St. Louis Community. On behalf of Missouri, I wish him a happy 50th birthday.●

## HONORING JOHN BURSON

● Mr. MILLER. Mr. President, in our formative years, many of us were exposed to the phrase ''you can do anything that you set your mind to.'' This cliche is symbolic of the optimism embodied in the American Dream. Across the width and breadth of this great land, we see countless examples of people who exemplify that spirit.

Some of us live out that dream by finding success as teachers, others as doctors. Some of us find passion in the freedom of flight, while some of us thrive in the rigid structure of the military. Very few of us are able to test our limits and succeed in multiple areas. I stand before you to recognize one such person.

Dr. John Burson is a shining example of what a human being is capable of if one has the will and the focus to reach for the stars. He has spend the last 25 years serving the citizens of Carroll County, GA, as an ear, nose, and throat specialist. All the time and effort required to become a practicing physician is a lot to ask of anyone, however it is merely the tip of the iceberg fo Dr. Burson.

Before pursuing a career in medicine at the age of 37, Dr. Burson spent his time acquiring a bachelor's degree and a master's degree, as well as a Ph.D. in Engineering, from the Georgia Institute of Technology. Upon completing his doctorate, he continued to pass on his knowledge to others for several years as a professor at Georgia Tech. Dr. Burson obtained his post-graduate degrees and professorship while simultaneously serving as an officer and pilot in the Army Reserves, where Dr. Burson rose to the rank of Lieutenant Colonel. Only after achieving all of this, at the age of 37, with a wife and children, did John decide it was time to pursue a career in medicine.

Twenty five years later, John has found a way to impress us all again. In a short time, he will be heading to a field hospital in Iraq to relieve an active duty physician for 3 months, allowing that physician 3 months back home with his or her family. While many his age are beginning to look towards quieter days, John Burson is once again serving his country, as well as providing a most precious gift to a person that he has never met.

Orison Swett Marden, a famed Nineteenth Century thinker, stated that ''the greatest thing a man can do in this world is to make the most possible out of the stuff that has been given to him. This is success and there is none other.'' Soldier. Scholar. Doctor. Husband. Father. I believe that Mr. Marden, were he still alive, would not hesitate to proclaim John Burson a successful man. People spend most of their lives attempting to do one thing well. Few and far between are the people who have the courage to try and determination to achieve success at all. Dr. John Burson is one of those few and I am proud to call him a fellow Georgian and a fellow American, and I thank him for his years of service to our country, to the State of Georgia, and to his community.●

## RECOGNIZING LARSON MANUFACTURING

● Mr. JOHNSON. Mr. President it is my great honor to recognize today the 50th Anniversary of Larson Manufacturing, the Nation's leading manufacturer of storm doors, which is headquartered in Brookings, SD. I take this opportunity to congratulate Mr. Dale Larson, founder of Larson Manufacturing, for his success and thank him for all of the many contributions he and his company have afforded the Brookings community and the State of South Dakota. In addition, as with any successful business, it takes a great team effort to accomplish such a milestone. So to all of the former and current employees of Larson Manufacturing . . . job well done.

Larson began as a small factory and now employs over 1,000 people nationwide. Larson storm doors are known for their exceptional quality and superior craftsmanship. What truly makes this company great is the dedication and commitment to quality shared by all of the employees. This company has truly been a model of a good corporate citizen. Mr. Larson is widely known for his generosity to the Brookings community. Among the many charitable projects this company has spearheaded are Larson Park, Larson Ice Arena, and a community bike path. In addition, over 3,000 storm doors are donated to Habitat for Humanity each and every year, making the dream of home ownership a reality for many families. It is with great honor that I share this companies impressive accomplishments with my colleagues.●

## TRIBUTE TO KOHRS LONNEMANN HEIL ENGINEERS PSC

● Mr. BUNNING. Mr. President, today I pay tribute to Kohrs Lonnemann Heil Engineers for being named the Kentucky Small Business Person of the Year.

Joseph R. Kohrs, Robert A. Heil, Robert A. Lonnemann are the leaders of Covington's Kohrs Lonnemann Heil Engineers, a mechanical and electrical engineering firm offering heating, ventilating, air conditioning, electrical, fire protection, plumbing and communication technology consulting engineering services. Being one of the few firms in the area offering this combination of services, today, it has carved its own sizable niche, providing excellence in engineering, design and field services to Kentucky.

Kohrs Lonnemann Heil Engineers is an outstanding example of how Kentuckians use their entrepreneurial talent, drive and vision to create opportunities not just for themselves, but for others. What began as a humble business almost 47 years ago is now a leading engineering firm that is a leader in giving back to the community.

Northern Kentucky is fortunate to have Kohrs Lonnemann Heil Engineers as a home-based business. But more importantly, it is fortunate to have Mr. Kohrs, Mr. Heil, and Mr. Lonnemann call Northern Kentucky home. I appreciate their loyalty to Kentucky and their community. The company has been a shining example of leadership, hard work, and compassion. They are an inspiration to all throughout the Commonwealth.

Congratulaions, Kohrs Lonnemann Heil Engineers. You are Kentucky at its finest.●

## COMMEMORATING FRANK BAKER

● Mrs. BOXER. Mr. President, I wish to recognize a constituent, Frank Baker, who will mark his 50th year of exemplary service to the American Legion California Boys State Program.

Since 1935, the Boys State Program has brought together high school boys from across their States to immerse them in a week of education about, and simulation of, their State government. The California program began in 1938,

and Mr. Baker is the second person in the history of the California Boys State program to reach the milestone of 50 years of service.

Mr. Baker joined the California Boys State staff in 1955 as a clerk and in 1958 was named secretary of the program. He supported the counseling staff in delivering excellent programming to the Boys State delegates year after year.

In 1975, Mr. Baker was elevated to the treasurer of the Boys State Program. He became the program administrator in 1982 and has been responsible for overseeing the infrastructure of the Boys State Program. The 2004 California Boys State session will be Mr. Baker's 50th consecutive year of service.

Mr. Baker has been a leader outside of the California Boys State program as well, serving in the U.S. Army's 103rd Infantry in Germany, France, and Italy in World War II. Mr. Baker has been active in the Boy Scouts of America and was involved with the Sea Scouts in the 1940s. Since 1990, Mr. Baker has been a Kiwanis member and has raised money for Kiwanis House, the Just for Kids Program and the Teddy Bear Purchase Program for the Sacramento County Sheriff's Department. He also volunteered his time as a court spokesman for neglected and abused children for 8 years through the court-appointed special advocates of Sacramento.

Mr. Baker began a long teaching career in 1952 when he joined the business department at Sacramento High School. After moving to Hiram Johnson High School—where he taught until his retirement in 1998—he served as chairman of the business department and taught classes at Sacramento City College.

Mr. Baker's actions demonstrate his dedication to serving his country and the State of California, and I offer my hearty congratulations to him on his 50th year of service to the California Boys State program.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

### TEXT OF AN AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES OF JULY 3, 1958—PM 85

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to section 123d. of the Atomic Energy Act of 1954, as amended, the text of an amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended, and my written approval, authorization, and determination concerning the agreement. The joint unclassified letter submitted to me by the Secretaries of Energy and Defense that provides a summary position on the Amendment is also enclosed.

The Amendment extends for 10 years (until December 31, 2014) provisions that permit the transfer of nonnuclear parts, source, byproduct, special nuclear materials, and other material and technology for nuclear weapons and military reactors, and revises text, principally in the Security Annex, to be consistent with current policies and practices relating to personnel and physical security.

In my judgment, the proposed Amendment meets all statutory requirements. The United Kingdom intends to continue to maintain viable nuclear forces. In light of our previous close cooperation and the fact that the United Kingdom has committed its nuclear forces to the North Atlantic Treaty Organization, I have concluded that it is in our interest to continue to assist them in maintaining a credible nuclear force.

I have approved the Amendment, authorized its execution, and urge that the Congress give it favorable consideration.

GEORGE W. BUSH.
THE WHITE HOUSE, *June 14, 2004.*

## MESSAGES FROM THE HOUSE—JUNE 9, 2004

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to House Resolution 663, expressing the profound regret and sorrow of the House of Representatives on the death of Ronald Wilson Reagan, former President of the United States of America.

## ENROLLED BILLS SIGNED

At 3:15 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1233. An Act to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center.

H.R. 1086. An Act to encourage the development and promulgation of voluntary consensus standards by providing relief under the antitrust laws to standards development organizations with respect to conduct engaged in for the purpose of developing voluntary consensus standards, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. STEVENS), during adjournment.

## MESSAGE FROM THE HOUSE DURING ADJOURNMENT

At 3:26 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution:

S. Con. Res. 115. Concurrent resolution authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the late Ronald Wilson Reagan, 40th President of the United States.

## MESSAGE FROM THE HOUSE

At 1:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 116. Concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

## ENROLLED BILL PRESENTED DURING ADJOURNMENT

The Secretary of the Senate reported that on June 10, 2004, she had presented to the President of the United States the following enrolled bill:

S. 1233. An act to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7886. A communication from the Secretary, Department of Agriculture, transmitting, pursuant to law, a report relative to the Department's competitive sourcing policy and Fiscal Year 2004 Budget for Contracting out in accordance with Division A of the Consolidated Appropriations Act, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7887. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to the Department of Agriculture's Fiscal Year 2003 Competitive Sourcing Efforts; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7888. A communication from the Chairman and Chief Executive, Office of General Counsel, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Loan Policy and Operations; Funding and Fiscal Affairs; Loan Policies and Operations, and Funding Operations; OFI Lending'' received on June 9, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7889. A communication from the Director, Economic and Policy Analysis Staff, Farm Service Agency, transmitting, pursuant to law, the report of a rule entitled ''2002 Farm Bill—Conservation Reserve Program—Long Term Policy'' (RIN0560–AG74) received on June 9, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7890. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Animal Welfare; Definition of Animal'' (Doc. No. 98–106–3) received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7891. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Humates; Exemption from the Requirement of a Tolerance'' (FRL#7361–6) received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7892. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Indoxacarb; Tolerances for Residues; Technical Correction'' (FRL#7362–4) received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7893. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Pine Shoot Beetle; Additions to Quarantined Areas'' (Doc. No. 04–036–1) received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7894. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting, pursuant to law, the report of a rule entitled ''Gypsy Moth Generally Infested Areas'' (Doc. No. 04–025–1) received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7895. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Fees for Product Review and Approval'' received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7896. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Fees for Reviews of the Rule Enforcement Programs of Contract Markets and Registered Futures Associations'' received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7897. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''17 CFR Part 30 Foreign Futures and Options Transactions'' received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7898. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Intermarket Clearing Corporation—Request for Vacation from Designation as Derivatives Clearing Organization'' received on June 7, 2004; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7899. A communication from the Acting Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, a report of a violation of the Antideficiency Act, case number 00–01, relative to the 75th Division (Exercise) United States Army Reserves, Houston, Texas; to the Committee on Appropriations.

EC–7900. A communication from the Chairman, Technology and Privacy Advisory Company, Department of Defense, transmitting, pursuant to law, a report entitled ''Safeguarding Privacy in the Fight Against Terrorism''; to the Committee on Armed Services.

EC–7901. A communication from the Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''TRICARE Program; Inclusion of Anesthesiologist Assistants as Authorized Providers; Coverage of Cardiac Rehabilitation in Freestanding Cardiac Rehabilitation Facilities'' (RIN0720–AA76) received on June 9, 2004; to the Committee on Armed Services.

EC–7902. A communication from the Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''TRICARE Program; Inclusion of Anesthesiologist Assistants as Authorized Providers; Coverage of Cardiac Rehabilitation in Freestanding Cardiac Rehabilitation Facilities'' (RIN0720–AA76) received on June 9, 2004; to the Committee on Armed Services.

EC–7903. A communication from the Assistant Director, Executive and Political Personnel, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary of Defense, Comptroller, Department of Defense, received on June 7, 2004; to the Committee on Armed Services.

EC–7904. A communication from the Acting Under Secretary of Defense, Comptroller, Department of Defense, transmitting, pursuant to law, a report relative to the Army, Navy, and Air Force Defense Working Capital Funds.

EC–7905. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the report of a retirement; to the Committee on Armed Services.

EC–7906. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the Administration's 2003 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–7907. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC–7908. A communication from the Chief Counsel, Bureau of the Public Debt, Fiscal Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''17 CFR Part 403, Government Securities Act Regulations: Protection of Customer Securities and Balances; and Order Regarding the Collateral Registered Government Securities Brokers and Dealers Must Pledge When Borrowing Customer Securities'' received on June 7, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–7909. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 C.F.R. Part 745—Share Insurance; Living Trust Accounts'' received on June 7, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–7910. A communication from the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the Department's report on the circulation of the Golden Dollar coin; to the Committee on Banking, Housing, and Urban Affairs.

EC–7911. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; 2003 Management Measures'' (RIN0648–AQ17) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7912. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement the Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic'' (RIN0648–AO63) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7913. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Final Rule; Annual Management Measures and Sport Fishing Regulations for Area 2A Pacific Halibut Fisheries; and Changes to the Catch Sharing Plan'' (RIN0648–AR83) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7914. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Inseason Adjustments'' (ID050704A) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7915. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Apportionment of the Non-specified Reserve of Groundfish in the Bering Sea and Aleutian Islands Management Area (BSAI) to Rock Sole'' received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7916. A communication from the Deputy Assistant Administrator, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and In the Western Pacific; Highly Migratory Species Fisheries'' (RIN0648–AP42) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7917. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Services Surveys: BE–45, Quarterly Survey of Insurance Transactions by U.S . Insurance Companies with Foreign Persons'' (RIN0691–AA53) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7918. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Services Surveys: BE–85, Quarterly Survey of Financial Services Transactions

Between U.S. Financial Services Providers and Unaffiliated Foreign Persons'' (RIN0691–AA50) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

EC–7919. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Services Surveys: BE–25, Quarterly Survey of Transactions Between U.S. and Unaffiliated Foreign Persons in Selected Services and in Intangible Assets'' (RIN0691–AA54) received on June 9, 2004; to the Committee on Commerce, Science, and Transportation.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PRYOR:

S. 2516. A bill to recognize the sacrifices of the members of the Armed Forces who are injured in combat, and for other purposes ; to the Committee on Armed Services.

By Mr. CAMPBELL:

S. 2517. A bill to require the Secretary of the Treasury to mint coins in commemoration of Ronald Wilson Reagan, the 40th President of the United States; to the Committee on Banking, Housing, and Urban Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. Res. 376. A resolution congratulating the Syracuse University Orange men's lacrosse team on winning the 2004 NCAA Division I men's lacrosse National Championship; considered and agreed to.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. Res. 377. A resolution congratulating the Le Moyne College Dolphins men's lacrosse team on winning the 2004 NCAA Division II men's lacrosse National Championship; considered and agreed to.

By Mr. CORNYN (for himself, Mrs. FEINSTEIN, Mr. CRAIG, Mr. GRASSLEY, Mr. CHAMBLISS, Mr. GRAHAM of South Carolina, and Mr. DEWINE):

S. Res. 378. A resolution designating June 14, 2004, as ''National Pledge of Allegiance to the Flag Day''; considered and agreed to.

By Mr. BROWNBACK (for himself, Mr. BAYH, Mr. ALEXANDER, Mr. ALLEN, Mr. BENNETT, Mr. BUNNING, Mr. BURNS, Mr. COCHRAN, Mr. CORNYN, Mr. CRAPO, Mr. DOMENICI, Mr. FITZGERALD, Mr. HAGEL, Ms. LANDRIEU, Mr. LEVIN, Mr. LOTT, Mr. MILLER, Mr. SANTORUM, and Mr. TALENT):

S. Res. 379. A resolution protecting, promoting, and celebrating fatherhood; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS—JUNE 9, 2004

S. 560

At the request of Mr. DAYTON, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 560, a bill to impose tariff-rate quotas on certain case in and milk protein concentrates.

S. 847

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 847, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low income individuals infected with HIV.

S. 1379

At the request of Mr. JOHNSON, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Illinois (Mr. FITZGEARLD) were added as cosponsors of S. 1379, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 1411

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1411, a bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable housing for low-income families, and for other purposes.

S. 1414

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1414, a bill to restore second amendment rights in the District of Columbia.

S. 1477

At the request of Mr. CORZINE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1477, a bill to posthumously award a Congressional gold medal to Celia Cruz.

S. 1630

At the request of Mrs. CLINTON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1630, a bill to facilitate nationwide availability of 2–1–1 telephone service for information and referral services, and for other purposes.

S. 1963

At the request of Mrs. BOXER, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Florida (Mr. NELSON) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1963, a bill to amend the Communications Act of 1934 to protect the privacy right of subscribers to wireless communication services.

S. 2138

At the request of Mr. GRAHAM of South Carolina, the name of the Senator from North Dakota (Mr. DORGAN) was withdrawn as a cosponsor of S. 2138, a bill to protect the rights of American consumers to diagnose, service, and repair motor vehicles purchased in the United States, and for other purposes.

S. 2158

At the request of Ms. COLLINS, the names of the Senator from North Carolina (Mrs. DOLE), the Senator from Texas (Mr. CORNYN) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 2158, a bill to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation.

S. 2302

At the request of Mr. CONRAD, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 2302, a bill to improve access to physicians in medically underserved areas.

S. 2328

At the request of Mr. DORGAN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2328, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 2364

At the request of Mr. CORZINE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2364, a bill to amend title 36, United States Code, to grant a Federal charter to the Irish American Cultural Institute.

S. 2461

At the request of Mr. DEWINE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2461, a bill to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

S. 2467

At the request of Mr. SCHUMER, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2467, a bill to clarify the calculation of per-unit costs payable under expiring annual contributions contracts for tenant-based rental assistance that are renewed in fiscal year 2004.

S. RES. 221

At the request of Mr. SARBANES, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 221, a resolution recognizing National Historical Black Colleges and Universities and the importance and accomplishments of historically Black colleges and universities.

S. RES. 335

At the request of Mr. MCCAIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. Res. 335, a resolution expressing the sense of the Senate that Major League Baseball clubs and their players should take immediate action to adopt a drug-testing policy that effectively deters Major League Baseball players from using anabolic steroids and any other performance-enhancing substances that create a competitive advantage for, and pose a serious health risk to, such players and the children and teenagers who emulate them.

AMENDMENT NO. 3366

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of amendments No. 3366 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3400

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 3400 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

## ADDITIONAL COSPONSORS

S. 190

At the request of Mrs. FEINSTEIN, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Florida (Mr. GRAHAM), the Senator from Maine (Ms. SNOWE), the Senator from Mississippi (Mr. LOTT), the Senator from Oregon (Mr. WYDEN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 190, a bill to establish the Director of National Intelligence as head of the intelligence community, to modify and enhance authorities and responsibilities relating to the administration of intelligence and the intelligence community, and for other purposes.

S. 585

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 585, a bill to amend title 10, United States Code, to repeal the requirement for reduction of SBP survivor annuities by dependency and indemnity compensation.

S. 884

At the request of Ms. LANDRIEU, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 884, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 983

At the request of Mr. CHAFEE, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 983, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 1129

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1129, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 1368

At the request of Mr. LEVIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1368, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1666

At the request of Mr. COCHRAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1666, a bill to amend the Public Health Service Act to establish comprehensive State diabetes control and prevention programs, and for other purposes.

S. 1762

At the request of Mr. DAYTON, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1762, a bill to amend title II of the social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes.

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1762, supra.

S. 1771

At the request of Ms. SNOWE, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1771, a bill to amend title XIX of the Social Security Act to permit States to obtain reimbursement under the medicaid program for care or services required under the Emergency Medical Treatment and Active Labor Act that are provided in a nonpublicly owned or operated institution for mental diseases.

S. 1900

At the request of Mr. LUGAR, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1900, a bill to amend the African Growth and Opportunity Act to expand certain trade benefits to eligible sub-Saharan African countries, and for other purposes.

S. 1931

At the request of Mr. BUNNING, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1931, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs.

S. 2032

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2032, a bill to provide assistance and security for women and children in Afghanistan and for other purposes.

S. 2088

At the request of Mr. KENNEDY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2088, a bill to restore, reaffirm, and reconcile legal rights and remedies under civil rights statutes.

S. 2158

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Minnesota (Mr. DAYTON) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2158, a bill to amend the Public Health Service Act to increase the supply of pancreatic islet cells for research, and to provide for better coordination of Federal efforts and information on islet cell transplantation.

S. 2192

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2192, a bill to amend title 35, United States Code, to promote cooperative research involving universities, the public sector, and private enterprises.

S. 2249

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2249, a bill to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter.

S. 2261

At the request of Mr. DEWINE, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2261, a bill to expand certain preferential trade treatment for Haiti.

S. 2298

At the request of Mr. BREAUX, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2298, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 2328

At the request of Mr. DORGAN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2328, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 2351

At the request of Ms. COLLINS, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 2351, a bill to establish a Federal Interagency

Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council, and for other purposes.

S. 2425

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 2425, a bill to amend the Tariff Act of 1930 to allow for improved administration of new shipper administrative reviews.

S. 2467

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2467, a bill to clarify the calculation of per-unit costs payable under expiring annual contributions contracts for tenant-based rental assistance that are renewed in fiscal year 2004.

S. 2490

At the request of Mr. INOUYE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2490, a bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to establish vessel ballast water management requirements, and for other purposes.

S. 2502

At the request of Mr. CRAIG, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2502, a bill to allow seniors to file their Federal income tax on a new Form 1040S.

S.J. RES. 30

At the request of Mr. KYL, his name was added as a cosponsor of S.J. Res. 30, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

S. CON. RES. 110

At the request of Mr. CAMPBELL, the names of the Senator from Connecticut (Mr. DODD), the Senator from North Dakota (Mr. DORGAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Con. Res. 110, a concurrent resolution expressing the sense of Congress in support of the ongoing work of the Organization for Security and Cooperation in Europe (OSCE) in combating anti-Semitism, racism, xenophobia, discrimination, intolerance, and related violence.

S. RES. 221

At the request of Mr. SARBANES, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 221, a resolution recognizing National Historically Black Colleges and Universities and the importance and accomplishments of historically Black colleges and universities.

S. RES. 269

At the request of Mr. LEVIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 269, a resolution urging the Government of Canada to end the commercial seal hunt that opened on November 15, 2003.

S. RES. 311

At the request of Mr. BROWNBACK, the names of the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mr. SCHUMER), the Senator from North Carolina (Mr. EDWARDS) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. Res. 311, a resolution calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thadeus Nguyen Van Ly, and for other purposes.

S. RES. 357

At the request of Mr. CAMPBELL, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. Res. 357, a resolution designating the week of August 8 through August 14, 2004, as ''National Health Center Week''.

AMENDMENT NO. 3234

At the request of Mr. NELSON of Florida, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of amendment No. 3234 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3264

At the request of Mr. PRYOR, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Georgia (Mr. CHAMBLISS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Rhode Island (Mr. REED), the Senator from Florida (Mr. NELSON) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of amendment No. 3264 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3296

At the request of Mr. WARNER, his name was added as a cosponsor of amendment No. 3296 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3307

At the request of Mr. WARNER, his name was added as a cosponsor of amendment No. 3307 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

At the request of Mr. LEVIN, his name was added as a cosponsor of amendment No. 3307 proposed to S. 2400, supra.

AMENDMENT NO. 3312

At the request of Mrs. MURRAY, her name was added as a cosponsor of amendment No. 3312 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3313

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 3313 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3323

At the request of Mr. FITZGERALD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 3323 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3371

At the request of Mr. SESSIONS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 3371 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3394

At the request of Mr. DORGAN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 3394 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year

for the Armed Services, and for other purposes.

AMENDMENT NO. 3432

At the request of Mr. FITZGERALD, his name was added as a cosponsor of amendment No. 3432 proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

AMENDMENT NO. 3437

At the request of Mr. BUNNING, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 3437 intended to be proposed to S. 2400, an original bill to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PRYOR:

S. 2516. A bill to recognize the sacrifices of the members of the Armed Forces who are injured in combat, and for other purposes; to the Committee on Armed Services.

Mr. PRYOR. Mr. President, I come to the Chamber today to discuss a reality of today's world in Iraq and elsewhere that I think has not received the appropriate attention. I am referring to the thousands of men and women who have been seriously wounded in recent U.S. combat missions. The numbers wounded in Iraq have soared in recent weeks. Fatalities have risen likewise to a total of 817 yesterday. Of the latest data I have been able to find, 5,015 military personnel have been injured in Iraq, 2,049 have been able to return to action within 72 hours, and 2,964 could not, and many of these injured troops will face months, if not years, of rehabilitation. Many of these troops will suffer lifelong disabilities.

I am told Walter Reed Army Hospital is close to being filled to capacity. I have been to Walter Reed twice this year, and while I talked with soldiers who were wounded in the Iraqi theater, I can tell you that coming face to face with our soldiers in a hospital ward is a sobering event. It makes you think about the costs of war and the sacrifices these men and women have made for our Nation, for each of us.

Memorial Day has just passed, and I have tried to think how best to recognize the sacrifices of our wounded service men and women. I am not sure that I ever can appropriately and fully recognize their sacrifice, but I want to try. That is why I introduce today the Service Act for Care and Relief Initiatives for Forces Injured in Combat Engagement Act, or the SACRIFICE Act. The SACRIFICE Act addresses the commitment shown by our troops injured in combat and attempts to reciprocate in kind.

My bill does three things. First, it would recognize the sacrifice of American military personnel killed and injured in combat and the heroic efforts of our medical teams through a sense of the Senate.

Second, it would aim to ease the stress of families who are attempting to follow the whereabouts of a loved one injured by combat by establishing a tracking system for wounded personnel being transported out of a combat zone.

Third, it would call for a $10 million authorization to modernize medical combat equipment, treatment, and combat care triage for our medics in their fight to save lives.

Let me tell my colleagues how I came to write this bill.

Arkansas is a relatively small State with a relatively high enrollment of Arkansans serving our Nation in Active Duty and in the National Guard and Reserve. In March of this year, we said goodbye to 3,000 fellow Arkansans who were deployed to Iraq as part of the 39th Infantry Brigade of the first Cavalry.

It was hard for me to witness separation of families as soldiers prepared for year long war zone deployment. It has been painful to receive news of the 8 Arkansans who have fallen since the beginning of that deployment and the additional 44 who have been seriously injured and transported out of theater.

In honor of this sacrifice, the first section of my bill is a sense of the Senate regarding the American military personnel killed and injured in combat and the heroic efforts of our medical teams.

The second section of the bill, the tracking portion, is an easy, no-cost provision to ease emotional stress of families whose loved ones have been listed as seriously injured or very seriously injured and are being transported out of theater.

As I mentioned before, 44 Arkansas members of the 39th Infantry Brigade have thus far been listed as seriously injured or very seriously injured and evacuated out of theater. Although Congress does not receive notification of the wounded, I continuously receive calls from families who are distraught and worried because of failures in the current family notification system.

The Defense Department has a computer tracking system that is designed to help keep families of fallen soldiers informed of their whereabouts, but the system is not without glitches. For example, some families who have contacted my office have been distraught after hearing from military that they are not exactly sure where the soldiers were at the time. This has made it difficult for families to make plans to travel to the hospitals where their loved one are being cared for.

Also, when a soldier is upgraded from seriously injured or very seriously injured to not seriously injured, the Department of the Army closes out their case in the computer tracking system, making it particularly difficult for families to keep track of their loved ones. We can and should do more for families of loved ones during such trying times.

I want to recognize SPC Henry Austin Phillips of Charlie Company of the 153rd Infantry, 39th Brigade out of DeQueen, AR.

For example, some families that have contacted my office have been distraught after hearing from the military that they were not sure exactly where the soldiers were at that time. This has made it difficult for families to make plans to travel to the hospital where their loved ones are being cared for.

Also, when a soldier is upgraded from ''seriously injured'' or ''very seriously injured'' to ''not seriously inured,'' the Department of the Army closes out their case in the computer tracking system, making it particularly difficult for families to keep track of their loved ones. We can—and should—do more for the families of loved ones during such trying times.

I want to recognize SPC Henry Austin Phillips of the Charlie Company, 1–153d Infantry, 39th Brigade out of DeQueen, AR. He did a great job in the field, and the communication problems that ensued following his injury are not a reflection of him or the military.

He was proud to serve his country, and his State and country are proud of him. I know that if he could return, he would.

As I understand it, this is the situation that Pam Phillips endured when her husband was wounded in Iraq, losing his lower right leg.

After suffering his injury, Specialist Phillips requested that he deliver the news to Pam regarding the seriousness of his condition.

He talked with Pam on Wednesday, May 19, asked her to join him as soon as possible at the Landstuhl Hospital in Germany, where Specialist Phillips understood he would be receiving critical treatment. Naturally, Pam told her husband that she would be there.

I can only imagine that call but it should come as no surprise that Pam and Specialist Phillips both assumed that the Army would assist Pam in joining her husband as soon as possible. That was Specialist Phillips's wish.

But that did not happen.

The nature of Specialist Phillips's injuries required that he be heavily sedated following this phone call so he was unable to speak directly with his wife for several days.

After talking with her husband on May 19, Pam assumed that someone in the Army would assist her in getting to Germany and advise her of her husband's health status. For the record, we do indeed provide spouses with Invitational Travel Orders to transport immediate family members of the seriously wounded. I have encountered several problems with those orders, too.

However, Pam received no additional communication from the Army. Two days later, on May 21, I received a call from Arkansas State Representative Daryl Pace, Pam's brother. Regrettably, this was not the first call I have gotten from families trying to locate their loved ones who have been wounded. I have had four such calls since April.

My staff and the Arkansas National Guard worked tirelessly to track down Specialist Phillips. Finally, on Monday, May 24, 5 days later, Pam learned that her husband had arrived at Walter Reed on Friday, May 21. After 5 days of sheer emotional stress, Pam finally learned that her husband was recovering, that he was OK.

Here is what Daryl Pace has to say about the experience that his sister Pam went through:

> There's an empty channel between the field and the hospital. When nobody could find Austin, Pam was horrified that Austin's condition had deteriorated. We were left with the assumption that he was no longer with us.

I ask my colleagues, can they imagine getting a phone call from their son, their daughter, their husband or their wife telling them that they had lost their leg and that they wanted my colleagues to be with them as soon as possible?

Can you imagine that their loved one is in the care of the U.S. Armed Forces, but nobody in the military calls them? Nobody can answer an inquiry about their loved one's whereabouts?

Again, my bill language is direct, I simply want the Secretary of Defense to put into place a uniform policy and procedure that notifies families of an injury to a loved one in combat, followed by regular updates on the health and location of the wounded member.

I ask my colleagues to support me in helping families during a time of terrible tension and emotional pain by requesting that the Secretary review this matter and put into place a policy that supports families rather than burdens them.

The last section of the bill aims to reduce fatalities and disability rates by providing medics in theater with tools that they need.

Like many of my colleagues, I have taken note of the rising casualties and the rising wounded count. But I have also taken note of a rising number of news articles detailing the conditions that our medics must work under while treating our wounded.

According to a Washington Post article on April 27, 2004: ''So far in April, more than 900 soldiers and Marines have been wounded in Iraq, more than twice the number wounded in October, the previous high.'' While half of those wounded were able to return to duty, ''The others arrive on stretchers at the hospitals operated by the 31st Combat Support Hospital.

And I quote, ''These injuries,'' said LTC Stephen M. Smith, executive officer of the Baghdad facility, ''are horrific.''

The article goes on to document the struggles that the medical team confronts everyday in meeting their goal to provide ''lightning-swift, expert treatment'' and the transfer of the wounded to a military hospital.

An Army survey has documented that the unit with the lowest morale in Iraq was one that ran the combat hospitals.

Another article from the Washington Times dated May 5, 2004, carries the headline: ''Casualties of Iraq war can 'get to' U.S. Medics.'' The article reports that in April 2004, the deadliest month for the U.S.-led coalition in Iraq, the Baghdad hospital treated more than 500 wounded Americans.

The article chronicles the amazing efforts by U.S. medical personnel to save the lives of the wounded.

It details the adverse conditions where ''the emergency room overflows with wounded soldiers on stretchers.'' It quotes Major Wenner, a family doctor from Fort Sill, OK, as saying that:

> It's not the names I remember as I go to sleep, It is the faces and the injuries. . . . My alarm goes off, and it is time to start all over again. Groundhog Day, we call it.

These medics and the wounded that they tend to everyday merit immediate attention by this body for the conditions they work under and medical equipment they work with.

The 212th Mobile Army Surgical Hospital is an example of our current combat support hospital system that we use in Iraq. It is basically a bunch of tents. I have had the opportunity to tour a model similar to that used by the 212th, but that was on the Capitol lawn when it wasn't in use.

According to an Army Lessons Learned Report on the 212th, the reality of these medic platforms is frightening. The tents are porous and the report sites adverse conditions for medical personnel and the wounded they treat due to sand and dirt filtering through the seams, doors and floors impacting the medical team's ability to function.

I think we can do better than this and in fact, so does the Army. The Army has a plan to modernize the combat support hospitals into the Future Combat Hospital Systems. Let me share with you the Army's view:

> The U.S. Army Medical Department has a continuing requirement to support its deployed medical forces with shelters appropriate to battlefield medical missions. Currently a combination of aged ISO Shelters and TEMPER Tents are being used at Combat Support Hospital (CSHs), and Forward Surgical Teams (FST) are using a composite of less than optimal tents. A formal Operational Requirements Document was drafted by the U.S. Army Medical Department Center and School to support an upgrade/modernization to these new platforms. With the recent changeover to the new Joint requirements process, this document will eventually roll into this new format.

This Army report further states that the U.S. Army Medical Research and Material Command placed a requirement into the fiscal year 2006–2011 Program Objective Memorandum for the development effort. The funding requested was $14 million for fiscal year 2005–2006 and $10 million for fiscal year 2007. However, modernization of the Combat Support Hospital System fell below the core funding capability.

In another report, the modernization, conversion and recapitalization for the non-medical equipment components necessary to support the Army medical casualty care platform was recognized as a shortfall in the organizational structure in the first gulf war, Operation Desert Shield/Desert Storm.

In other words, we have known for more than a decade that the current system does not work well in today's battlefields but we didn't fund the upgrade. We are basically putting U.S. medical personnel in a situation that makes their jobs even harder.

I am not aware of any objection to this provision, except for the offset. It is not the merits, it is the money.

So I ask my colleagues, what is it worth to save one soldier, one Marine? I think it is worth at least $10 million for medical equipment that has been identified as a necessary readiness requirement. I think $10 million is more than reasonable.

Medical analysis suggests that each additional dollar spent on modernization of medical equipment can produce health gains, including reducing death and disability rates.

Just as important, additional investments in the combat support hospital system will send a message to our doctors, nurses and other critical medical support personnel in theater. It will tell them that we recognize the tremendous job that they are doing and that we back up that recognition with real tools that will aid them in their work. Given the conditions that these medics are working under, $10 million is the least we can do.

The $10 million for medical equipment and combat casualty care technologies would be funded by an offset from a defense-wide reduction in travel monies. The General Accounting Office recently found that the Department of Defense is losing millions of dollars in fraud, waste and improper papers for travel. Fixing this problem is a double victory for taxpayers and our Defense priorities.

In closing, my bill SACRIFICE is a humble act that holds very important initiatives. I urge my colleagues to join me in my effort to recognize the sacrifice being made by members of the Armed Forces, to provide support for their families, and to provide the necessary tools to bring them home safely.

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By Mr. CAMPBELL:

S. 2517. A bill to require the Secretary of the Treasury to mint coins in commemoration of Ronald Wilson Reagan, the 40th President of the United States; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CAMPBELL. Mr. President, today I introduce the ''Ronald Wilson

Reagan Commemorative Coin Act of 2004.''

This bill is the same as one I introduced in the 107th Congress, and would accomplish two worthy goals. First, it would help honor Ronald Wilson Reagan, the 40th President of the United States, and the many worthy contributions he made to this nation. Second, it would also help raise much needed resources to help families across the United States provide care for their loved ones who have been stricken by Alzheimer's disease.

This legislation's timeliness is obviously without question, as we as a nation honor Ronald Reagan this week and mourn his passing. The worthiness of the bill also goes without question. Most of us have seen Nancy Reagan discuss her husband's illness. Watching Mrs. Reagan as she has so openly and eloquently shared touching insights about their struggle with Alzheimer's disease has always been very moving. There is no doubt about the truly deep bonds that united Ronald and Nancy Reagan and that we need to continue to do what we can to fight the disease that slowly took it's terrible toll on the Reagans and so many other American families.

Ronald Reagan wore many hats in his life, including endeavors as a sports announcer, actor, governor and President of the United States. He was first elected president in 1980 and served two terms, becoming the first president to serve two full terms since Dwight Eisenhower.

His boundless optimism and deep-seated belief in the people of the United States and the American Dream helped restore our Nation's pride in itself and brought about a new ''Morning in America.'' His challenge to Gorbachev to ''tear down this wall,'' his successful revival of our economic power, his determination to rebuild our armed forces in order to contain the spread of communism, and his international summitry skills as seen at Reykjavik, Iceland, combined to help bring an end to the Cold War. Ronald Reagan left our Nation in much better shape than it was in when he took office.

As Alzheimer's sets in, brain cells gradually deteriorate and die. People afflicted by the disease gradually lose their cognitive ability. Patients eventually become completely helpless and dependent on those around them for even the most basic daily needs. Each of the millions of Americans who is now affected will eventually, barring new discoveries in treatment, lose their ability to remember recent and past events, family and friends, even simple things like how to take a bath or turn on lights. Ronald Reagan, one of the most courageous and optimistic Presidents in American history, was no exception.

Shortly after being shot in an assassination attempt, Ronald Reagan's courage and good humor in the face of a life threatening situation were evident when he famously apologized to his wife Nancy saying ''Sorry honey. I forgot to duck.'' Unfortunately, once Alzheimer's disease takes hold, it delivers a slow mind destroying bullet that none of us can duck to avoid. As Ronald Reagan wrote shortly after learning of his diagnosis ''I only wish there was some way I could spare Nancy from this painful experience.'' From the moment of diagnosis, it's ''a truly long, long, goodbye,'' Nancy Reagan said.

Fortunately for all of us, when Ronald Reagan courageously announced in such an honest and public manner that he had Alzheimer's, rather than covering it up, he did a great deal to help alleviate the negative stigma that has long faced those suffering from this terrible disease. Much of the shame and pity traditionally associated with Alzheimer's was transformed almost overnight into sympathy and understanding as public awareness suddenly shot up and those suffering from Alzheimer's, and their families, knew that they were not alone.

While Ronald Reagan's health didn't deteriorate right away, according to Mrs. Reagan, he had his good days and bad days, ''just like everybody else.'' In recent years, however, Reagan's condition completely deteriorated—and quickly. ''It's frightening and it's cruel,'' Nancy said, speaking of the disease and what it has done to her husband and family. ''It's sad to see somebody you love and have been married to for so long, with Alzheimer's, and you can't share memories,'' Mrs. Reagan said.

In the introduction to a recently released book based on the touching love letters exchanged between herself and Reagan, Nancy elaborated on her sense of loss when she wrote, ''You know that it's a progressive disease and that there's no place to go but down, no light at the end of the tunnel. You get tired and frustrated, because you have no control and you feel helpless.'' She also said, ''There are so many memories that I can no longer share, which makes it very difficult.''

Nancy Reagan has earned our Nation's admiration for her steadfast and loving dedication to her husband as she watched her beloved husband slowly fade away. Likewise, families all across our Nation, day in and day out, choose to personally provide care for their loved ones suffering from Alzheimer's, rather than putting them in institutions. They deserve our respect and support.

Fortunately, Mrs. Reagan has had access to vital resources that helped her care for her husband. This is how it should be. Unfortunately, there are many American families out there who do not have access to these resources. This bill will help alleviate that by raising money to help American families who are struggling while providing care for their loved ones.

Funding for Alzheimer's research has increased significantly over the past several years. Ronald Reagan's courage in coming forward and publicly announcing his condition played an important role in raising public awareness of Alzheimer's and paved the way for the recent increases in research funding. But much more needs to be done and this bill would complement these efforts.

Once again, the legislation I am introducing today authorizes the U.S. Mint to produce commemorative coins honoring Ronald W. Reagan while raising funds to help families care for their family members suffering from Alzheimer's disease. I urge my colleagues to support passage of this legislation.

Ronald Reagan's eternal optimism and deep seated belief in an even better future for our Nation was underscored when he said. ''I know that for America, there will always be a bright future ahead.'' In honoring him this week, and in honoring his struggle, this bill, in keeping with this quote's spirit, will help provide for a better future for many American families.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2517

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Ronald Reagan Commemorative Coin Act of 2004''.

**SEC. 2. COIN SPECIFICATIONS.**

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue the following coins:

(1) $5 GOLD COINS.—Not more than 100,000 $5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) $1 SILVER COINS.—Not more than 500,000 $1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) BIMETALLIC COINS.—The Secretary may mint and issue not more than 200,000 $10 bimetallic coins of gold and platinum instead of the gold coins required under subsection (a)(1), in accordance with such specifications as the Secretary determines to be appropriate.

(c) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

**SEC. 3. SOURCES OF BULLION.**

(a) PLATINUM AND GOLD.—The Secretary shall obtain platinum and gold for minting coins under this Act from available sources.

(b) SILVER.—The Secretary may obtain silver for minting coins under this Act from stockpiles established under the Strategic and Critical Materials Stock Piling Act and from other available sources.

**SEC. 4. DESIGN OF COINS.**

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall—

(A) be emblematic of the presidency and life of former President Ronald Wilson Reagan;

(B) bear the likeness of former President Ronald Reagan on the obverse side; and

(C) bear a design on the reverse side that is similar to the depiction of an American eagle carrying an olive branch, flying above a nest containing another eagle and hatchlings, as depicted on the 2001 American Eagle Gold Proof coins.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2005''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) DESIGN SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

**SEC. 5. ISSUANCE OF COINS.**

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only one facility of the United States Mint may be used to strike any particular combination of denomination and quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the period beginning on January 1, 2005 and ending on December 31, 2005.

**SEC. 6. SALE OF COINS.**

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales of coins issued under this Act shall include a surcharge established by the Secretary, in an amount equal to not more than—

(1) $50 per coin for the $10 coin or $35 per coin for the $5 coin; and

(2) $10 per coin for the $1 coin.

**SEC. 7. DISTRIBUTION OF SURCHARGES.**

(a) IN GENERAL.—Subject to section 5134(f) of title 31, United States Code, the proceeds from the surcharges received by the Secretary from the sale of coins issued under this Act shall be paid promptly by the Secretary to the Department of Health and Human Services to be used by the Secretary of Health and Human Services for the purposes of—

(1) providing grants to charitable organizations that assist families in their efforts to provide care at home to a family member with Alzheimer's disease; and

(2) increasing awareness and educational outreach regarding Alzheimer's disease.

(b) AUDITS.—Any organization or entity that receives funds from the Secretary of Health and Human Services under subsection (a) shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to such funds.

**SEC. 8. FINANCIAL ASSURANCES.**

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 376—CONGRATULATING THE SYRACUSE UNIVERSITY ORANGE MEN'S LACROSSE TEAM ON WINNING THE 2004 NCAA DIVISION I MEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mrs. CLINTON (for herself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 376

Whereas on Monday, May 31, 2004, the Syracuse University Orange men's lacrosse team won the National Collegiate Athletic Association (NCAA) Division I men's lacrosse National Championship in Baltimore, Maryland;

Whereas this title represents the ninth National Championship for the Syracuse University men's lacrosse program, and the third NCAA Division I title for the men's lacrosse team in the past 5 years;

Whereas on May 31, 2004, the Orange men's lacrosse team defeated the Midshipmen of the United States Naval Academy by a score of 14 to 13;

Whereas the Orange were led by Michael Powell, a senior from Carthage, New York, who was voted Most Outstanding Competitor in the 2004 NCAA Division I men's lacrosse tournament;

Whereas Michael Powell completed his remarkable career as the leading scorer in the history of the Syracuse University men's lacrosse program by scoring the final and winning goal of the National Championship;

Whereas the Orange were supported in their title run by outstanding efforts from the entire team, including seniors Dan DiPietro, Nick Donatelli, Kevin Dougherty, Sean Lindsay, Brian Nee, and Alex Zink;

Whereas the Orange men's lacrosse head coach John Desko, a former All-American Defenseman and a member of the Orange lacrosse community since 1976, has led the Orange men's lacrosse team to 3 NCAA Division I titles since 1999;

Whereas the outstanding Orange men's lacrosse assistant coaches Roy Simmons III, Kevin Donahue, and Ryan Powell complement the strong leadership of head coach John Desko and deserve enormous credit for continuing the tradition of excellence in lacrosse at Syracuse University; and

Whereas the students, alumni, and staff of Syracuse University and the fans of Syracuse lacrosse should be congratulated for their longstanding commitment to and pride in the Orange men's lacrosse team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Syracuse University Orange men's lacrosse team for winning the 2004 NCAA Division I men's lacrosse National Championship;

(2) recognizes the achievements of all of the team's players, coaches, and support staff, and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to make available an enrolled copy of this resolution to Syracuse University for appropriate display.

### SENATE RESOLUTION 377—CONGRATULATING THE LE MOYNE COLLEGE DOLPHINS MEN'S LACROSSE TEAM ON WINNING THE 2004 NCAA DIVISION II MEN'S LACROSSE NATIONAL CHAMPIONSHIP

Mrs. CLINTON (for herself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 377

Whereas on May 30, 2004, the Le Moyne College Dolphins men's lacrosse team won the National Collegiate Athletic Association (''NCAA'') Division II National Championship;

Whereas the Le Moyne College men's lacrosse team defeated Limestone College 11 to 10 in double overtime, with a game winning goal by junior attackman Brandon Spillett;

Whereas the NCAA Division II men's lacrosse title is the first National Championship won by any Le Moyne College athletic program in the history of the college;

Whereas Brandon Spillett scored 7 goals in the National Championship game and was named Most Outstanding Player in the NCAA Division II men's lacrosse championship game;

Whereas Dan Sheehan, head coach of the Le Moyne College men's lacrosse team, has been named Northeast 10 Conference Coach of the Year for the fourth consecutive season;

Whereas Coach Dan Sheehan, assisted by Brian Datellas, Kevin Michaud, and Bradley Carr, was the first head coach in the history of Le Moyne College lacrosse to earn a berth in the NCAA Division II men's lacrosse tournament;

Whereas the Dolphins were supported in their title run by outstanding efforts from the entire team, including seniors Travis Morgia, Corey Sullivan, Adam Carne, Rob Trowbridge, Pat Hooks, Chris Geng, Joel Dorchester, Justin Wnuk, and Dan Holdridge; and

Whereas the students, staff, alumni and friends of the Le Moyne College men's lacrosse team deserve much credit for their long-time dedication and loyalty to the building of a legacy for the Le Moyne Dolphins men's lacrosse team. Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Le Moyne College men's lacrosse team for winning the 2004 NCAA Division II National Championship;

(2) recognizes the achievements of the players, coaches, and support staff of the team and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to make available an enrolled copy of this resolution to Le Moyne College for appropriate display.

## SENATE RESOLUTION 378—DESIGNATING JUNE 14, 2004, AS ''NATIONAL PLEDGE OF ALLEGIANCE TO THE FLAG DAY''

Mr. CORNYN (for himself, Mrs. FEINSTEIN, Mr. CRAIG, Mr. GRASSLEY, Mr. CHAMBLISS, Mr. GRAHAM of South Carolina, and Mr. DEWINE) submitted the following resolution; which was considered and agreed to:

S. RES. 378

Whereas the United States flag is a unique symbol of the United States and its ideals;

Whereas millions of Americans instinctively look to the United States flag with reverence, in times of national crisis and triumph alike;

Whereas no other American symbol has been as universally honored as the United States flag;

Whereas the United States flag has always played a unique role in honoring the men and women of the Armed Forces who have died in defense of the United States;

Whereas to the countless families of loved ones who have died in defense of the United States, the United States flag is a treasured possession and a poignant memory of their loss;

Whereas the Second Continental Congress adopted the Stars and Stripes as the official flag of the United States on June 14, 1777;

Whereas Congress has designated June 14 as Flag Day (36 U.S.C. 110);

Whereas the Pledge of Allegiance is recited by millions of Americans who wish to demonstrate their loyalty and allegiance to the flag of the United States and to the republic for which it stands;

Whereas President Eisenhower signed into law the modern version of the Pledge of Allegiance on June 14, 1954 (Joint Resolution entitled ''Joint Resolution to amend the pledge of allegiance to the flag of the United States of America'', Public Law 83–396, approved June 14, 1954), making Flag Day, 2004, the 50th anniversary of the modern version of the Pledge of Allegiance;

Whereas a 3-judge panel of the United States Court of Appeals for the Ninth Circuit ruled in Newdow v. United States Congress, 328 F.3d 466 (9th Cir. 2002), that the words ''under God'' in the Pledge of Allegiance violate the establishment clause of the first amendment of the Constitution of the United States when recited voluntarily by students in public schools;

Whereas on June 14, 2004, the Supreme Court issued a decision, Elk Grove Unified School District v. Newdow (docket number 02–1624), that reversed the decision of the United States Court of Appeals for the Ninth Circuit in the Newdow case solely on procedural grounds, but that leaves unresolved whether the Supreme Court agrees with the decision of the United States Court of Appeals for the Ninth Circuit to strike down the Pledge of Allegiance as unconstitutional;

Whereas Congress, in 1954, believed that it was acting constitutionally when it revised the Pledge of Allegiance;

Whereas the Senate believes that the Pledge of Allegiance, as revised in 1954 and as recodified in 2002 (4 U.S.C. 4), is a fully constitutional expression of patriotism; and

Whereas the Senate has twice acted by unanimous consent to authorize the Senate Legal Counsel to defend the constitutionality of the Pledge of Allegiance in the Federal courts (Senate Resolution 134, 108th Congress, agreed to May 8, 2003, and Senate Resolution 292, 107th Congress, agreed to June 26, 2002): Now, therefore, be it

*Resolved*, That the Senate—

(1) supports and reveres the United States flag and the Pledge of Allegiance;

(2) strongly disapproves of the decision by the 3-judge panel of the United States Court of Appeals for the Ninth Circuit in Newdow v. United States Congress; and

(3) hereby designates June 14, 2004, as ''National Pledge of Allegiance to the Flag Day''.

## SENATE RESOLUTION 379—PROTECTING, PROMOTING, AND CELEBRATING FATHERHOOD

Mr. BROWNBACK (for himself, Mr. BAYH, Mr. ALEXANDER, Mr. ALLEN, Mr. BENNETT, Mr. BUNNING, Mr. BURNS, Mr. COCHRAN, Mr. CORNYN, Mr. CRAPO, Mr. DOMENICI, Mr. FITZGERALD, Mr. HAGEL, Ms. LANDRIEU, Mr. LEVIN, Mr. LOTT, Mr. MILLER, Mr. SANTORUM, and Mr. TALENT) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 379

Whereas the third Sunday of June is observed as Father's Day;

Whereas fathers have a unique bond with their children which is often unrecognized;

Whereas the complimentary nature of the roles and contributions of fathers and mothers should be recognized and encouraged;

Whereas fathers have an indispensable role in building and transforming society to build a culture of life;

Whereas fathers, along with their wives, form an emotional template for the future professional and personal relationships of a child;

Whereas the involvement of a father in the life of his child significantly influences economic and educational attainment and delinquency of the child; and

Whereas children who experience a close relationship with their fathers are protected from delinquency and psychological distress: Now, therefore, be it

*Resolved*, That the Senate recognizes the importance of fathers to a healthy society and calls on all the people of the United States to observe Father's Day by considering how society can better respect and support fatherhood.

## AMENDMENTS SUBMITTED & PROPOSED

SA 3449. Mr. REID (for Mr. LEVIN) proposed an amendment to amendment SA 3322 proposed by Mr. ALLARD to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes.

## TEXT OF AMENDMENTS

**SA 3449.** Mr. REID (for Mr. LEVIN) proposed an amendment to amendment SA 3322 proposed by Mr. ALLARD to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; as follows:

Beginning on page 2, line 4, of the amendment, strike ''not later than 30 days'' and all that follows through the end and insert ''on an expedited basis, except in cases in which the Secretary of State determines that additional time is required to complete a review of a technical assistance agreement or related amendment or a munitions license application for foreign policy or national security reasons, including concerns regarding the proliferation of ballistic missile technology.

(2) STUDY ON COMPREHENSIVE AUTHORIZATIONS FOR MISSILE DEFENSE.—The Secretary of State shall, in consultation with the Secretary of Defense, examine the feasibility of providing major project authorizations for programs related to missile defense similar to the comprehensive export authorization specified in section 126.14 of the International Traffic in Arms Regulations (section 126.14 of title 22, Code of Federal Regulations).

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on International Relations and the Committee on Armed Services of the House of Representatives a report on—

(A) the implementation of the expedited procedures required under paragraph (1); and

(B) the feasibility of providing the major project authorization for projects related to missile defense described in paragraph (2).

(b) DEPARTMENT OF DEFENSE PROCEDURES FOR EXPEDITED REVIEW OF LICENSES FOR THE TRANSFER OF DEFENSE ITEMS RELATED TO MISSILE DEFENSE.—

(1) PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, prescribe procedures to increase the efficiency and transparency of the practices used by the Department of Defense to review technical assistance agreements and related amendments and munitions license applications related to international cooperation on missile defense that are referred to the Department.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on International Relations of the House of Representatives a report—

(A) describing actions taken by the Secretary of Defense to coordinate with the Secretary of State the establishment of the expedited review process described in subsection (a)(1);

(B) identifying key defense items related to missile defense that are suitable for comprehensive licensing procedures; and

(C) describing the procedures prescribed pursuant to paragraph (1).

(c) DEFINITION OF DEFENSE ITEMS.—In this section, the term ''defense items'' has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A)).

**SEC. 1069. POLICY ON NONPROLIFERATION OF BALLISTIC MISSILES.**

(a) POLICY.—It is the policy of the United States to develop, support, and strengthen international accords and other cooperative efforts to curtail the proliferation of ballistic missiles and related technologies which could threaten the territory of the United States, allies and friends of the United States, and deployed members of the Armed Forces of the United States with weapons of mass destruction.

(b) SENSE OF CONGRESS.—(1) Congress makes the following findings:

(A) Certain countries are seeking to acquire ballistic missiles and related technologies that could be used to attack the

United States or place at risk United States interests, forward-deployed members of the Armed Forces, and allies and friends of the United States.

(B) Certain countries continue to actively transfer or sell ballistic missile technologies in contravention of standards of behavior established by the United States and allies and friends of the United States.

(C) The spread of ballistic missiles and related technologies worldwide has been slowed by a combination of national and international export controls, forward-looking diplomacy, and multilateral interdiction activities to restrict the development and transfer of such weapons and technologies.

(2) It is the sense of Congress that—

(A) the United States should vigorously pursue foreign policy initiatives aimed at eliminating, reducing, or retarding the proliferation of ballistic missiles and related technologies; and

(B) the United States and the international community should continue to support and strengthen established international accords and other cooperative efforts, including United Nations Security Council Resolution 1540 and the Missile Technology Control Regime, that are designed to eliminate, reduce, or retard the proliferation of ballistic missiles and related technologies.

## NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Tuesday, June 15, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 1530, the Tribal Parity Act.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 16, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a business meeting on pending committee matters, to be followed immediately by an oversight hearing on the implementation in Native American communities of the ''No Child Left Behind Act.''

Mr. President, I will ask unanimous consent that the Committee on Indian Affairs also be authorized to meet again on Wednesday, June 16, 2004, at 2 p.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 1996, the Oglala Sioux Tribe Angostura Irrigation Project Rehabilitation and Development Act.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, June 14, 2004 at 3 p.m. to hold a hearing on Nominations.

The PRESIDING OFFICER. Without obligation, it is so ordered.

## PRIVILEGE OF THE FLOOR

Mr. DURBIN. Mr. President, I ask unanimous consent that Katherine Kennedy, an Air Force congressional fellow on my staff who has worked with me on this bill, be granted floor privileges for the remainder of the 108th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that Jan Liam Wasley, a fellow in Senator ROCKEFELLER's office, be permitted floor privileges during consideration of S. 2400, the Department of Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

## APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appoints the following Senator as a member of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the Second Session of the 108th Congress: Senator DANIEL K. AKAKA of Hawaii.

## CONGRATULATING THE SYRACUSE UNIVERSITY ORANGEMEN'S LACROSSE TEAM

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 376, introduced earlier today by Senator CLINTON.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A Senate resolution (S. Res. 376) congratulating the Syracuse University Orangemen's lacrosse team on winning the 2004 NCAA Division I men's lacrosse National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 376) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 376

Whereas on Monday, May 31, 2004, the Syracuse University Orange men's lacrosse team won the National Collegiate Athletic Association (NCAA) Division I men's lacrosse National Championship in Baltimore, Maryland;

Whereas this title represents the ninth National Championship for the Syracuse University men's lacrosse program, and the third NCAA Division I title for the men's lacrosse team in the past 5 years;

Whereas on May 31, 2004, the Orange men's lacrosse team defeated the Midshipmen of the United States Naval Academy by a score of 14 to 13;

Whereas the Orange were led by Michael Powell, a senior from Carthage, New York, who was voted Most Outstanding Competitor in the 2004 NCAA Division I men's lacrosse tournament;

Whereas Michael Powell completed his remarkable career as the leading scorer in the history of the Syracuse University men's lacrosse program by scoring the final and winning goal of the National Championship;

Whereas the Orange were supported in their title run by outstanding efforts from the entire team, including seniors Dan DiPietro, Nick Donatelli, Kevin Dougherty, Sean Lindsay, Brian Nee, and Alex Zink;

Whereas the Orange men's lacrosse head coach John Desko, a former All-American Defenseman and a member of the Orange lacrosse community since 1976, has led the Orange men's lacrosse team to 3 NCAA Division I titles since 1999;

Whereas the outstanding Orange men's lacrosse assistant coaches Roy Simmons III, Kevin Donahue, and Ryan Powell complement the strong leadership of head coach John Desko and deserve enormous credit for continuing the tradition of excellence in lacrosse at Syracuse University; and

Whereas the students, alumni, and staff of Syracuse University and the fans of Syracuse lacrosse should be congratulated for their longstanding commitment to and pride in the Orange men's lacrosse team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Syracuse University Orange men's lacrosse team for winning the 2004 NCAA Division I men's lacrosse National Championship;

(2) recognizes the achievements of all of the team's players, coaches, and support staff, and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to make available an enrolled copy of this resolution to Syracuse University for appropriate display.

## CONGRATULATING THE LE MOYNE COLLEGE DOLPHINS MEN'S LACROSSE TEAM

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 377, introduced earlier today by Senator CLINTON.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A Senate resolution (S. Res. 377) congratulating the Le Moyne College Dolphins men's lacrosse team on winning the 2004 NCAA Division II men's lacrosse National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WARNER. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 377) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 377

Whereas on May 30, 2004, the Le Moyne College Dolphins men's lacrosse team won the National Collegiate Athletic Association (''NCAA'') Division II National Championship;

Whereas the Le Moyne College men's lacrosse team defeated Limestone College 11 to 10 in double overtime, with a game winning goal by junior attackman Brandon Spillett;

Whereas the NCAA Division II men's lacrosse title is the first National Championship won by any Le Moyne College athletic program in the history of the college;

Whereas Brandon Spillett scored 7 goals in the National Championship game and was named Most Outstanding Player in the NCAA Division II men's lacrosse championship game;

Whereas Dan Sheehan, head coach of the Le Moyne College men's lacrosse team, has been named Northeast 10 Conference Coach of the Year for the fourth consecutive season;

Whereas Coach Dan Sheehan, assisted by Brian Datellas, Kevin Michaud, and Bradley Carr, was the first head coach in the history of Le Moyne College lacrosse to earn a berth in the NCAA Division II men's lacrosse tournament;

Whereas the Dolphins were supported in their title run by outstanding efforts from the entire team, including seniors Travis Morgia, Corey Sullivan, Adam Carne, Rob Trowbridge, Pat Hooks, Chris Geng, Joel Dorchester, Justin Wnuk, and Dan Holdridge; and

Whereas the students, staff, alumni and friends of the Le Moyne College men's lacrosse team deserve much credit for their long-time dedication and loyalty to the building of a legacy for the Le Moyne Dolphins men's lacrosse team. Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Le Moyne College men's lacrosse team for winning the 2004 NCAA Division II National Championship;

(2) recognizes the achievements of the players, coaches, and support staff of the team and invites them to the United States Capitol Building to be honored; and

(3) directs the Secretary of the Senate to make available an enrolled copy of this resolution to Le Moyne College for appropriate display.

## NATIONAL PLEDGE OF ALLEGIANCE TO THE FLAG DAY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 378, which was submitted earlier today by Senator CORNYN.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A Senate resolution (S. Res. 378) designating June 14, 2004, as ''National Pledge of Allegiance to the Flag Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. CORNYN. Mr. President, I am pleased that the Senate will approve S. Res. 378, designating today—June 14, 2004—as the National Pledge of Allegiance to the Flag Day.

The resolution, which I introduced earlier today, is cosponsored by several of my fellow Judiciary Committee members—Senators FEINSTEIN, CRAIG, GRASSLEY, CHAMBLISS, GRAHAM of South Carolina, and DEWINE. I thank them.

For Americans across the land, today is a special day.

First of all, today is Flag Day. This morning, I was honored to attend a Flag Day commemoration event at VFW Post 2494, located in the city of Grand Prairie in my beloved home State of Texas. Flag Day is the anniversary of the Flag Resolution of 1777. It was officially established in a proclamation by President Woodrow Wilson on May 30, 1916, and on August 3, 1949, President Harry S. Truman signed an act of Congress designating June 14 of each year as National Flag Day.

I look forward to Flag Day every year, because—as today's resolution notes—Flag Day gives Americans across the land the opportunity to remember and reaffirm that the United States flag is a unique symbol of the United States and its ideals. Millions of Americans instinctively look to the United States flag with reverence, in times of national crisis and triumph alike. No other American symbol has been as universally honored as the United States flag. The United States flag has always played a unique role in honoring the men and women of the Armed Forces who have died in defense of the United States. To the countless families of loved ones who have died in defense of the United States, the United States flag is a treasured possession and a poignant memory of their loss.

But today is also special for another reason. As the resolution also notes, today is the 50th anniversary of the modern version of the Pledge of Allegiance. The pledge has come under attack in recent years, however. Two years ago, a three-judge panel of the U.S. Court of Appeals for the Ninth Circuit, the Federal court of appeals based in San Francisco, ruled in the case of Newdow v. United States Congress, 328 F.3d 466 (9th Cir. 2002), that the establishment clause of the first amendment of the Constitution forbids public school teachers from leading willing students in the voluntary recitation of the Pledge of Allegiance, simply because the pledge confirms that our Nation was founded ''under God.''

Most Americans were alarmed by the decision, and rightly so. In response, a majority of the Senate subcommittee on the Constitution, Civil Rights and Property Rights filed the first amicus brief in the U.S. Supreme Court defending the pledge on the merits. The Senate legal counsel also filed a brief defending the pledge on behalf of the entire U.S. Senate. Clearly, members of both parties reject the views of the Ninth Circuit, the ACLU, and Americans United for the Separation of Church and State, and instead believe in the constitutionality of the Pledge of Allegiance.

Just last week, the subcommittee convened a hearing, entitled ''Beyond the Pledge of Allegiance: Hostility to Religious Expression in the Public Square.'' At that hearing, scholars testified that our courts have become so hostile to democracy and to religious expression that they object even to patriotic references to God, such as those contained in the pledge.

Let us be clear: There is nothing unconstitutional about pledging allegiance to the flag. And thankfully, the U.S. Supreme Court reversed the Ninth Circuit decision in the Newdow case just this morning.

The Court did so, however, solely on procedural grounds—leaving for another day a determination by the Supreme Court as to whether it agrees with the Ninth Circuit's decision striking down the Pledge as unconstitutional.

I am glad to see that at least three members of the Supreme Court—Chief Justice Rehnquist, Justice O'Connor, and Justice Thomas—specifically acknowledged the constitutionality of the pledge in their opinions this morning. Their expressions follow a long line of statements in previous Supreme Court decisions supporting the Pledge. See, e.g., *Engel* v. *Vitale*, 370 U.S. 421, 440 n.5 (1962) (Douglas, J., concurring) (''The Pledge of Allegiance . . . in no way run[s] contrary to the First Amendment but recognize[s] only the guidance of God in our national affairs.'') (quotations and citations omitted); *Sch. Dist. of Abington v. Schempp*, 374 U.S. 203, 304 (1963) (Brennan, J., concurring) (''The reference to divinity in the revised pledge of allegiance . . . may merely recognize the historical fact that our Nation was believed to have been founded 'under God.' Thus reciting the pledge may be no more of a religious exercise than the reading aloud of Lincoln's Gettysburg Address, which contains an allusion to the same historical fact.''); *Lynch* v. *Donelly*, 465 U.S. 668, 676 (1984) (''There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789 . . . [E]xamples of reference to our religious heritage are found . . . in the language 'One Nation under God,' as part of the Pledge of Allegiance to the American flag. That pledge is recited by many thousands of public school children—and adults—every year.''); *Wallace* v. *Jaffree*, 472 U.S. 38, 78 n.5 (1985) (O'Connor, J., concurring) (''In my view, the words 'under God' in the Pledge . . . serve as an acknowledgment of religion with 'the legitimate secular purposes of solemnizing public occasions, [and] expressing confidence in the future.' ''); *County of Allegheny* v. *ACLU*, 492 U.S. 573, 602–3 (1989) (''Our previous opinions have considered in dicta the motto and the pledge, characterizing them as consistent with the proposition that government may not communicate an endorsement of religious belief.''); see also *Sherman* v. *Community Consolidated*

*Sch. Dist. 21*, 980 F.2d 437 (7th Cir. 1992) (upholding constitutionality of school district policy providing for voluntary recitation of the Pledge).

However, the other five Justices of the Supreme Court—Justices Stevens, Kennedy, Souter, Ginsburg, and Breyer—did not see fit to join the other three Justices in supporting the constitutionality of the pledge. They appear to have remained largely silent on the issue. I hope that they are not sending a signal with their silence—a signal that they may strike down the pledge in some future case. Certainly, by reversing the Ninth Circuit on solely procedural grounds, they effectively reserve for themselves the opportunity to strike down the pledge in a future case.

The majority opinion does state that, ''as its history illustrates, the Pledge of Allegiance evolved as a common public acknowledgement of the ideals that our flag symbolizes. Its recitation is a patriotic exercise designed to foster national unity and pride in those principles.'' This passage suggests that the majority would uphold the Pledge of Allegiance against constitutional attack under the establishment clause. I hope that that is ultimately what the Court will do. I hope that the Court will ultimately vote to uphold and protect the Pledge of Allegiance.

I am not so optimistic about the Court voting to protect the flag itself, however—as I wrote in an op-ed published in the Fort Worth Star-Telegram just this morning, a copy of which I ask unanimous consent be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. To be sure, from the founding, of our Nation until 1989, the power to protect the flag was not in doubt. In Smith v. Goguen, 1974, the U.S. Supreme Court held, in a decision authored by Justice Lewis Powell, that ''nothing prevents a legislature from defining with substantial specificity what constitutes forbidden treatment of United States flags.'' Justice Byron White stated in that same case that ''[i]t would be foolishness to suggest that the men who wrote the Constitution thought they were violating it when they specified a flag for the new Nation. . . . There would seem to be little question about the power of Congress to forbid the mutilation of the Lincoln Memorial. . . . The Flag is itself a monument, subject to similar protection.'' In Street v. New York, 1969, Chief Justice Earl Warren wrote that ''the States and Federal Government do have the power to protect the flag from acts of desecration and disgrace.'' Justice Hugo Black wrote in that same case that ''[i]t passes my belief that anything in the Federal Constitution bars a State from making the deliberate burning of the American Flag an offense.'' And Justice Abe Fortas noted that ''the States and the Federal Government have the power to protect the flag from acts of desecration committed in public.'' More recently, Chief Justice William Rehnquist, Justice John Paul Stevens, and Justice Sandra Day O'Connor have all expressed their belief that nothing in the first amendment prohibits protection of the flag.

Accordingly, until recently, 48 States have had laws on the books protecting the flag—most of them patterned after the Uniform Flag Act of 1917. The Federal Government enacted its own law in 1967. And Congress reaffirmed that law in 1989 with the support of 91 Senators.

This historic power to protect the flag was eviscerated in 1989, however when the U.S. Supreme Court issued the first of two decisions, both decided by a bare 5 to 4 majority, declaring that flag desecration constitutes speech protected by the first amendment. See Texas v. Johnson, 1989, and United States v. Eichman, 1990.

Legal scholars agree that the flag protection amendment is the only way to restore the law as it existed for most of our Nation's history. Constitutional amendments are the only way for the American people to reverse judicial constitutional decisions they reject. The Eleventh, Fourteenth, Sixteenth, Nineteenth, Twenty-Fourth, and Twenty-Sixth amendments were all ratified in order to reverse judicial decisions with which the American people disagreed.

So I am pleased to be an original cosponsor of the flag protection amendment, S.J. Res. 4. That resolution was introduced by Senator HATCH and by my Democrat cosponsor of today's resolution, Senator FEINSTEIN. The amendment states simply that ''[t]he Congress shall have power to prohibit the physical desecration of the flag of the United States.'' I am proud to be an original cosponsor of the flag protection amendment, because I firmly believe that the flag occupies a unique place in our Nation and deserves constitutional recognition as such.

Of course, the first amendment guarantees freedom of speech, and thankfully so. And of course, the requirement that constitutional amendments be approved by two-thirds of each House of Congress and three-fourths of the States guarantees that the liberties we hold dear will not be taken away, just because we have acted today to protect the U.S. flag against physical desecration.

Moreover, the first amendment itself already contains exceptions. For example, the law does not allow individuals to yell ''Fire!'' in a crowded theater—even though such laws do impose a burden on the freedom of speech, albeit a minor one. Likewise, the vast majority of Americans agree that the Nation is better off when our flag is protected.

The House has approved the flag protection amendment five times in the past five Congresses—including just last year. All 50 State legislatures have approved resolutions asking Congress to give them the opportunity to vote on the amendment. The last time that the amendment was brought to a vote on the Senate floor, in 2000, 63 Senators voted in favor of it—just four votes shy of the necessary two-thirds.

I urge my colleagues at least to give the States the opportunity to consider this amendment. And I urge my colleagues at least to give constitutional recognition to the importance of the United States flag to millions of Americans—even if they ultimately would oppose implementing legislation to protect the flag against physical desecration.

After all, the flag protection amendment does nothing more than to recognize that the United States flag occupies a unique position as the symbol of our Nation and, accordingly, deserves constitutional recognition as such. The amendment would empower Congress to take action to protect the flag, but it would not require Congress to do anything whatsoever.

There are many ways to express one's political views. But there is only one United States flag—and it deserves constitutional protection.

I look forward to the debate over the flag protection amendment, and I look forward to a decision of the U.S. Supreme Court affirming for all time the constitutionality of the Pledge of Allegiance.

Until then, I am pleased that, because of the Senate's action today, today will forever be known as the National Pledge of Allegiance to the Flag Day.

EXHIBIT 1

[From the Fort Worth Star-Telegram, June 14, 2004]

OUR BANNER DESERVES CONSTITUTIONAL PROTECTION

(By John Cornyn)

For Americans everywhere, Flag Day is special. And today we mark not only the annual celebration of the U.S. flag but also the 50th anniversary of the modern Pledge of Allegiance.

The U.S. flag is a uniquely powerful symbol of our nation and of our commitment to freedom and democracy. Therefore, it is deeply regrettable that our democratic system of government to date has not properly protected it.

A June 2 hearing of the Senate subcommittee on the Constitution, Civil Rights and Property Rights got to the heart of this problem.

Legal scholars testified that our courts have become so hostile to democracy and to religious expression that even patriotic references to God, such as those contained in the Pledge of Allegiance, are being wrongly struck down by the courts.

Let's be clear: There is nothing unconstitutional about pledging allegiance to the flag. Yet a federal appeals court in San Francisco struck down the pledge anyway simply because it acknowledges that our nation was founded and exists ''under God.''

The U.S. Supreme Court will soon decide whether the First Amendment forbids schoolteachers across America from leading students in voluntary recitation of the pledge.

The vast majority of Americans believe that the pledge is constitutional and reject

the views of the 9th Circuit Court and the American Civil Liberties Union. A majority of the Constitution subcommittee members filed the first amicus brief in the Supreme Court defending the pledge on its merits.

Many legal observers predict that the Supreme Court will reverse the 9th Circuit's decision. The same cannot be said, however, for protecting the flag itself.

The ability to protect the flag against physical desecration was not in doubt throughout most of American history. For example, in 1974, the Supreme Court held that ''nothing prevents a legislature from defining with substantial specificity what constitutes forbidden treatment of United States flags.''

Congress' power to protect the flag has also been supported by Chief Justices Earl Warren and William Rehnquist and Justices Byron White, Hugo Black, Abe Fortas, John Paul Stevens and Sandra Day O'Connor.

This power, however, was eviscerated in 1989 when the Supreme Court decided by a 5–4 majority that flag desecration constitutes speech protected by the First Amendment.

The flag deserves constitutional protection, and legal scholars agree that the Flag Protection Amendment is the only way to restore the law as it existed for most of our nation's history. That is why the Constitution subcommittee recently approved the amendment, and the full committee is scheduled to vote on it this month.

The First Amendment guarantees freedom of speech, and rightfully so. The requirement that constitutional amendments be approved by two-thirds of each chamber of Congress and three-fourths of the states guarantees that the liberties we hold dear will not be taken away just because the American people decide to take action to protect the U.S. flag against physical desecration.

The House has approved the Flag Protection Amendment five times in the past five Congresses—including just last year. All 50 state legislatures have approved resolutions asking Congress to give them the opportunity to vote on the amendment.

The last time that the amendment was brought to a vote on the Senate floor, in 2000, 63 senators voted in favor of it—just four votes shy of the necessary two-thirds. This year, the prospects for passage could be even better.

In times of national crisis and triumph alike, it is the U.S. flag that Americans look to with reverence. No other American symbol has been as universally honored.

In a time of war, it is even clearer that the flag plays a unique role in honoring the men and women of the military who died for the ideals that the flag represents.

If a soldier dies in defense of our nation, the United States gives the family a flag in honor of that service. To countless families, the flag is a treasured possession and a poignant memory of their loss.

There are many ways to express one's political views. But there is only one United States flag—and it deserves constitutional protection.

Mr. REID. Mr. President, if I could proceed, it is very appropriate that today—I do not know if the distinguished Chair knows this, being as busy as he has been all day—the Supreme Court upheld our being able to pledge allegiance to the flag. They did it on a procedural grounds, but I do not think it matters. We won.

Mr. WARNER. I thank the distinguished leader for advising the Senate of that. I had heard of that earlier today. I think it is most appropriate that our colleague from Texas has acted. The Senate will act without any further delay.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 378) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 378

Whereas the United States flag is a unique symbol of the United States and its ideals;

Whereas millions of Americans instinctively look to the United States flag with reverence, in times of national crisis and triumph alike;

Whereas no other American symbol has been as universally honored as the United States flag;

Whereas the United States flag has always played a unique role in honoring the men and women of the Armed Forces who have died in defense of the United States;

Whereas to the countless families of loved ones who have died in defense of the United States, the United States flag is a treasured possession and a poignant memory of their loss;

Whereas the Second Continental Congress adopted the Stars and Stripes as the official flag of the United States on June 14, 1777;

Whereas Congress has designated June 14 as Flag Day (36 U.S.C. 110);

Whereas the Pledge of Allegiance is recited by millions of Americans who wish to demonstrate their loyalty and allegiance to the flag of the United States and to the republic for which it stands;

Whereas President Eisenhower signed into law the modern version of the Pledge of Allegiance on June 14, 1954 (Joint Resolution entitled ''Joint Resolution to amend the pledge of allegiance to the flag of the United States of America'', Public Law 83–396, approved June 14, 1954), making Flag Day, 2004, the 50th anniversary of the modern version of the Pledge of Allegiance;

Whereas a 3-judge panel of the United States Court of Appeals for the Ninth Circuit ruled in Newdow v. United States Congress, 328 F.3d 466 (9th Cir. 2002), that the words ''under God'' in the Pledge of Allegiance violate the establishment clause of the first amendment of the Constitution of the United States when recited voluntarily by students in public schools;

Whereas on June 14, 2004, the Supreme Court issued a decision, Elk Grove Unified School District v. Newdow (docket number 02–1624), that reversed the decision of the United States Court of Appeals for the Ninth Circuit in the Newdow case solely on procedural grounds, but that leaves unresolved whether the Supreme Court agrees with the decision of the United States Court of Appeals for the Ninth Circuit to strike down the Pledge of Allegiance as unconstitutional;

Whereas Congress, in 1954, believed that it was acting constitutionally when it revised the Pledge of Allegiance;

Whereas the Senate believes that the Pledge of Allegiance, as revised in 1954 and as recodified in 2002 (4 U.S.C. 4), is a fully constitutional expression of patriotism; and

Whereas the Senate has twice acted by unanimous consent to authorize the Senate Legal Counsel to defend the constitutionality of the Pledge of Allegiance in the Federal courts (Senate Resolution 134, 108th Congress, agreed to May 8, 2003, and Senate Resolution 292, 107th Congress, agreed to June 26, 2002): Now, therefore, be it

*Resolved*, That the Senate—

(1) supports and reveres the United States flag and the Pledge of Allegiance;

(2) strongly disapproves of the decision by the 3-judge panel of the United States Court of Appeals for the Ninth Circuit in Newdow v. United States Congress; and

(3) hereby designates June 14, 2004, as ''National Pledge of Allegiance to the Flag Day''.

## SMITHSONIAN ASTROPHYSICAL OBSERVATORY

Mr. WARNER. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 2362 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2362) to authorize construction of the Smithsonian Astrophysical Observatory instrumentation support control building and associated site development on Kitt Peak, Arizona, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements in relation to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2362) was read the third time and passed, as follows:

S. 2362

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

**SECTION 1. SMITHSONIAN ASTROPHYSICAL OBSERVATORY INSTRUMENTATION SUPPORT FACILITY.**

The Board of Regents of the Smithsonian Institution is authorized to develop the site for a Smithsonian Astrophysical Observatory instrumentation support control building, including the installation of necessary utilities and equipment housings, and to construct such building on the site, for the purpose of supporting the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona.

**SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this Act $1,000,000 for fiscal year 2005.

## APPOINTMENT OF COMMITTEE TO ESCORT HIS EXCELLENCY HAMID KARZAI, PRESIDENT OF THE TRANSITIONAL ISLAMIC STATE OF AFGHANISTAN

Mr. WARNER. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency President Hamid Karzai into the House Chamber for the joint meeting tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR TUESDAY, JUNE 15, 2004

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m. on Tuesday, June 15. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of Calendar No. 503, S. 2400, the Department of Defense authorization bill, as provided under the previous order.

I further ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m. for the weekly party luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. WARNER. Mr. President, tomorrow morning there will be a joint meeting of the Congress in order to hear an address from His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan. That joint meeting is to begin at 9:30 a.m., and Senators are asked to gather together in the Senate Chamber beginning at 9 a.m. in order to proceed as a body at 9:15 to the Hall of the House of Representatives to hear the address.

The Senate will reconvene following that address and resume consideration of the Defense authorization bill. Under the previous order, tomorrow morning the Senate will begin up to 100 minutes of debate prior to a vote in relation to the Kennedy amendment No. 3263 relating to the earth penetrator. Senators should note that the vote in relation to the Kennedy amendment will occur prior to our recessing for the party luncheons.

For the remainder of the day, we will continue working through amendments to the Defense bill. It is the leader's intention to dispose of as many amendments as possible during tomorrow's session. Therefore, Senators should expect rollcall votes throughout the day.

In addition, we are continuing our efforts to work through the remaining judicial nominations on the executive calendar, and Senators should expect votes on judicial nominations during tomorrow's session as well.

## ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Tuesday, June 15, 2004, at 10:30 a.m.

## NOMINATIONS

## EXECUTIVE NOMINATIONS RECEIVED BY THE SENATE JUNE 14, 2004:

### DEPARTMENT OF EDUCATION

CAROL D'AMICO, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM OF TWO YEARS. (NEW POSITION)

### DEPARTMENT OF STATE

JOHN C. DANFORTH, OF MISSOURI, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

JOHN C. DANFORTH, OF MISSOURI, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. PAUL V. HESTER, 0000

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. RICHARD A. CODY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEORGE W. CASEY JR., 0000

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

RICHARD L. CURBELLO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

LOUIS E. GIORDANO, 0000
ROBERT A. LITTLE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JAMES O. CRAVENS, 0000
WILLIAM J. LAMBERT III, 0000
CHARLES R. ROOTS, 0000
JAMES R. SHARRETT, 0000
PO. H. WANG, 0000
RONALD J. WELLS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

STEPHEN W BAILEY, 0000
PAUL F BOWERSOX, 0000
GERALD F DANAHER, 0000
GREGORY O DEJEAN, 0000
STEPHEN J GLAWSON, 0000
CHARLES K HARVEY, 0000
JAMES E HIBBS, 0000
LOUISE PEARSON, 0000
DONALD D ROUTIER, 0000
GARY F WOERZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JOSEPH J ALBANESE, 0000
CHARLES W DURANT, 0000
ARTHUR M EDGAR, 0000
CHARLES W FANSHAW, 0000
STEPHEN J KNAPOWSKI, 0000
JOSEPH P LEAHY, 0000
WILLINGTON LIN, 0000
ALBERT E MACDOUGALL, 0000
MICHAEL MOSKOWITZ, 0000
TRACY P MUSTIN, 0000
GARY S SUGINO, 0000
STEVEN L YOUNG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

BENJAMIN M ABALOS, 0000
GLEN A CHIDESTER, 0000
ADA N CROOM, 0000
BERNARD E DELURY JR., 0000
MARTIN A GROVER, 0000
CHARLES G HICKS, 0000
ERIC P JOHNSON, 0000
PAUL D LOCHNER, 0000
MARK E MENACKER, 0000
JOHN F MURPHY, 0000
RYMN J PARSONS, 0000
GLENN T WARE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

PATRICK S AGNEW, 0000
ROBIN R ALLEN, 0000
MARK E BIPES, 0000
WILLIAM J CORKINS, 0000
ROBERT M DASH, 0000
LOWELL C DUCKWORTH, 0000
BRUCE D FRENCH, 0000
CHARLES E GRIFFIN, 0000
VICTOR W HALL, 0000
NORMAN L JOHNSON, 0000
JOSEPH G KLINGER, 0000
ROBERT B LOMINACK, 0000
WILLIAM H MASENGIL, 0000
DAVID P MATTHEWS, 0000
MICHAEL J ORAZE, 0000
GEORGE I ROBINSON JR., 0000
JANICE F SMITH, 0000
CHARLES W STILES, 0000
DOUGLAS R TOOTHMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

MARK J BELTON, 0000
ROBERT B BRYANT, 0000
GREGORY L DAVIES, 0000
FREDERICK C FREEMAN JR., 0000
DAVID M HICKS, 0000
JEFFREY S HUMBERT, 0000
PATRICK W JORDAN, 0000
NICHOLAS T KALATHAS, 0000
WILLIAM J LEAHY, 0000
PAMELA A MAYNOR, 0000
LAWRENCE P MCCARTHY, 0000
ROBERT A MORRIS, 0000
ROY C MOZINGO, 0000
GREGORY L PENCE, 0000
CHRISTOPHER F PERLICK, 0000
ANTHONY J SCOLPINO, 0000
KATHRYN J SMITH, 0000
ALLEN R SZEKRETAR, 0000
ROBERT E TOLIN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

CIVITA M ALLARD, 0000
ANTHONY R ALVAREZ, 0000
NORAH H BERTSCHY, 0000
WENDY C BOOTH, 0000
JANET E BOYD, 0000
MARY E CROOK, 0000
JOAN M CULLEY, 0000
SANDRA A CUPPLES, 0000
HUBERT F DEBO, 0000
DEBORAH A DODGE, 0000
TERESA A ENGLUND, 0000
CAROL A HAINES, 0000
JENNIFER E JOCKEL, 0000
DIERDRE A KRAUSE, 0000
SUSAN D MCCONNELL, 0000
EVELYNE O MOBBS, 0000
LESLEY C MORGAN, 0000
MARYETTA B NOLAN, 0000
JANET D PIERCE, 0000
TARYN J PITTMAN, 0000
DEBORAH S REVIS, 0000
JEAN A SEAGO, 0000
KATHRYN M SERBIN, 0000
ANN N TESCHER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

RICHARD D BAERTLEIN, 0000
MARK R BRADY, 0000
RACHEL I CHASTANET, 0000
STEPHEN M DIRUSSO, 0000
FLOYD A DOUGHTY, 0000
THOMAS R FLIPSE, 0000
TIMOTHY M FULLAGAR, 0000
DOUGLAS G HATTER, 0000
JOHN E JAYNE, 0000
JEFFEREY R JERNIGAN, 0000
DAVID A JERRARD, 0000

CHRISTOPHER J KANE, 0000
JOSEPH W LUCERO, 0000
DOUGLAS D MARTIN, 0000
ANN B MCCRACKEN, 0000
KENNETH L MENDELSON, 0000
TODD J MORRIS, 0000
MARTIN MORSE, 0000
MICHAEL L MURRAY, 0000
STEPHEN P PONTUS JR., 0000
TAYLOR L PORTER, 0000
RANDAL G SHELIN, 0000
TIMOTHY H TROTTER, 0000
BRADFORD WATERS, 0000
JEFFREY G WILLIAMS, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT AS A PERMANENT LIMITED DUTY OFFICER IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

*To be lieutenant*

CARLOS VARONA, 0000

# EXTENSIONS OF REMARKS

## PERSONAL EXPLANATION

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mrs. CAPPS. Mr. Speaker, I was not able to be present for the following rollcall votes and would like the RECORD to reflect that I would have voted as follows: Rollcall No. 229—''yes''; Rollcall No. 230—''yes''; and Rollcall No. 231—''yes''.

## PERSONAL EXPLANATION

### HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. EVANS. Mr. Speaker, on June 8th and 9th, 2004, I was unavoidably detained while part of an official Congressional delegation. If I had been present, on rollcall vote Nos. 229, 230 & 231, I would have voted ''aye''.

## 80TH BIRTHDAY OF MR. RHYS LEWIS

### HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. MCCOTTER. Mr. Speaker I rise today to honor and acknowledge an important milestone as Mr. Rhys Lewis celebrated his 80th Birthday on Thursday, May 13, 2004.

Rhys honorably served in the South Pacific during World War II as a United States Marine Corp Sergeant, fighting against tyranny and defending America's freedom and security. Following his invaluable service to our country, Rhys returned safely home to marry Ruth M. Lewis in 1947. After successfully building and managing two small businesses, Rhys was elected a Trustee of the Charter Township of Redford. His personal commitment and ongoing efforts to better the community have made Rhys indispensable and the people of Redford have benefited from his character, dedication, leadership, and tireless motivation. His wife Ruth, and their two children, Arthur Lewis and Judge Charlotte Wirth, should be extremely proud of the indelible mark he has made.

Mr. Speaker, I extend my appreciation to Mr. Rhys Lewis, upon his 80th birthday, for his fine service to our community and country.

## HONORING THE SANTA BARBARA JEWISH FEDERATION IN COMMEMORATION OF ITS 30TH ANNIVERSARY

### HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mrs. CAPPS. Mr. Speaker, I rise today to pay tribute to the Santa Barbara Jewish Federation as they celebrate their 30th anniversary of service to our community. The Santa Barbara Jewish Federation contributes to the entire Santa Barbara community through their educational programs, art exhibits, festivals, and other programs.

The mission of the Santa Barbara Jewish Federation is to create and advance a cohesive Santa Barbara Jewish community by promoting identification and connectedness to the Jewish community, generating mutual respect amongst Jews of different practice, promoting cooperative relationships among the Jewish organizations and promoting positive relationships between the Jewish community and the community at large. The Santa Barbara Jewish Federation promotes charity and justice in all that they do.

The Santa Barbara Jewish Federation contributes to the community by helping to care for those in need, helping elders live in dignity and they work to build respect and trust among religious and ethnic groups. In their mission statement, the Jewish Federation stresses the Hebrew Phrase Tikkun Olam, meaning ''healing the world.'' The work that is done here in Santa Barbara helps not only our local community, but sets a positive example for all. Their work truly goes a long way in helping to heal the world.

I have been honored and privileged to attend the Federation's ''Super Sunday'' telethon to raise funds for all of the critical programs they provide to our community throughout the year. I am pleased to help commemorate the Santa Barbara Jewish Federation for all the wonderful, positive ways they contribute to the community as they celebrate their 30th anniversary.

## ABU GHRAIB PRISON

### HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. EVANS. Mr. Speaker, last week the Bethany United Church of Christ in Mendon, IL, sent me this letter regarding Major General Antonio Taguba's report on the incidents at Abu Ghraib prison. I respectfully request that this letter be entered into the RECORD.

DEAR CONGRESSMAN EVANS: On pages 49 and 50 of the Executive Summary of his report, Article 15–6 Investigation of the 800th Military Police Brigade Major General Antonio M. Taguba writes:

3. (U) Throughout the investigation, we observed many individual soldiers and some subordinate units under the 800th Military Police Brigade that overcame significant obstacles, persevered in extremely poor conditions, and upheld Army Values. We discovered numerous examples of soldiers and sailors taking the initiative in the absence of leadership and accomplishing their assigned tasks.

a. (U) The 744th Military Police (MP) Battalion, commanded by LTC Dennis McGlone, efficiently operated the HVD Detention Facility at Camp Cropper and met mission requirements with little to no guidance from the 800th, Military Police Brigade. The unit was disciplined, proficient, and appeared to understand their basic tasks.

b. (U) The 530th MP Battalion, commanded by LTC Stephen J. Novotny, effectively maintained the MEK Detention Facility at Camp Ashraf. His soldiers were proficient in their individual tasks and adapted well to this highly unique and non-doctrinal operation.

c. (U) The 165th Military Intelligence (MI) Battalion excelled in providing perimeter security and force protection at Abu Ghraib (BCCF). LTC Robert P. Walters, Jr., demanded standards be enforced and worked endlessly to improve discipline throughout the FOB.

4. (U) The individual soldiers and sailors that we observed and believe should be favorably noted include:

a. (U) Master-at-Arms First Class William J. Kimbro, US Navy Dog Handler, knew his duties and refused to participate in improper interrogations despite significant pressure from the MI personnel at Abu Ghraib.

b. (U) SPC Joseph M. Darby, 372nd MP Company discovered evidence of abuse and turned it over to military law enforcement.

c. (U) 1LT David O. Sutton, 229th MP Company, took immediate action and stopped an abuse, then reported the incident to the chain of command.

By this letter we express our admiration and appreciation for the courageous and decent execution of military duties by these individuals and units, as we admire and appreciate the work of MG Taguba and his staff and assistants.

It is painfully and visibly evident that there have been abuses and violations of legal, Christian, and humane standards of conduct. We are shamed by the facts, and we know only too well how long the world's memory is likely to be. In the midst of the darkness, however, we take particular comfort from knowing that in spite of the pressures and in spite of the many bad examples, and perhaps even bad orders, there were men and women whose deeds may inspire us all to live up to all that is noble and right.

We share with all people of faith, and especially with other Christians, Jews, and Muslims, many understandings of what divine direction and purpose call us to do and be. In our own language, ''The light shines in the darkness, and the darkness did not overcome it. (John 1:4, NRSV)'' We are grateful that God has called men and women in even the most difficult of circumstances to respect the dignity and intrinsic worth of others.

We ask you to reflect our tribute in an official way, by reference or quotation in the CONGRESSIONAL RECORD perhaps. If there is a way for Congress to honor the units and individuals who have distinguished themselves

and preserved honor for all of us, we ask you to support it or lead it energetically.

Sincerely yours,

Rev. NANCY HOLMES NYBERG, *Pastor.*
CHRISTINE ROSKAMP, *President.*
TERESA BEELER, *Treasurer.*
STEPHEN R. MULCH, *Vice-President.*
SHIRLEY M. ROSKAMP, *Secretary.*
ANNA MACARTHUR, *Memorial Fund.*

## HONORING JANE GYER

### HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Jane Gyer posthumously for her years of service to her community. Jane recently passed away on Tuesday, June 1, 2004.

Jane was known for her extraordinary work in the arts. Considered by many art critics as the first lady among contemporary painters of Yosemite, she was renowned for her elaborate paintings of Yosemite National Park.

A San Francisco native, Jane grew up in Los Angeles and received her Bachelor of Arts Degree in History from the University of California at Los Angeles. She lived in the Oakhurst area for nearly 50 years.

Jane's accomplishments are numerous and distinguished. She was a founding member of the Guild of Mountain Artists and active in the Educational Enhancement Foundation. She is listed in ''Who's Who of American Women,'' and was a recipient of the first National Park Service Director's Award for her illustrations in the book, ''Discovering Sierra Trees.'' Jane collected a second Director's Award for her poster design created for the Yosemite Fund.

She is survived by her husband Jack Gyer and her five children.

Mr. Speaker, I rise today to recognize Jane Gyer for her remarkable effort and service to her community. I invite my colleagues to join me in honoring her posthumously for her accomplishments and commitment to bettering this world through various charitable organizations, touching lives both in the Central Valley of California and worldwide.

## HONORING SERGEANT ALLEN O'REILLY

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor the memory of Sergeant Allen O'Reilly, UMC.

Allen O'Reilly was born November 7, 1980 near Chicago, IL. At the age of 18, he dedicated his life to the service of his country by enlisting in the U.S. Marine Corps.

Due to Allen's intelligence and potential, the Marine Corps selected him to be an avionics technician. After boot camp at Parris Island, SC, Allen went on to complete the academically challenging training required for this specialty at Pensacola Naval Air Station and the Marine Corps Air Station at Camp Pendleton, CA.

As is so common with Marines, Allen spent a great deal of time participating in numerous training exercises around the globe. He was also called to duty against a hostile enemy, participating in Operation Iraqi Freedom, spending long months away from family, friends, and the comforts of home.

Mr. Speaker, Allen was sadly taken from us last month. However, the memory of his service and dedication lives on. The medals he was awarded are a testament to his abilities and his accomplishments as a faithful Marine. I rise before my colleagues today to commend Sergeant O'Reilly—one willing to sacrifice so much of himself to protect the life of freedom and liberty all Americans enjoy.

## HONORING KRYSTYNA BAUMGARTNER, NEW YORK STATE WINNER OF THE VFW'S 2004 VOICE OF DEMOCRACY ESSAY COMPETITION

### HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. BISHOP of New York. Mr. Speaker, I rise today in honor of Krystyna Baumgartner, a constituent of mine, who is the New York State winner of the 2004 Veterans of Foreign Wars (VFW) audio/essay competition. Ms. Baumgartner has done an excellent job of conveying the necessity of voter participation and showing respect for veterans and current members of our armed forces. It is my distinct honor to submit the text of her work into the CONGRESSIONAL RECORD.

2003–2004 VFW VOICE OF DEMOCRACY SCHOLARSHIP CONTEST

''MY COMMITMENT TO AMERICA'S FUTURE''

(New York State Winner, Krystyna Baumgartner)

In the movie ''The American President,'' the fictional President Andrew Shepard utters that ''America isn't easy. America is advanced citizenship.'' With those seven words, he correctly points out that in order for America to work the way the Founding Fathers intended it to, its citizens must actively participate.

Since I was about eleven, I have told anyone that would listen that I was going to be the first woman President of the United States. That year, I religiously watched the presidential debates between Clinton, Dole, and Perot, conjuring up my own answers to the questions asked and drilling my dad on events I didn't know about. Now that I am seventeen, I pay even more attention to the world and its happenings than I did at eleven. And I am even more convinced that I want to be on that stage, answering questions about the topics of the day and making plans to move America forward.

In order to move America forward, however, you must first learn her framework and the history of the struggles that she has gone through to be what she is today. Without this basic knowledge of how the political system in America works, one cannot expect to be able to fully participate in America. As I apply to colleges, I do not hesitate to check off that I am a political science major. In this field rests the knowledge that I need to help my generation guide America to the next level.

I look forward to my eighteenth birthday for a reason most of my peers never think about—I cannot wait to be able to vote. Until am old enough to run for office myself, I can vote for people that share my views of where America is heading and how to get her to that point. I do not understand why many people that are of age to vote do not. We are lucky to live in a country that allows us the right to choose our government officials. In my opinion, giving up this right that so many in this world don't have is equivalent to spitting on everything that America stands for. It is my sincere hope that more people from my generation will take advantage of their right to vote and I plan to do everything that I can to advocate voting to my peers.

Knowing the basic principles upon which America was founded, how the government works, and partaking of your right to vote are a very important part of the advanced citizenship I mentioned earlier. However, in order to truly be an active participant in America, one must be willing to defend her against threats, both domestic and foreign. Serving in a branch of America's military is a way to give back to America what America has given to you. By voluntarily enlisting in the Army or the Air Force or the Navy, you are showing the world that you love your country and that you want to make sure that it will still be around two hundred years from now.

To volunteer to risk your life for your country shows an immense dedication to the principles that your country stands for and to the preservation of your country. In the past few days I have been communicating with veterans of the Battle for Bataan and the Bataan Death March for a school report. Most of these men enlisted before Pearl Harbor, even though they knew that the United States would most likely enter the war in Europe. I asked one of the men, who was a POW of the Japanese for 1028 days, if he remained in the Army after World War Two. He said that although he did not, he wishes he had because he really liked being in the Army. Can you imagine spending over two years in captivity, being beaten, starved, and made to work in the blistering sun, and still enjoying the Army?

America is at a crucial point in its history. It's citizens are now beginning to question parts of everyday American life, such as the Pledge of Allegiance, the motto on our printed currency, and our right to defend ourselves from terrorism, that were never given a second thought before. The solutions to these questions will ultimately rest in my generation. It will be up to us to decide whether or not our pledge should be re-written or if we are allowed to mention God in public life. But we cannot decide these things until we have truly experienced America, and in order to do that we have to want to learn why America is the country it is today and we also have to be willing to defend her against any and all enemies. We are the future of America. Shrinking away from this is not an option. We have to stand up and accept it. We have to be advanced active citizens.

Mr. Speaker I again congratulate Ms. Baumgartner on her accomplishment and wish her the best of luck in what I am sure will be a productive future.

MEMORIAL DAY

## HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. ROTHMAN. Mr. Speaker, I rise today to honor those who selflessly and courageously risked their lives in service to our country. On Memorial Day we gather to remember and give thanks to the men and women who made the ultimate sacrifice to protect this nation and to defend our freedoms and our way of life. This nation is extremely grateful for their service and must never forget their heroic acts.

On this Memorial Day in particular, as we are set to commemorate the 60th Anniversary of D-Day, as veterans from across the country gather on the Mall in Washington, DC to dedicate the new World War II Memorial, and as our troops labor at home and abroad to secure and defend our interests around the world, we must remember their service and express our appreciation. Like the ''greatest generation'' and the generations that came before them, this generation has once again proudly heeded the call to serve a country in need. And for their courage and dedication, we stand united in support of these brave men and women.

During this difficult time, we draw strength and inspiration from those who persevered and triumphed in conflicts past. I have little doubt that this generation of Americans like so many before them, will prevail against those who would do us harm. And we must make certain that when our troops return home, we keep the promise we made to provide them with the health care and benefits they have earned and deserve—a promise we must fulfill to all 26 million of our nation's veterans.

I join my colleagues, in expressing our deep appreciation to those brave men and women who gave their lives for this country, and I pledge to continue to work to honor their invaluable contribution to American liberty and freedom.

TRIBUTE TO FRANK MULVEY

## HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. OBERSTAR. Mr. Speaker, I rise today to recognize the outstanding contribution which Frank Mulvey has made to the Committee on Transportation and Infrastructure. Frank has been the Democratic Staff Director of our Railroad Subcommittee for the past four years. He is leaving to become a Member of the Surface Transportation Board.

When Frank came to the Committee in the year 2000, he had already achieved great distinction as a transportation economist. We on the Committee first became familiar with Frank's work in the mid–1980s, when he served as an Assistant Director for Transportation Issues in the General Accounting Office. In this capacity, Frank conducted a number of studies for the Aviation Subcommittee, which I chaired, and appeared as a witness before the Committee on several occasions. The studies were thorough and objective, and Frank was an excellent witness. His studies were extremely valuable in helping us deal with issues of airline competition and the financial difficulties of the industry. Frank's work at GAO also produced similar high quality studies of Amtrak and the freight rail industry.

Throughout all the years that I have known Frank Mulvey, it has been clear to me that his breadth of transportation knowledge would enable him to serve with distinction in many positions with the Transportation Committee. When the Railroad Subcommittee position became available in 2000, Frank was a natural and obvious choice.

In his four years with our Railroad Subcommittee, Frank has not only met, but exceeded the high expectations we had for him. He has played a major role in all railroad issues before the Committee, including Railroad Retirement Reform, the many difficult issues involving Amtrak, the rail loan program, and efforts to develop a federal program to assist the development of high-speed passenger rail.

Frank Mulvey is a Ph.D. Economist and, during his distinguished career, which has included positions at the Department of Transportation Inspector General's Office, the GAO, the National Academy of Science and the American Bus Association, has frequently held part-time teaching positions. For the past twelve years, he has taught courses in managerial economics and public policy in the MBA program at the University of Maryland. Frank's love of teaching has led him to actively seek out interns for his Subcommittee, and then to mentor them and educate them on all aspects of the Subcommittee's work. Many of his interns have continued a career in public service. A noteworthy example is Steve Gardner, who has served in several important Congressional staff positions and most recently was selected to deal with rail issues for the Democratic Professional staff of the Senate Committee on Commerce, Science, and Transportation. Another of Frank's interns Amy Scarton, went on to become a Senior Legislative Assistant to Congressman EARL BLUMENAUER.

Although Frank's official position with the Committee was with our Rail Subcommittee, we frequently took advantage of his broad knowledge and experience as an economist to counsel us in other disciplines. He was our resident expert on issues such as the economic impacts and job creation effects of our infrastructure programs, and the economic theory governing competition in the transportation industries under the Committee's jurisdiction.

Frank has been a pleasure to work with. He is open and friendly, able to communicate difficult economic concepts in non-technical terms, and quick to immerse himself in the details of a complex issue. We on the Committee will miss him personally and professionally, but we are confident that he will make important contributions to the Nation's transportation system in his new role.

TRIBUTE TO THE TEMPLE ADATH YESHURUN

## HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. WALSH. Mr. Speaker, I rise today in tribute to the Temple Adath Yeshurun in Syracuse, New York, which is celebrating its 136th anniversary on July 16, 2004.

Since it was founded in 1867, the ''congregation of the righteous'' has grown from the group of young men that established it, into a large congregation that now works to serve its community through the development of several religious, educational, cultural and social programs. It has succeeded throughout the years to reach out to all generations with its own schools, camps, family education programs, and senior member social activities. The temple continues to provide not only a place to worship, but also a place for the citizens of Central New York to gather together as a community.

I would like to express my sincere congratulations to the leaders and members of the Temple Yeshurun. Their long heritage and continued service to their community deserves great recognition and celebration.

HONORING TUSKEGEE AIRMEN AND THEIR CONTRIBUTION IN CREATING AN INTEGRATED UNITED STATES AIR FORCE

SPEECH OF

## HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 1, 2004*

Mr. TURNER of Ohio. Mr. Speaker, I rise in support of H. Con. Res. 417, honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force introduced by my fellow Armed Services Committee colleague, Representative JON PORTER (NV–R).

All things relating to aviation have a special meaning in Dayton, the birthplace of powered manned flight. From the Wright Brothers designing the first machines that lifted man from the security of Earth and into the era of powered flight, through the modern day when Wright Patterson is regarded as one of the Air Force's finest bases, aviation has long played a central role in Dayton. The Tuskegee Airmen also have a special place in the hearts and minds of Daytonians for their exceptional contributions making the U.S. Air Force the world's foremost Air and Space Supremacy Force.

Last July, Dayton combined a 17-day festival called Inventing Flight with its 22nd annual Black Cultural Festival by including a Tribute to the Tuskegee Airmen. Because of Dayton's ties to aviation and the Tuskegee Airmen this was a natural combination.

Dayton has links to the origins of the Tuskegee Airmen. Chauncey Spencer and Dale White set out to promote black aviation. In 1939 they rented an old airplane and set out on a 10 city goodwill tour that was supposed to end in Washington where they hoped to meet with Congressional leaders. Three hours into their first day a broken crankshaft forced them to land in a farmer's field. Two and a half days later the flight was resumed; however, shortly they were grounded again. Hearing of their misfortunes the publisher of an African-American newspaper in Pittsburgh gave them $500 and letters of introduction to Congressional. representatives.

Spencer and White met Senator Harry S Truman, who upon seeing the plane they flew

said, ''If you guys had the guts to fly this thing to Washington, I've got guts enough to see you get what you are asking.'' He promised to help open the doors for African-Americans to serve in the Air Corps. Shortly afterwards, the Tuskegee Experiment was established. By the end of WWII, nearly 1,000 African-Americans had completed their flight training at Tuskegee Army Air Field and nearly 450 went overseas as combat pilots.

The Tuskegee Airmen were nicknamed the ''Red Tail Angels'' because of the red tail markings on their aircraft. They had an enviable service record of over 15,500 missions, destroyed over 260 enemy aircraft; sunk one enemy destroyer and damaged numerous enemy installations. The Tuskegee Airmen served with distinction and earned over 850 medals.

Chauncey Spencer and Dale White became Dayton residents and both served at Wright Patterson Air Force Base. There is still a local chapter of an organization named for the Tuskegee Airmen at Wright Patterson: The Mac Ross Chapter of Tuskegee Airmen. The chapter is named after Mac Ross, a Dayton native, and one of the first five African-American airmen to become Air Corps pilots in 1942.

The Tuskegee Airmen overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II. Their achievements, together with the men and women who supported them, paved the way for full integration of the U.S. military.

Today's all-volunteer Armed Forces identify with the sense of pride and commitment exhibited by the Tuskegee Airmen some 60 years ago.

As an American, and a proud Daytonian, I am pleased to offer my support of H. Con. Res. 417, honoring the Tuskegee Airmen and their contribution in creating an integrated United States Air Force, the world's foremost Air and Space Supremacy Force.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. LOFGREN. Mr. Speaker, I appreciate the great work done by Chairman HUNTER and Ranking Member SKELTON on this legislation, but I must reluctantly rise to highlight a major problem that I hope will be fixed before this bill reaches the President's desk.

There is an obscure provision of the bill that I want to make sure Members know about, and that is Section 1404, which would require U.S. companies to get a license before they export any goods listed on the Military Critical Technologies List. According to a copy of that list I found on the Defense Technical Information Center Web site, computers that exceed 1500 MTOPS are considered to be military critical.

So under this bill, exports of desktop computers, laptops and Sony PlayStations would require a license. Making matters worse, the license requirement would apply to all exports, even those headed to our allies. If you want to sell a Sony PlayStation to England, you would need a license. I think that is a major problem.

Our current laws allow exports up to 190,000 MTOPS to Tier III countries like China and Russia. I personally think that 190,000 MTOPS is an outdated metric. But to go down to a 1500 MTOPS metric is literally the stone age of computing.

If there are specific military critical technologies that are not sufficiently controlled under existing export regulations, like night vision or surveillance devices, then let us draft something that controls those technologies. But to say that we cannot freely sell a laptop to someone in London, that the Sony PlayStations cannot be exported to Canada, I think is wrong.

I know that this is about war, but it shouldn't be about war on the American economy.

## HONORING CATHY GIOVANDO, CELESTE HALL, AND CAROL SIEBE

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor 3 teachers who are retiring from Two Rock Union School in a rural community near Petaluma, CA. Cathy Giovando, Celeste Hall, and Carol Siebe are special teachers who have worked together at the school for many years. But beyond that, they will always be remembered for their successful efforts to preserve the Two Rock Coast Guard Training Facility.

Now the West Coast training center for the Coast Guard's new role in the Department of Homeland Security, the Two Rock facility has 10 schools offering 50 courses to 4,000 students a year. It is hard to believe that this center was on the chopping block in cost-cutting efforts in the 1990s—and not just once, but twice. And twice, Giovando, Hall, Siebe, and others on the Save the Base Committee rallied elected officials and the local community as well as children and parents from the small Two Rock School, to preserve a facility that was originally established by the War Department in 1942.

As their representative in Congress during the 1990s, I knew how important this base was to the fabric of this small community and to the security of our Nation. However, without the passion of these teachers, it would have been difficult for me to convince the Coast Guard and the entire California Congressional Delegation of this. It is for sure that Clinton administration officials were especially impressed with the art work and stories sent to them by children from the school. In the world of politics, these children proved that the personal can make a difference.

And, as teachers, these women were instrumental in Two Rock School's recognition as a California Distinguished School. Their legacies include one of the first school gardens in the area and, with the entire staff, creation of an assessment program that enables teachers to work with each child's strengths and weaknesses.

Retirement will include everything from travel to real estate classes. Coincidentally, the families of all three are from the same area in Northern Italy which will figure prominently in their travel plans.

Mr. Speaker, it is a pleasure to honor Cathy Giovando, Celeste Hall, and Carol Siebe whose warmth and dedication exemplify the best that teachers can offer to our Nation's children. Their commitment extends beyond the classroom to an appreciation of the significance of all the key elements—including the Coast Guard Training Facility—that are essential to a community's well-being. These women will be missed at their school and by their students, but we all know they will bring the same energy and heart to all their future endeavors.

## IN MEMORY OF SERGEANT LEWIS (LOUIE) ANNEAR

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. ROGERS of Michigan. Mr. Speaker, recently, a poem was given to me in fond memory of Sergeant Lewis (Louie) Annear of the 9th Infantry Division, I ask these moving words be included in the RECORD:

Last night I had a vision tho my mind was quite awake; A vision born of sadness, of memories I could not shake. In retrospect the years passed by, and uncasing life's review; A boy I loved sat my side, his life I lived anew. I saw him as a baby, I held him in my arms; I prayed the good ALL Father to keep him safe from harm. I saw him as a tow-head, his blond hair all awry. His blue eyes kind and gentle, and heard his happy cry. I saw him fishing on the lake when first he learned to cast; I saw him land his first great fish as whitecaps hurried past. I saw him on the football field, elusive as a ghost. His shifting hips and racing feet seemed to fairly float. I saw him in the house of God, devout, sincere and true; I think the angels gathered there when he was passing through. I saw him in his much loved home alive and always kind; The family sort of worshipful when he was on their mind. I saw him in the workshop when soil begrimed his hand; But, even grandeur proclaimed him every bit a man. I saw him in his uniform when he heard his country's call And despairing of God's mercy, I saw him in his fall. I followed him from ship to beach on Africa's dark shore; I lived with him at Kasserine Pass, Bizerte and far more. I saw his wound and felt his pain when he wrote of how they fought; And prayed to God they would send him home, that was my only thought. I saw my prayers unanswered as from England came the word; This soldier boy was listed for D-Day's most dangerous work. I lived with him for D-Day, felt suspense and honest fear; For only fools, not angels, sought then to give us cheer. Then came the fateful hour, the supreme test was at hand; Poised on the foremost troop ship, I saw him proudly stand. I saw his well trained muscles, twitching there beneath his gear; But, his head was high, his eyes were clear, he was master of all fear. I saw the sea as it tossed on high and heard the grinding waves; And then the roar of guns, and bombs, as night gave way to day. I saw him land, one of the first, his face was to the front; And I prayed to God to save this boy who was always moving up. I lived with him again, those days when death rode every wave; Scant rest or food, just fighting on, for us our homes to save. For days on end, I trudged with him, my mind, his body torn; He would not stop, from dawn to dusk, and yet on until morn. I felt despair, I was sick at heart, it seemed no God or man; Could ask so much of just a boy nor wield such a high command. And when at last he came to rest,

it seemed a welcome lair; On foreign soil, at break of day, I saw him lying there. The command to halt had come at last, sweet peace and rest were his; And then I took my weary soul and stole into the mist. My soul seemed dead, my mind a blank, I could not reason why; So great a task was asked of him, or why he had to die. For days I pondered, lost in doubt, just a asking why; And, then at last, the mist broke out, again I saw the sky. I saw the face of God look down, His staff was raised on high; And at His side, with hand in hand, I saw our soldier boy. And there my soul worn vision found its answer as to why; This soldier boy of ours had lived and why he had to die. His life had been all goodness, and glorious his deed; God too, has use for soldiers, very special are His needs. Tis the good who die to glory, and for us left here behind; their noble lives remind us we too should be their kind. The light he burned so brightly, in home or far afield; Will light our steps upward in God's commanded zeal. Encouraged by his example, strengthened by his unfaltering faith, We too may leave the battle, to rest in God's grace. And, so my vision ended, with God and Louie, too; I now resume my journey, as he would have me do.

So Mr. Speaker it is my honor to rise to recognize Staff Sergeant Lewis Annear for his service, dedication, and ultimate sacrifice to our great country. As we dedicate the new National World War II Memorial, I call on my colleagues to join with me in recognizing this brave American as he gave his life to ensure the freedom that America enjoys today.

## HONORING 45 YEARS OF COMMUNITY SERVICE

### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Junior Matrons of Morristown, New Jersey in my Congressional District who this year are celebrating their 45th Anniversary.

In 1959, the Junior Matrons of Morristown began with a group of twelve young African-American women who pooled their time and resources to found a working group to address one of the critical issues facing African-American youth—low numbers of high school graduates going on to pursue post-secondary education.

Their motto became ''service through scholarship,'' and the group began working to increase opportunities for black youth to attend college. A lack of cultural and historical precedent among African-Americans, the difficulty in financing college education and the limited track record of admissions of black high school graduates to major colleges and universities, were just a few of the obstacles confronting young African-Americans who may have wanted to attend college at the time. When the twelve young black women of the Junior Matrons of Morristown got together, they decided they would take direct action to change this scenario.

In a bold move, they decided to host an annual cotillion that would serve at least three purposes: (1) it would help raise the consciousness of the African-American community about education as a vehicle for pursuing economic, political and social advancement; (2) it would recognize and reward those who remained committed to achieving their first major educational milestone and (3) through personal, corporate, agency and organizations contributions, it would generate substantive funds needed to encourage and enable high school students to translate the dream of a college education into a reality.

The passion and energy behind the founding of the Junior Matrons has continued unabated for these last 45 years, and is a credit to the collective vision of these twelve charter members: The late Sue Graddick, Harriet Britt, the late Frances Younginer, my dear friend Dr. Felicia B. Jamison, Emma L. Martin, Nancy Yett, Muriel Hiller, Nadine Alston, the late Emanualine Smith, Natalie Holmes, the late Marie Davis, the late Natalie Thurmond Lattimore and Cecelia Dowdy.

Over the years the Junior Matrons have been honored by the National Association for the Advancement of Colored People and the National Urban League, among many others. As a testimony of the enduring idealism of these inspired women, the Junior Matrons of Morristown have provided financial assistance to over 3,000 high school students, and has dispensed over $2 million over its lifetime. The beneficial and residual impact of this assistance cannot be over-estimated. Although a few of the original group are no longer with us, new leaders have taken on the mantle and are endowed with the same zeal and vision.

Mr. Speaker, I am quite certain that the Junior Matrons will continue in the years ahead to promote the cause of quality education and help provide opportunities for our young people to pursue college degrees and productive, fulfilling careers. I ask you and my colleagues to join me in congratulating the Junior Matrons of Morristown as they celebrate 45 dedicated years of serving our community.

## RECOGNIZING MOMENTOUS YEAR OF STEVE SMITH FAMILY OF BRENTWOOD, TENNESSEE

### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. GORDON. Mr. Speaker, I rise today to recognize a momentous year for the Steve Smith family of Brentwood, Tennessee. Not only is Steve celebrating his 50th birthday this year, he is also celebrating 25 years of marriage to the former Denise Stinson and the 50th anniversary of his business, Haury and Smith Contractors.

Steve's late father, Reese Smith Jr., started Haury and Smith Contractors with a high school buddy. Beginning as a simple two-man operation, the residential home-building company has prospered into a venture now boasting an annual volume of business at $20 million. Steve's father would be proud of what he and his brother, Reese Smith III, have accomplished with the company.

Steve is known by his friends as having been an outstanding baseball player at Middle Tennessee State University. He is also a big-game hunter and an accomplished Tennessee walking horse enthusiast. But it's widely recognized that his most significant accomplishment was getting Denise to marry him. They have two outstanding sons, Matthew and Stephen, who, fortunately, took after their mother when it comes to academics. Stephen currently is attending Princeton, and Matt will be joining him this fall.

Steve is a good friend who has given me great advice over the years. I congratulate him for reaching these remarkable milestones. And I congratulate his family for putting up with him for all these years.

## A TRIBUTE TO JANE BARKER (1949–2003)

### HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. CRAMER. Mr. Speaker, I rise today to pay tribute to a dear friend and a remarkable woman, the late Jane Barker. In her short lifetime, she had a profound influence on the lives of countless children and families in New York City. At the time of her passing, Jane served as the Chief Program Officer at Safe Horizon, the leading nonprofit victim assistance, advocacy, and violence prevention organization in New York City.

Jane was born and raised in St. Louis, Missouri. She earned her Masters Degree in Social Work from Washington University and began her professional career as a school social worker in Peoria, Illinois. In 1976, Jane moved to New York City where she worked at the Brooklyn Society for Prevention of Cruelty to Children and the New York City Department of Mental Health. In 1987, Jane began working at Safe Horizon. During her 16-year tenure there, she shaped the direction of numerous programs. Most recently, Jane led Safe Horizon's trauma response efforts after 9/11, with a particular focus on providing mental health support to those in need.

Jane's legacy will be her pioneering work with the Children's Advocacy Centers in New York City. In 1985, I started the first Children's Advocacy Center in Alabama when I learned that child abuse victims were subjected to significant trauma from the systems that were supposed to be protecting and helping them. Jane shared this vision and courageously set out to change the system. With Jane's unwavering dedication and commitment, the Brooklyn Child Advocacy Center opened its doors in 1996, creating a child-friendly and supportive environment where children did not have to feel responsible for what happened to them. As a result of her vision and leadership, over 15,000 children have come through the Brooklyn Center.

Mr. Speaker, in her lifetime, Jane had a profound influence on services for victims of crime and child abuse, their families, an communities. Members of her family, friends, and colleagues will gather to celebrate her life and her devotion to improving the lives of those around her. I want to commend Safe Horizon for dedicating the Brooklyn Child Advocacy Center in Jane's honor and loving memory.

Mr. Speaker, Jane Barker was a tremendous individual who touched the lives of thousands of individuals and who was taken from us during the peak of her life. I rise today in her honor.

## CELEBRATION OF THE 125TH ANNIVERSARY OF THE SAN FRANCISCO PUBLIC LIBRARY

### HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. PELOSI. Mr. Speaker, I rise to commemorate the 125th anniversary of the San Francisco Public Library on June 7, 2004. Since its opening in 1879, the San Francisco Public Library has been a symbol of intellectual freedom.

Many years ago, I was proud to serve on the San Francisco Public Library Commission. The library has provided five generations of San Franciscans with wonderful literature, educational materials and a sanctuary for learning.

San Francisco is fortunate to be the home of the state-of-the-art Main Library and 26, soon to be 27, neighborhood libraries. The library is committed to presenting a varied collection of works, respecting the diverse needs and populations of San Franciscans and consistently pursuing intellectual equality. It now offers focus collections pertaining to the African American, Gay and Lesbian, International, Chinese, Filipino, and teen populations and the environment.

This is not only a day to celebrate this magnificent San Francisco institution, but also a time to recognize the many dedicated and skilled librarians and volunteers who make it possible for the library to offer such a wide range of services. Together, they ensure that the library will continue to be a cultural and educational center of opportunity.

Thomas Jefferson wisely counseled that democracy is dependent upon an informed and educated citizenry. The public library is an instrument of opportunity, allowing all Americans access to the knowledge and information essential to our nation's greatness. The San Francisco Public Library has been an outstanding example of a free public library committed to bettering our civic life.

I proudly join my constituents in celebrating the 125th anniversary of this historic San Francisco establishment.

## HONORING KATHARINE C. LYALL

### HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. BALDWIN. Mr. Speaker, I rise today to honor Katharine C. Lyall, who served for more than 12 years as president of the University of Wisconsin System. Dr. Lyall's work has made an indelible mark on the great UW System, and her leadership will be missed by all when she retires this year.

Dr. Lyall has dedicated her life's work to the promotion of people and knowledge. A professor of Economics, she held teaching posts at Syracuse University, Cornell University, and Johns Hopkins University before arriving at the University of Wisconsin-Madison. Dr. Lyall's commitment to education and to her field of study persisted long after her transition to university administration.

Beyond her expertise in the study of economics and her strong administrative leadership, Dr. Lyall brought to the University of Wisconsin System a background in public service and policy. During the Carter administration, Dr. Lyall served as Deputy Assistant Secretary of the Department of Housing and Urban Development. She was later Director of Johns Hopkins' prestigious public policy program.

Dr. Lyall's focus on public service and policy has served the University of Wisconsin System well. Her accomplished tenure saw the implementation of new diversity policies, increased enrollment, and continued distinction of an already outstanding public university system.

In her dedication to access and excellence, in her tireless work for the University of Wisconsin, and in her wholehearted devotion to the democratic ideal in public education, Dr. Lyall exemplifies the Wisconsin Idea. She will be sorely missed.

## LINDA WHITE-EPPS POST OFFICE

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. DELAURO. Mr. Speaker, I rise today to introduce legislation to pay tribute to Linda White-Epps by renaming the Whitneyville Branch Post Office building in Hamden, Connecticut as the "Linda White-Epps Post Office."

Linda was an extraordinary woman who dedicated her life to making her community better. She served in town government and on local non-profit boards. Most of all, though, she was devoted to the cause of raising awareness about breast cancer among African American women. I am proud to have known her and to have called her my friend.

Linda was an executive board member of the local NAACP and sat on the Board of Directors of the local Boys and Girls Club. In 2001, she was elected to the Hamden Legislative Council. But it was her work in fighting breast cancer that led her to be named a Point of Light by the Points of Light Foundation in 2001.

She created Sisters' Journey, a non-profit organization that provides education and support to breast cancer survivors, their friends and their families. In 1999, Sisters Journey published a calendar featuring pictures of women who have beaten the disease. Each turn of a page provides a look at another month, more stories from "sisters" and words of encouragement to women. Each page says examine your breasts and have regular mammograms. The unveiling of the calendar still occurs every October at a fundraiser known as the "Pink Tea," a tradition Linda started.

Linda was one of the women profiled in the calendar. She beat breast cancer in 1990, and spent the last decade of her life helping other women do the same. Sadly, she finally succumbed to the disease last year. Linda faced breast cancer in such a quiet way that many of her neighbors and friends were not aware of the gravity of her illness.

She approached advocacy with humility, but received several awards from the American Cancer Society. She also won the Greater New Haven NAACP Freedom Fund Award, and the "Daily Point of Light" award. Linda was also responsible for organizing the first "Relay for Life," held in the Hamden area. The event raised about $50,000 for the American Cancer Society and also reached a larger segment of African American women participants.

Mr. Speaker, Linda was the granddaughter of a postal carrier. Like her grandfather, she lived a remarkable life that made a difference in her community. Honoring her by renaming the Hamden Post Office after her would be a fitting tribute.

## TRIBUTE TO THE 2004 PROJECT GRAD NEWARK GRADUATING SCHOLARS

### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. PAYNE. Mr. Speaker, I rise today to recognize the 2004 Project GRAD Newark Graduating Scholars. Tonight, more than 300 individuals will gather to honor more than 75 Project GRAD Scholars, graduating from Malcolm X Shabazz and Central High Schools, located in my district's South and Central Wards. These outstanding students will be recognized for having met, maintained, and exceeded strict academic performance standards, and will be awarded a $6,000 college scholarship.

Project GRAD Newark is a nonprofit, educational support organization that focuses on building the capacity of participating Newark public schools to improve student achievement. Their mission is to ensure a quality education for children in the most challenging, economically disadvantaged public schools in my hometown of Newark, New Jersey, and to support them as the graduate high school, and prepare for, attend, and graduate from college.

Project GRAD Newark was created in 1998 through the support of Ford Foundation and Lucent Technologies Foundation. The GRAD model originated in Houston, Texas in 1989, as a scholarship incentive program to encourage urban school students to graduate high school. Today, it works with a feeder pattern of schools—a high school and the middle and elementary schools that feed students to that high school. This method ensures curricular and programmatic consistency from kindergarten to 12th grade. PGN began implementation of the GRAD model in the Malcolm X Shabazz High School feeder pattern in 1998 and announced implementation in the Central High School feeder in 2000.

PGN serves two feeder patterns comprised of 8,600 students throughout 16 Newark Public Schools. Nationally, Project GRAD serves over 135,000 students in 217 schools across the country.

The results are unmistakable: according to preliminary evaluations, PGN students significantly outperformed their non-PGN peers in math and reading during their first and second years of the model's implementation. On-time graduation rates have increased from 56 percent in 2001 to 76 percent in 2003. 95 percent of GRAD Scholars who graduated in 2003 from Shabazz High School are enrolled in college, and our first class of GRAD Scholars will graduate this year from the Central High School feeder pattern.

As a former teacher, I stand before you today with pride. Project GRAD Newark is

reaching students and challenging them to fulfill their academic potential. They are cultivating future leaders, who may someday stand where I do today.

Mr. Speaker, I commend to you these dedicated students, and I invite my colleagues to join me in congratulating them on their past achievements, encouraging them in their future endeavors, and supporting the successful Project GRAD Newark program as they continue to serve the students in my district.

## RECOGNIZING ALEC MESSERALL FOR HIS SERVICE TO OUR COUNTRY

### HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. TIBERI. Mr. Speaker, I'm proud that as we celebrate the life of President Ronald Reagan, a fellow Central Ohioan will participate in our tribute. Air Force Academy Cadet Alec Messerall of Alexandria, Ohio, has been chosen as one of five service members to escort the casket of President Reagan from the White House down Constitution Avenue to the Capitol.

Alec is a 22-year-old senior at the academy who graduated from Northridge High School in Johnstown, Ohio. His leadership skills, academic and athletic record, and his extracurricular activities led my predecessor, John Kasich, to nominate him for an academy appointment.

I know Alec and his family are extremely proud he was chosen to be part of the historic events that are unfolding in our Nation's capitol as we honor our former President. All of us also look forward to Alec's service to our country in the United States Air Force. I am certain he will be an outstanding military officer.

## HONORING THE EASTER SEALS GOODWILL INDUSTRIES REHABILITATION CENTER ON ITS 35TH ANNIVERSARY

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. DELAURO. Mr. Speaker 35 years ago, a historic merger occurred which resulted in the creation of the Easter Seals Goodwill Industries Rehabilitation Center. Today, community leaders, supporters, advocates, and participants have gathered to mark this very special occasion. It is with my heart-felt thanks and sincere appreciation that I rise today to join them in celebrating this important milestone.

What began as three separate agencies has become one of the most successful and effective non-profit agencies in the Greater New Haven area. This community-based organization is committed to its mission to enhance employment opportunities and the quality of life for people with disabilities and other special needs. Throughout the years, as communities advanced, those needs have changed. As an organization rooted in the community, the Center has been able to identify those changes and adapt its programs and services to meet them. This could not have been accomplished without the strength of support the Center has received from its staff and the communities of Greater New Haven.

I would be remiss if I did not recognize the vision and leadership of the man who has been leading this agency for the last twenty years—Malcolm Gill. For the last two decades, Mal has worked diligently to ensure that the Center is providing the programs and services that meet the needs of their participants. There is no one who could be more dedicated to fulfilling the mission of the organization. I consider myself fortunate to have had the opportunity to work with him so closely over the years and to call him my friend.

For people with disabilities and other special needs, functioning in the daily activities that we take for granted is not only challenging, but it can be a source of frustration and heartache. While these men and women have a deep desire to contribute to the community, physical or mental limitations make that difficult to accomplish. That is why the Center has become such a fundamental part of our community. They provide a gift which is truly invaluable—the opportunity for success and a sense of belonging. The Center has touched the lives of thousands over the years and mere words cannot describe the difference they have made to those individuals.

For the innumerable contributions it has made to our community, it is with great pride that I stand today to extend my sincere congratulations to the Easter Seals Goodwill Industries Rehabilitation Center on its 35th Anniversary. Through their unparalleled dedication and commitment, they have helped to change the face of our community and have made it a better place for our children and families.

## TRIBUTE TO BISHOP RUSSELL SCOTT ON THE CELEBRATION OF HIS 100TH BIRTHDAY

### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. PAYNE. Mr. Speaker, it gives me great pleasure to honor Bishop Russell Scott as he celebrates his 100th birthday at a party in his honor at the Galloping Hill Caterers on Saturday, July 3, 2004. To live a century is indeed a significant event; to accomplish so much during that time is truly outstanding.

As a member of Glad Tidings Pentecostal Tabernacle Church, Bishop Scott established himself as an integral part of the church. He served as Superintendent of the Sunday School, a Deacon, Church Clerk and Treasurer. He went on to become Pastor and later, a Bishop. Since he was a mason by training, Bishop Scott supervised the building of the new church edifice which was completed and dedicated on March 20, 1960. Bishop Scott has since retired but still serves as overseer prelate.

In addition to the contributions made to his church, Bishop Scott was active in the community and has received many certificates for his involvement. They include certificates from the Essex County Probation Department, the Cornell Center Chapel Service, the U.S. Department of Commerce, Senior Citizen Nutrition Site in Orange, NJ and a certificate as former Tour Host for Trinity Travel and Tours Abroad to Israel. Bishop Scott also served as President of the United Clergy of Vauxhall and Vicinity. He received his theological and divinity degrees from Miller University.

Bishop Scott is indeed blessed to join a very exclusive club of centenarians. I am delighted to wish him well as he celebrates this occasion. I know that my colleagues join me in sending best wishes for continued health and happiness to Bishop Russell Scott on his 100th birthday.

## INTRODUCTION OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

### HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. EHLERS. Mr. Speaker, today I am pleased to introduce H.R. 4546, the National Oceanic and Atmospheric Administration Act. Better known as NOAA, the National Oceanic and Atmospheric Administration was created by Executive Order in 1970. As Chairman of the Environment, Technology and Standards Subcommittee of the House Science Committee, I oversee much of NOAA. It is the Nation's lead civilian agency for oceans and atmosphere, yet Congress has never passed an overarching organic act describing the mission and functions of the agency. Instead, over the past 34 years Congress has defined the mission of the agency in a piecemeal manner with legislation focused on specific issues. The bill I am introducing today is a first step toward Congressional passage of comprehensive legislation for NOAA.

On April 20, the U.S. Commission on Ocean Policy released its long awaited Preliminary Report with recommendations for a coordinated national ocean policy. One of its key recommendations is that Congress should pass an organic act for NOAA. At a recent Science Committee hearing, the chairman of the Commission emphasized the importance of this recommendation and I strongly agree with him. The time is right for Congress to consider, and pass, this organic act for NOAA, an agency that provides vital services to the Nation that range from weather forecasts and warnings to cutting-edge marine research.

My bill contains three major sections. Title I is an organic act for NOAA. It establishes the National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce and defines the mission of NOAA. This mission is "to understand and predict changes in the Earth's oceans and atmosphere and the effects of such changes on the land environment, to conserve and manage coastal, ocean, and Great Lakes ecosystems, and to educate the public about these topics." My bill maintains the current leadership structure at NOAA, but adds a Deputy Assistant Secretary for Science and Technology to serve as the point person for the agency to coordinate the research and science activities of NOAA across the agency.

Title I of my bill also describes the functions of NOAA, which are divided into three broad groups to improve cooperation among NOAA's

programs, as recommended by the U.S. Commission on Ocean Policy. First is the National Weather Service, which provides weather, water and climate forecasts and warnings to the Nation. The second group is operations and services, which includes all of NOAA's satellites services and its mapping and charting services. The third category of functions is research and education.

The bill focuses on pieces of NOAA under Science Committee jurisdiction, and does not currently include any references to NOAA's fisheries or resource management, which are under the jurisdiction of the Resources Committee here in the House. I am hopeful that we can work with other committees in the House and our colleagues in the Senate to pass a truly comprehensive organic act for NOAA, but for now we must start with this piece of legislation.

The second part of the bill is a three year general authorization for NOAA's line offices. The third part of my bill in Titles III–VII is a series of NOAA-related legislation from the 108th Congress that I believe are important programs to specifically authorize at this time.

I believe it is critical for NOAA's mission to be clearly defined so it can better fulfill its role in observing, managing, and protecting our Nation's coastal, ocean and Great Lakes resources. I look forward to working with my colleagues in a bipartisan fashion to pass this bill into law this year. This will not be an easy task, but it is so important to our environment, our economy, and our children's and grandchildren's future, that we must succeed.

## HONORING THE MEMORY OF BARBARA W. WINTERS

### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. DELAURO. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of an outstanding member of our community, Barbara W. Winters. Throughout her life, Barbara dedicated herself to the community and to making a difference in the lives of others. With her we lose an advocate, leader, and friend.

Barbara dedicated both her professional and personal life to enriching her community. With a big heart and an infectious smile, she worked hard to not only achieve her goals, but inspire others to do so as well. It is not often that you find an individual with the depth of compassion and generosity that Barbara demonstrated every day. I, as with so many others, consider myself fortunate to have had the opportunity to know her and to work with her over the years. I was always impressed with her vision, tenacity, and leadership. She was a role model for us all.

The strength of Barbara's character is reflected in the lifetime that she dedicated to others. Whether as a community advocate, educator, or, most recently, as the Program Director for Life Haven—a temporary shelter for homeless, pregnant women and women with young children—Barbara was always there to provide a strong voice on behalf of children, families, and the community.

Barbara understood the importance of giving back to the community and utilizing your talents to make it a better place to live. In addition to her professional career, she dedicated much of her personal time to community service organizations where her efforts helped those most in need. The YWCA, NAACP, Connecticut Association for Human Services, and the Urban League of Greater New Haven are just a sample of the organizations with which she was involved. Through these organizations and others, her good work touched the lives of many.

It is with my thanks that I extend heart-felt condolences to her three sons, Joseph, Mark, and Frank, and the family of Barbara W. Winters as friends, colleagues, and community members gather to remember her lifetime of achievement. Barbara has left an indelible mark on our community and a legacy that is certain to inspire many.

## TRIBUTE TO THE FAYETTEVILLE-MANLIUS GIRLS' LACROSSE TEAM

### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. WALSH. Mr. Speaker, I rise today in tribute to the Fayetteville-Manlius Girls' Lacrosse Team, which recently won the Class A State Championship title.

This team reached the state tournament by defeating Liverpool High School in the Section III final. They then proceeded to win their regional game and their state semifinal game, landing them in the New York State Championship contest with Brighton High School. In the championship, Fayetteville-Manlius was victorious over Brighton by a score of 13–7, granting them the state title.

Tri-captains Courtney Farrell, Kristina Twichell, and Elisabeth Christie led team members Kristen Greiner, Leah Giffin, Kelly Taylor, Julie Ondrako, Kaitlin Englert, Mari Stefano, Meggie McNamara, Katie Deblois, Julie Papaleo, Casey Costello, Meghan Klepper, Kayla Woods, Courtney Mahar, Brenna Houghton, Katie Devaney, Kelsi Cleary-Hammarstedt, and Alex Johnston to the championship. Among these players were nine first team all league players, four all-tournament team players, three high school all-Americans, three all-CNY players and the all-CNY player of the year. Head coach, Kathy Taylor, and assistant coach, Sarah Averson, guided this highly successful team in all of their accomplishments.

I would like to express my congratulations to this championship team for their outstanding achievements and wish them the best of luck with their future endeavors.

## HUD GENERATED SECTION 8 CRISIS CONTINUES

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. FRANK of Massachusetts. Mr. Speaker, in April of this year, the Department of Housing and Urban Development promulgated new rules regarding the Section 8 program which have caused a great deal of distress throughout the country. Essentially, housing authorities throughout the United States were told by HUD in April that they were getting a retroactive reduction in their Section 8 funds for this fiscal year, and many were confronted with the choice of reducing rents to responsible landlords, terminating existing Section 8 contracts for tenants, raising rents on the lowest income people, and in other ways cutting back on this important program. As a result of the nationwide outcry, HUD did propose some measures to lessen the crisis, no doubt aided by the fact that HUD Secretary Jackson had to testify before the Financial Services Committee on May 20 and knew that he would be asked about this problem. It is now clear that the proposals that HUD made and announced on that day were somewhat helpful in some cases, but have left the crisis an ongoing one.

Paradoxically, while engendering cutbacks in this program—the largest single federal housing assistance program—the Administration has been claiming credit for a new initiative to combat homelessness. Conceptually, this initiative has a great deal to commend it, but any good it could do will be greatly outweighed by the damage being done by the Administration's Section 8 cuts.

On May 30, the Journal News of Westchester County, New York, ran an excellent editorial pointing out the great inconsistency in the Administration's approach here. Note that the date of this editorial is ten days after Secretary Jackson testified before the Financial Services Committee that he had resolved the problem—and proof that he has not in fact done so could be produced by dozens of other well-documented newspaper stories in various states. As the editorial notes, the Executive Director of the Yonkers Municipal Housing Authority "called the impact on Yonkers 'devastating'"—referring to the Administration's Section 8 approach.

Many of us want to work with the Administration in alleviating homelessness and welcome new approaches that bring resources together in a thoughtful way. But pretending that we can do this while cutting back on Section 8 is the worst form of putting style over substance, with devastating results on those people in the country who are truly trying to help the homeless, and others in need.

[From the Journal News, May 30, 2004]

HELP, NOT HINDER

President Bush's homelessness czar, Philip Mangano, brought a message to Westchester Tuesday: Create a 10-year plan to end homelessness. What does Mangano think Westchester has been trying to do for the last 20 years?

Here's a message for Mangano to take back to Washington: Help, not hinder. Stop cutting back federal dollars that assist local communities in providing housing that prevents homelessness.

Mangano met with County Executive Andrew Spano to outline the administration's vision of a partnership between counties, local municipalities, nonprofit groups, businesses and the homeless aimed at preventing people from losing their homes, providing services to those newly placed in housing and redirecting some of the money spent on emergency housing to permanent housing.

Sounds wonderful—and we've heard it before.

Apparently Mangano does not realize the strides Westchester has made since, say, 1990, when the county spent $40 million to house the homeless in motels, and when a

county-commissioned study set a goal of developing 5,000 affordable housing units. A recent update of the affordable-housing study showed how far Westchester still has to go.

We could use a little federal help here. As director of the Interagency Council on Homelessness, which coordinates 20 federal agencies, Mangano could provide it.

How about increasing, not decreasing, federal aid to the self-help groups and others around the county that buy and renovate abandoned apartment houses? And organizations that help people fallen on hard times to pay their rent and avoid eviction? How about restoring funds for the HOPE VI program that Yonkers and New Rochelle had hoped would assist in renovating older public-housing complexes? And how about reversing the latest federal cutback to the Housing Choice Voucher Program, better known as Section 8.

Spano's chief adviser, Susan Tolchin, rightly called Mangano on the Section 8 reductions. ''That has stopped our progress and our continued progress in helping fund permanent housing for homeless families,'' she said.

Indeed, cutting the Section 8 program by $1 billion nationally, which has frozen vouchers, is expected to cost the Yonkers Municipal Housing Authority $2.24 million; New Rochelle and its housing authority, $1.46 million; and Mount Vernon, $914,000. That's money that low- and moderate-income people could use to make up the rest of the rent after they paid 30 percent of their income in this high-rent county. Peter Smith, executive director of the YMHA, which administers about 1,750 vouchers and has a waiting list of 1,200, called the impact on Yonkers ''devastating.''

It isn't just homeless or low- and moderate-income people who have difficulty finding housing in a county where the median price of a single-family home was $545,900 at the end of 2003. Some police, fire, emergency medical and Civil Service personnel—all vital to municipal operations—are among those commuting longer because they can't afford to live in the communities in which they work.

The affordable-housing update issued in April called for providing more than 10,000 units of affordable housing by 2015. The county's Housing Opportunities Commission is charged with trying to make that possible.

Call it an 11-year plan. Call it an opportunity for Washington to help it succeed.

## AMBASSADOR C.J. CHEN'S RETURN TO TAIWAN

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor Ambassador C.J. Chen of the Republic of China. He is returning to Taiwan after serving as his country's chief representative in the United States for the last 4 years.

Ambassador Chen's record of distinguished public service to his nation spans more than 30 years.

The Republic of China has been one of our most important and loyal allies in the world.

Ambassador Chen has worked hard during the last 30 years to strengthen the political, economic and cultural ties that bind our two nations despite the lack of formal diplomatic relations between us and Taiwan.

Today Taiwan and the United States are friends, partners and allies.

Ambassador Chen began his first tour of duty in Washington, DC as a third secretary in the ROC Embassy in 1971. From 1980 to 1982, he was the director-general of the Department of North American Affairs, Ministry of Foreign Affairs in Taipei. In 1983, he began a 7-year stint as deputy representative at the Coordination Council for North American Affairs, Taiwan's ''diplomatic'' mission in Washington. In the 1990's he was deputy foreign minister and later foreign minister of the Republic of China.

Mr. Speaker, I am sorry that Ambassador Chen and his beautiful wife, Yolanda Ho, are leaving Washington to return to Taiwan.

During the last 4 years, Ambassador Chen and Yolanda have brought Taiwan closer to Washington, being gracious hosts at countless social events at Twin Oaks, a historic landmark which has made a lasting contribution to the maintenance of the traditional friendship between Taiwan and the United States and to the promotion of cultural ties between Taiwan and the U.S.

We are grateful for the time Ambassador Chen and Yolanda could spend here, but we look forward to seeing them again.

And we know both the Ambassador and Yolanda will continue to make contributions to the betterment of relations between Taiwan and the U.S.

They will be in the forefront of the continuing political and economic development of Taiwan, just as they have been here for the last 30 years.

## ART THERAPY FOR OLDER ADULTS

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. SLAUGHTER. Mr. Speaker, I rise today to emphasize the importance of art therapy, especially in treating older adults. In my work as co-chair of the Congressional Arts Caucus, I have long emphasized the therapeutic benefits of the arts. Art therapy is a profession that serves people of all ages with a means of expressing emotion and coping with life issues. Emotions are often difficult to convey in words and an artistic avenue can serve as an effective way to communicate inner thoughts and feelings.

The elderly in particular face many emotional difficulties including loss, isolation, disability, dependency, and concerns about healthcare and treatment. Gerontology studies have shown that engaging the elderly in artistic activity may improve health and quality of life by decreasing the incidence of depression, anxiety, medical visits and related medications.

In addition to the emotional gain and sense of dignity and self-esteem achieved, the elderly can benefit from art therapy in clinical ways. In seniors who suffer from memory loss or cognitive impairments caused by Alzheimer's disease and stroke, levels of function can be maintained and improved. One woman who worked with an art therapist was able to remember and depict aspects of her life that she could not communicate verbally. Others who have difficulty concentrating due to dementia and disorientation show improved attention through the creative process. Cognitive stimulation and social interaction contributes to alertness and orientation. Art therapy therefore has many implications for health maintenance and cost-containment for the elderly.

Art therapists are master's level mental health practitioners, specially trained to combine psychology and psychotherapy with the visual arts. They work with older adults in hospitals, psychiatric, rehabilitation, community and wellness facilities, nursing homes, residential living communities, as well as in private practices and environments for younger clients. The American Art Therapy Association, founded in 1969, establishes national standards for education and clinical practice.

This week, the American Art Therapy Association is hosting an exhibit here on Capitol Hill called, Creative Aging: Beyond Words. This event will display artwork by older adults in art therapy programs from across the United States. The exhibit highlights the ways art therapy contributes to meeting and managing the challenges of later life, and cultivating the strengths of elders. Paintings, drawings and sculptures eloquently convey the multitude of problems confronting elders, and the wisdom of those who have lived full lives. The artists were guided by trained clinicians in the exploration of themes and content for enhanced understanding of personal issues, improved outlook and quality of life.

Art-therapy remains under-recognized as a viable treatment. Many older Americans are unable to access such services due to lack of awareness, insurance coverage and insufficient employment of art therapists. I encourage my colleagues in Congress to recognize and support the profession of art therapy and to broaden conventional thinking about services to elders.

## HONORING FATHER ENRIQUE MENDEZ NORMA ON HIS 80TH BIRTHDAY

### HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise to honor a great man of our community, Father Enrique Mendez Norma who will be turning 80 this Friday.

Father Mendez was born in Santiago de Cuba on June 18, 1924, and spent the early part of his educational life at ''Hermanos de La Salle.'' He received his secondary education at ''El Colegio Dolores,'' a Jesuit institution in his hometown, and graduated with a degree in Arts and Sciences. On July 3, 1940, just after his 16th birthday, he enrolled in the Salesian seminary at Guanabacoa. Shortly thereafter, he was sent to Central America to complete his novitiate, marking the beginning of a brilliant career as an educator. Four years later he was transferred to the San Julian School in Güines, where he taught as a cleric from 1945 to 1947. Following yet another move to Aptos, California, where Father Mendez initiated his theological studies, he then relocated to Turin, Italy in 1951 and was ordained a priest on July 1, 1952. Later that year, he returned to Cuba and received a doctorate in Pedagogical Studies from the University of Havana.

After a short stay at the San Juan Bosco School in La Vibora, he returned to Güines in 1955 to take the reigns as director of the Salesian San Julian School, where he had previously spent time as a seminarian. In 1959, he was officially named ''Adopted Son'' of his resident town and continued his impressive educational career in 1960 by receiving a doctorate degree in Arts and Philosophy from the University of Santo Tomás de Villanueva. He remained in Güines until May 1961, when Cuba's private educational institutions fell under the dictatorship's control and he was forced into exile.

From there, Father Mendez moved to Puerto Rico, becoming director of the San Juan Bosco School from 1963 to 1969. Later in 1969, he received a Master's in Education from the University of Puerto Rico, where he was subsequently hired as faculty in the university's Humanities Department. In 1970, Father Mendez held a similar position as professor of humanities at the University of the Sacred Heart in Santurce, and in 1972 he received another Master's Degree in Hispanic Studies from the University of Puerto Rico. In June of 2000, he was recognized by the House of Representatives of Puerto Rico for having been designated by the University of the Sacred Heart as Professor Emeritus of that institution.

Since 1963, Father Mendez has served as Spiritual Director and Chaplain of the American Military Academy and has held the same title for the Circulo Cubano de Puerto Rico since 1970. Over the course of his long and decorated professional and clerical career, Father Mendez has impacted the lives of countless young men and women who have attempted to live by the principles and values he has always preached. As a result, Father Mendez has gained the respect, admiration, and gratitude of all those who have had the good fortune of learning from him.

From all the people you have touched by your kindness and example, Father Mendez, happy 80th birthday.

## HONORING SISTER PATRICIA FISCHER, O.P.

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. KILDEE. Mr. Speaker, I rise before you today to recognize a woman of God, Sister Patricia Fischer, O.P. for her outstanding contributions in the field of education and religion.

Sister Patricia was born in Adrian, Michigan. She attended St. Joseph Catholic Elementary School, and graduated from Adrian Catholic Central High School. She received her Bachelor of Administration degree from Sienna Heights University in Adrian, and her Masters degree in Educational Leadership from Wayne State University, Detroit. Sister Patricia also holds several certificates of completion for courses in Theology, Scripture, and Spirituality.

Sister Patricia, as a member of the Adrian Dominican Sisters took her first profession of vows on December 29, 1961 under the religious name of Sister Janice Ann. Her final profession was made on December 29, 1966. In 1969 she resumed her baptismal name of Patricia Ann Fischer. Sister Patricia's educational ministry began in Illinois. She held the position of teacher at St. Joseph School, Homewood, St. Lawrence School, and St. Carthage School of Chicago, and the Infant Jesus of Prague School, Flossmoor. Upon her reassignment to Michigan she accepted a position teaching at St. Leo School in Detroit. In 1975, she began a 29-year tenure as principal of St. John the Evangelist School in Fenton. Upon stepping down from her position as principal, Sister Patricia will return to the Motherhouse as an administrator. Sister Patricia has received numerous awards for her invaluable service and dedication to the community. She was honored by the Knights of Columbus, St. John the Evangelist Parish, St. John the Evangelist School, and the Principals Academy of Washington, DC. In addition to her position as principal of St. John Evangelist School, she sits on the Board of Admissions for the Adrian Dominican Sisters, on the board of St. Joseph Academy in Adrian, and serves as Co-Chair for the Diocese of Lansing Diocesan Services Appeal. Sister Patricia is also a St. John Evangelist RENEW Leader (Faith Formation), as well as a member of several St. John the Evangelist Parish committees, and she is a member of the Diocese of Lansing School Accreditation Teams. Sister Patricia is without a doubt a counselor, spiritual advisor and a friend to many. Our community is certainly a better place because of her presence.

I know Sister Pat would want me to point out that the love, prayers and support of her family has greatly contributed to her overall success. She has three sisters, Nancy Cochran, Janice Mann, and Martha Sue Marquis. She has several aunts including her mother's sister, Sister Clarine, S.S.N.D. and eight nieces and nephews.

Mr. Speaker, as a Member of Congress, I ask my colleagues in the 108th Congress to please join me in paying tribute and congratulating Sister Patricia Fischer upon her retirement from the Catholic School System. Sister Pat has inspired many in the field of education. She has and continues to serve the Lord with the greatest devotion. I pray that the Lord will continue to bless Sister Patricia as she carries on her quest to spread the word of God to all.

## COMMENDING MS. HAUWA IBRAHIM

### HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. WOLF. Mr. Speaker, I would like to pay tribute to a brave human rights leader on the world stage, Ms. Hauwa Ibrahim. On June 17, Ms. Ibrahim will be honored by the Tahirih Justice Center during its Seventh Annual Banquet. Ms. Ibrahim, who has exerted extraordinary efforts to protect and promote the rights of women under Sharia law, is an inspiration and it is my pleasure to pay special tribute to this extraordinary woman.

Ms. Ibrahim resides in Nigeria and is a senior partner in the general law practice of the ARIES law firm and is also the legal aid counsel. She has been a defense counsel to over 40 Sharia-related cases that she has undertaken on a pro bono basis. Ms. Ibrahim serves as a consultant relating to the application of Sharia law to many international and non-governmental organizations including the United Nations Development Program, Lawyers Without Borders, and the European Union Commission on Nigeria.

In addition, since 1999, Ms. Ibrahim has led a team of defense lawyers in addressing issues corresponding to the implementation of Sharia law. She is best known in this country for being the lead counsel for Amina Lawal, the Nigerian woman who was spared death by stoning for having a child out of wedlock.

At the Tahirih Justice Center Banquet, ''A Woman's Life, A Child's Future: A World of Possibilities,'' Ms. Ibrahim will be honored with the Pushing the Envelope award. The Tahirih Justice Center, a Virginia-based organization, is one of the nation's foremost pro bono legal advocacy organizations for women and girls fleeing human rights abuses. Since opening its doors in 1997, Tahirih has assisted over 4,000 women and girls fleeing horrific abuse throughout the world. Tahirih works to transform policies, develop regulations, and establish precedent so that systemic change will ensure the long-term protection of women and girls from violence. I commend their work to protect and promote justice for women and girls worldwide.

Mr. Speaker, Ms. Ibrahim is a leader in women's rights and I ask my colleagues to join in praise of Ms. Ibrahim's commitment and hard work.

## PAYING TRIBUTE TO ELEVENTH ANNUAL KEYSTONE CENTER AWARD WINNERS

### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. TANCREDO. Mr. Speaker, it is my extreme pleasure and privilege to take this opportunity to pay tribute to Ralph R. Peterson, for being awarded the Leadership in Industry Award, and Daniel L. Ritchie, who received the Leadership in Education Award, at this year's Eleventh Annual Keystone Center Awards Dinner.

Honorees are individuals selected for their leadership, commendable problem solving skills, and their efforts to seek consensus-based solutions to some of the most difficult challenges facing society. The honorees have also been recognized by their peers for outstanding achievement in their respective fields and have contributed to society in ways that demonstrate the Keystone Center philosophy.

Ralph R. Peterson is currently the Chairman and CEO of CH2M Hill, a global engineering and consulting firm. Mr. Peterson oversees over 160 offices in six countries worldwide. CH2M Hill has consistently topped ''Best Places to Work'' articles from various media outlets and is constantly being praised for the contributions made to the surrounding communities.

Daniel L. Ritchie contributions to the University of Denver have been both in the form of monetary donations, his knowledge and his time. Mr. Ritchie serves as the Chancellor, without pay, for the University of Denver. During his tenure with the University, Chancellor

Ritchie has played a key role in raising the university over $350 million for renovation projects to improve the campus and provide more scholarships to students.

I am honored to acknowledge these achievements by two worthy individuals from my home state; their contributions have an enormous impact on many in Colorado.

## COMMENDING THE HONORABLE DR. WILLIAM E. ''BILL'' WARD

### HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. FORBES. Mr. Speaker, I rise today to thank a true public servant, Dr. William E. ''Bill'' Ward who has given over 25 years of faithful service to the City of Chesapeake and her residents.

Mayor Ward and the City of Chesapeake have a long history together. Having resided in Chesapeake with his wife Rose since its incorporation in 1963, Mayor Ward has been instrumental in helping to shape and form one of our Nation's largest cities.

Mayor Ward has been serving his community in a variety of capacities for many decades. Those who know him best know that he is first and foremost an educator. Mayor Ward is Professor Emeritus and former Chair of the History Department at Norfolk State University, where he taught from 1973 to July of 2000. In addition, he serves on the Board of Visitors at his alma mater, Virginia State University in Petersburg, Virginia.

Mayor Ward's love of government and service eventually led him into public life in 1978 and he has faithfully served since that date. From 1978–1984, he served as a member of the Chesapeake City Council and served as Vice Mayor from 1984–1990. Mayor Ward is the longest serving Mayor in Chesapeake's history having served in that capacity since October 4, 1990.

During his tenure on the Chesapeake City Council , the city grew from 100,000 people to more than 210,000. Through a time of great change, Mayor Ward provided continuity of both leadership and direction.

In closing, I would be remiss if I did not recognize the Mayor's wife Rose and their children Michael and Michelle and thank them for their support and sacrifices over the years. The Ward family will continue to be among the most well-respected and much-loved members of the Chesapeake community.

Mr. Speaker, please join me in honoring Mayor Ward, for his years of dedication to Chesapeake and for his selfless service to her citizens.

## PAYING TRIBUTE TO LANCE CORPORAL BENJAMIN RIGOBERTO GONZALEZ

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. SOLIS. Mr. Speaker I rise to pay tribute to Lance Corporal Benjamin Rigoberto Gonzalez, U.S. Marine Corps, a member of the E Company, 2nd Battalion, 4th Marine Regiment, 1st Marine Division, deployed from Camp Pendleton, California. Lance Corporal Gonzalez died as a result of wounds suffered while engaged in combat operations during Operation Iraqi Freedom on May 29, 2004.

Lance Corporal Gonzalez was from my hometown of El Monte. He was born on April 25, 1981, in Montebello, California. He received a public school education and attended Monterey High School, where he played football and participated in the school's drama and music programs.

For love of our country, Lance Corporal Gonzalez joined the U.S. Marine Corps at the tender age of 19 on October 10, 2000. He served the country with courage, pride and loyalty.

Lance Corporal Gonzalez' future was bright and filled with promise. Upon his return, he planned to marry Anna Isabel Martinez, his fiancée, and start a family. Lance Corporal Gonzalez was an active youth leader at the Iglesia Cristiana del Este de Los Angeles. Lance Corporal Gonzalez's life and love is treasured and fondly remembered by countless friends and loved ones.

Lance Corporal Benjamin Rigoberto Gonzalez is survived by his brothers: Samuel, Christopher, Andres, Josue, and sisters Betsy, Stephanie, Elizabeth, Juliana, Mia as well as his parents, aunts, uncles and cousins who were deeply touched by his kind heart and gentle strength.

## CONGRATULATING JERRY DOUGLAS ON HIS SELECTION AS A 2004 NEA NATIONAL HERITAGE FELLOW

### HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. COOPER. Mr. Speaker, every year, the National Endowment for the Arts honors an elite group of master folk and traditional artists for their lifetime contributions to the Nation's musical and artistic heritage. The prestigious National Heritage Fellowships, awarded by the NEA, honor artists not only for their artistic excellence but for their commitment to passing on their skills and cultural traditions to a new generation.

I am especially proud that one of this year's winners hails from the Fifth District of Tennessee. Mr. Jerry Douglas, of Nashville, is a peerless player of the steel guitar, the ''Dobro's® matchless contemporary master,'' according to the New York Times. He is a musical innovator often compared to Jimi Hendrix and Charlie Parker, having garnered eight Grammy Awards among his myriad accolades. He is in fact one of the few artists to have a special model of the Dobro® named in his honor.

Mr. Douglas learned music at an early age, first as a singer and a player of the mandolin and guitar. But he says that once he discovered the Dobro®, ''I stopped singing because it was like I'd found another way to have a voice.'' Since finding that voice, Mr. Douglas has influenced all forms of American music, including bluegrass, country, rock, jazz, and blues. He has taken the Dobro® from its Southern rural roots into Celtic and even classical music, adapting his instrument to embrace all styles.

This prolific career has yielded Mr. Douglas more than 1,000 recordings. He has worked in the company of a diverse array of well-known artists, including Garth Brooks, Paul Simon, James Taylor, Reba McEntire, and the late Ray Charles. He is acclaimed by fellow musician Alison Krauss as ''the greatest Dobro® player the world has ever known'' and by Life Magazine as one of the top ten best country musicians of all time.

I am honored to recognize Mr. Douglas for his achievements and contributions to American music and congratulate him on his recognition by the NEA. It is thanks to artists such as Mr. Douglas that Nashville continues to be proudly known as Music City, USA.

## IMMIGRATION REFORM

### HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. ROSS. Mr. Speaker, I want to express the need for discussion on true immigration reform.

With over eight million illegal immigrants in the U.S., and approximately half a million more entering the U.S. annually, it is now time for Congress to be diligent in trying to truly engage in discussion on how we can effectively manage immigration here in the U.S.

I do not support illegal immigration. I also do not support amnesty for undocumented immigrants. Individuals who violate America's laws should not be rewarded for illegal behavior, and I believe amnesty perpetuates illegal immigration. The fact that there are eight million undocumented immigrants estimated to live in the U.S. illustrates alone that previous amnesty programs have not worked.

I am seeing the effects of immigration with regards to healthcare and our hospitals. This burden is not a problem because of illegal immigration alone. Legal immigrants are working citizens, but many do not have benefits such as health insurance. They are forced to ignore health problems until they're magnified and eventually forced to seek care in emergency rooms. Unfortunately, these costs often must be absorbed by hospitals, taxpayers and private insurance policy holders through higher premiums.

We are appropriating funds to deal with issues such as these in the short-term, but we also have to start having discussions on long-term solutions to legal and illegal immigration. Being uninsured is only part of the problem.

We must not lose sight of the significant role immigration has played in the development of the United States. We must be wise as we move into unchartered waters regarding new immigration policies. We must look for ways to construct positive steps that will ultimately lead to a better life for everyone.

## PERSONAL EXPLANATION

### HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. OSE. Mr Speaker, on Tuesday and Wednesday, June 8 and June 9, 2004, I

missed rollcall votes 229, 230, and 231, for family reasons. Had I been here, I would have voted ''aye'' on rollcall 229; ''aye'' on rollcall 230; and ''aye'' on rollcall 231. I request that my comments be placed in the CONGRESSIONAL RECORD at the appropriate section.

## INTRODUCING THE TAX INCENTIVES TO ENCOURAGE RECYCLING (TIER) ACT

### HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce the Tax Incentives to Encourage Recycling (TIER) Act, legislation to address the problem of electronic waste in this country.

Electronic waste is a growing problem. Computer capability doubles every 18 months. This means that individual consumers and businesses must replace their computer equipment more often now than ever.

In 2000, I introduced legislation that has since become law to refurbish old computers for libraries and classrooms. However, often times the donated equipment is too outdated to be refurbished and must be thrown away. This equipment has small amounts of mercury and lead and increasing quantities of it end up in our landfills.

To address this growing problem, some states, including my home state of California, have introduced laws mandating user fees. These hidden taxes only serve to further widen the digital divide. By increasing the cost, more people will be unable to afford computers for their homes. This is unacceptable. As elected representatives, we should be working to increase access to computers and the internet, not putting them further out of reach for many Americans.

My legislation, the TIER Act, addresses the problem of e-waste by giving tax credits to computer manufactures that implement recycling programs. The primary expense in computer recycling is the transport of the equipment from a home or business to the recycling center. This legislation will provide the incentive to facilitate the transport of the old equipment to a recycling center.

I would like to thank my colleague, Mr. CANTOR, for cosponsoring this important legislation. By providing incentives for recycling, we can keep the costs of computers reasonable and protect our environment.

## RECOGNIZING ROB AND SHERRI VINES

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. SOLIS. Mr. Speaker, I rise to recognize Rob and Sherri Vines for their life-long contributions to the Congregation Emanu El and the Inland Empire community of Southern California.

Rob and Sherri Vines have been active and loyal members of their congregation for over 30 years. Exemplifying the best in humanitarian leadership, they continue to earn respect and admiration from people of all walks of life. Mrs. Vines serves the congregation in numerous capacities, including teaching at the School of Jewish Living and serving three terms as Sisterhood President in the Inland Empire. She is also a member of the congregation's executive committee of community service, having coordinated numerous events for San Bernardino County residents.

Robert Vines, a workers' compensation attorney, has been a member of the California State Bar since 1973, serving as the Deputy District Attorney for San Bernardino County from 1973–1975. In addition, he proudly serves as President of the United Jewish Welfare Fund of San Bernardino County. He is President of the Greater Inland Empire's Applicants' Attorney Association. He also serves in various offices with the Board of Governors of the California Applicants' Attorney Association. Mr. Vines has earned countywide recognition as one of the top ten attorneys in the Inland Empire.

Rob and Sherri Vines received the Rabbi Norman F. Feldheym Award as a testament to all the hard work, love and energy they have exemplified throughout their lives. This award memorializes Rabbi Feldheym's values of unconditional love and loyalty to one's synagogue, service to the community, and a character imbued with humility and loving kindness to others.

I salute Rob and Sherri Vines on the occasion of being awarded the Rabbi Norman F. Feldheym Award and wish them continued success and prosperity.

## CONGRATULATING MISS OLIVIA EVANS UPON RECEIVING THE SPIRIT OF WOMEN FOUNDATION'S REGIONAL SPIRIT OF WOMEN AWARD

### HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. COOPER. Mr. Speaker, I'd like to take a few moments today to recognize an extraordinary young woman from Nashville, Olivia Evans.

Olivia is 13 years old and was diagnosed with juvenile diabetes three years ago. Rather than allowing this disease to defeat her, Olivia has become a tireless advocate for diabetes research and the search for a cure. I first met Olivia in my Nashville office this spring and was impressed from the start by both her courage and charisma.

I am proud to say that her advocacy has also recently won her wider recognition. Olivia was just named the winner of the Spirit of Women Foundation's regional youth Spirit of Women Award for her work on behalf of the Juvenile Diabetes Research Foundation. This award is generally reserved for young women aged 14 and older, which makes Olivia's achievement all the more remarkable. In addition, Olivia was one of only two Tennessee delegates to the 2003 Juvenile Diabetes Research Foundation Children's Congress, which came to Washington to raise awareness about diabetes research among national policymakers.

Type I diabetes currently afflicts 1.3 million Americans, and there are 13,000 new diagnoses of juvenile diabetes every year. Olivia is fighting hard to educate all of us on the importance of funding research and finding a cure. The sooner we find a solution, the sooner we can ensure that Olivia will grow to lead a life that is unburdened by the complications of diabetes.

I applaud the Spirit of Women Foundation for recognizing this remarkable young woman, and I congratulate Olivia on her achievement. I call on my colleagues to further honor Olivia and the thousands of American children like her who live with diabetes by supporting all efforts to find a cure now.

## IN MEMORY OF SGT. 1ST CLASS TROY ''LEON'' MIRANDA

### HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. ROSS. Mr. Speaker I rise today to honor Sgt. First Class Troy ''Leon'' Miranda, who died on May 20, 2004, in Iraq. Leon was 44 years old and of Wickes, AR, part of my Congressional District. I wish to recognize his life and achievements.

Those who knew Leon well say he was destined to be a soldier from an early age. He signed on with the Army Reserve in 1984. In Iraq, a staff sergeant in the National Guard, he served as a commander of his unit, specializing in combat warfare, germ warfare, and chemical warfare. Leon was deployed last October in large part due to his specialized training.

The Miranda family received a Bronze Star, Purple Heart, and Arkansas Distinguished Service Medal on Leon's behalf. Leon lost his life while making the ultimate sacrifice to serve our country, and I will be forever grateful to him for his courageous spirit.

Leon gave his life to serve our country and will forever be remembered as a brother, son, hero, and friend. My deepest condolences go out to his parents, Bobby and Carlos, and his brother, Phillip. I know Leon was proud of his service to the U.S. Army and to our country. He will be missed by his family, fellow soldiers, and all those who knew him well.

## AMADOR COUNTY 150TH ANNIVERSARY

### HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. OSE. Mr. Speaker, I rise today to recognize and commemorate the 150th birthday of Amador County. June 14, 2004 marks the Sesquicentennial Anniversary of the incorporation of a county rich in history and culture.

This land named Amador was once home to Miwuk and possibly other Native American tribes. In time, non-Indian trappers and explorers traversed this land, ushering in a new era. As early as 1843, hired hands for John Sutter worked the land then known as Pine Woods, to manufacture items needed at Sutter's Fort. Later, families of the hired hands came to settle. After gold was discovered in January 1848, the area was flooded with gold seekers.

Many small mining settlements sprung up along the area's streams and became the foundation of today's historic towns.

Resting firmly in the middle of two different jurisdictions, the communities of Amador were divided between Calaveras County and El Dorado County. Citizens became dissatisfied with the lack of a true identity, and organized a community to be separate and independent from both counties. Thus, just four short years after California officially became a state, electors voted to form the County of Amador.

The County has grown to include over 18 cities and communities, yet still maintains it's small-town atmosphere. Boasting of areas known as California's Hidden Nugget and The Heart of the Mother Lode, Amador County has been diligent to preserve the past, enrich the present and build towards the Future.

I am honored to commemorate this epic year in the history of the County. This Sesquicentennial Anniversary marks 150 years of pioneering a quality environment for generations of citizens. Please join me in celebrating the Sesquicentennial Anniversary of Amador County.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. CUNNINGHAM. Mr. Speaker, I rise to honor and mourn the passing of one of the greatest Presidents in American history—Ronald Wilson Reagan. This leader was a man of clear vision, principle and conviction, a great communicator, and an individual who had perhaps one of the greatest influences on my life.

An eternal optimist with a can-do spirit, President Reagan once said in my hometown of San Diego: "You know, the United States was never meant to be a second-best nation. We set our sights on the stars, and we're going for the gold."

He also believed that this forward-looking superpower Nation could transform the global picture.

He came to the job armed with one underlying philosophy: Freedom. Freedom for the economy, for individuals, our Nation, and people around the globe.

Ronald Reagan brought our economy back to life. It was his policies that ultimately put Congress on a course to the fiscal discipline that spurred a balanced budget and economic growth.

President Reagan followed through on his pledge to restore our military, and he brought back the pride associated with serving this Nation.

Despite the rhetoric and good intentions of those on the other side of the political spectrum, it was Ronald Reagan who actually initiated the disarmament of whole classes of nuclear weapons. Perhaps his greatest legacy will be that of bringing an end to the cold war. Staring down repressive governments and challenging them to a new way of life, he brought freedom to millions of people around the globe.

Using old Navy terms to describe his first term, President Reagan once said, "We've taken control of the ship of state and changed direction. And what are we going to do now? Well the way I see it, it's all ahead full, no turning back."

For his imprint on history, for his legacy which will be felt for generations to come, this Nation owes President Reagan a debt of gratitude.

I am pleased that one of the President's many legacies is the Navy's newest nuclear carrier, the USS *Ronald Reagan*. That ship recently set sail from Norfolk for its rightful home in San Diego.

Throughout his political career, President Reagan always concluded his campaign in San Diego. He called it his "lucky City." It is only fitting that our shining city on the hill, San Diego, will be called home to the USS *Reagan*. This ship is perhaps the most fitting tribute to Ronald Reagan's legacy of strength and security, to the imprint he had on our past and the promise that we hold for the future.

We anxiously await the arrival of the *Reagan*, and welcoming it to the lucky city. The way I see it, it's all ahead full, no turning back.

## RECOGNIZING THE CONTRIBUTIONS OF FERNANDO OAXACA

### HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. SOLIS. Mr. Speaker, I rise today with great admiration and pride to honor a very special man, Fernando Oaxaca, former businessman, government official, political activist and founding director of HispanicVista.com.

Fernando Oaxaca passed away on Friday, May 28, 2004, after making invaluable contributions to the Latino community and realizing a long list of accomplishments. He earned a degree in electrical engineering in 1950 at the Texas College of Mines and Metallurgy presently known as the University of Texas El Paso (UTEP). His work in the aerospace industry paved the way for other Latinos to have opportunities in the aerospace industry in the 1960s.

Fernando Oaxaca was a pioneer in broadcasting and co-founder of Coronado Communications, one of the first public relations firms in California to specialize in the Latino market. In 1967, he became one of the original founding members of the Republican National Hispanic Assembly.

Throughout his career, Fernando Oaxaca has served as a consultant and advisor to many organizations. His passion and strong convictions led him to become the Chairman of the Mexican American Opportunity Foundation (MAOF). His weekly column "Oaxaca Journal," published in HispanicVista.com inspired many and conveyed the values and principles of our country and its democracy.

Mr. Speaker, I hope our colleagues will join me in paying tribute to the late Fernando Oaxaca, for his selfless and untiring efforts on behalf of the Latino community.

## BACK TO WORK INCENTIVE ACT OF 2003

SPEECH OF

### HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 3, 2004*

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to today's ill-conceived bill.

Today, we should be creating jobs to replace the more than 2 million that have been lost the last three years. 38,000 private sector jobs and 43,000 manufacturing jobs have been lost in Minnesota alone since January 2001. This bill does nothing to replace them.

We should be investing in our Nation's existing workforce training infrastructure. Last year, the Dakota County Workforce Council in my district helped over 1,000 dislocated workers and their resource rooms served nearly 40,000 individuals. Even more people could have received job training assistance with adequate funding for our One-Stops.

Instead, the Republican leadership's bill gives unemployed workers a voucher—up to $3,000—instead of the job training they need and deserve.

This bill ignores the real problems facing our working families.

I have heard from Minnesota's workforce professionals who are worried that without new money, job training funds will be diverted under this plan, reducing funding for proven, successful job training programs offered by workforce training centers in my district.

Congress needs to help the unemployed now, not start new, unproven programs.

We should be extending unemployment benefits for the 1.5 million workers who have exhausted their current benefits, including over 26,000 Minnesotans who lost their benefits because Congress failed to act in December.

Workers in my district aren't asking for new employment vouchers. They are asking for jobs.

We are passing a bill that creates no new jobs while limiting worker access to existing training services. These vouchers undermine benefits for the long-term unemployed who can already access job training services.

I urge my colleagues to vote no.

## MOURN THE LOSS, RECOGNIZE THE SACRIFICE, AND ULTIMATELY, CELEBRATE THE LIVES OF THREE AMERICAN HEROES

### HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. HOOLEY of Oregon. Mr. Speaker, today I rise to mourn the loss, recognize the sacrifice, and ultimately, celebrate the lives of three American heroes.

These three men, Lt. Erik McCrae, Sergeant Justin Eyerly, and Specialist Justin Linden, were ours. To Oregonians, they were—they remain—a part of us.

They chose to answer the call of their nation. Each of them understood the sacred duty of military service—they knew the special bond formed by soldiers under arms—and they died fulfilling that duty with honor.

Today, tomorrow, and the days that follow—we are and will be less without them. Unfortunately, their loss means that our community will never reach the potential it once could have.

As we have proven countless times, Oregon and the Nation will go on and we will succeed. But we will never forget their sacrifice. Their investment was, is, and will remain—invaluable.

These brave men died because they selflessly chose to charge into harms way to aid strangers in a foreign land that are struggling for freedom. Erik, Justin, and Justin entered combat with full knowledge that their act of duty might well require the last full measure—but they did it anyway.

Although our hearts are filled with anger, frustration, and pain—we must try and remember that these young men lived and died for love: for love of their family, for love of their community, for love of their country, and for love of freedom.

We must turn this loss into something worthy of their sacrifice; we must each find ways every day to remember Lt. Erik McCrae, Sergeant Justin Eyerly, and Specialist Justin Linden, and the sacrifice they made in the name of freedom, so that they will never be forgotten.

## SUPPORT FOR AMERICA'S DEMOCRATIC ALLY ISRAEL

### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. BURTON of Indiana. Mr. Speaker, since its establishment 55 years ago, Israel has built a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life despite the heavy costs of six wars, unrelenting terrorism, frequent international ostracism, and economic boycotts. The people of Israel have established a vibrant and functioning pluralistic and democratic political system that guarantees the freedoms of speech and of the press, free, fair, and open elections, and respect for the rule of law. For over half a century, the United States and Israel have maintained a special relationship based on mutually shared democratic values, common strategic interests, and moral bonds of friendship and mutual respect; most importantly, the people of the United States have an affinity for the people of Israel, and regard Israel as a strong and trusted ally and an important strategic partner.

Because of the confluence of energy, money, weapons and ideology, stability in the Middle East is crucial to America's security and success in the global war on terror. Israel, with its technological capabilities and shared system of values, has a key role to play as the most vital U.S. ally in the region. Strengthening the U.S.-Israel strategic cooperation has been at the heart of the Jewish Institute for National Security Affairs (JINSA) mission since its inception in 1976. Founded as a result of the lessons learned from the 1973 Yom Kippur War, JINSA communicates with the national security establishment and the general public to explain the role Israel can and does play in bolstering American interests, as well as the link between American defense policy and the security of Israel. Over the years, JINSA has achieved a well-deserved reputation as a credible and independent resource.

I recently met with my good friend Tom Neumann, JINSA's Executive Director, regarding the current situation in the Middle East, particularly Israeli Prime Minister Ariel Sharon's controversial plan to withdraw Israeli troops from the Gaza Strip. During that meeting, Tom presented me with a copy of a JINSA Board of Directors' Resolution stressing the importance of American support for the right of the duly-elected Government of Israel to make those decisions independently and not be pressured by friendly or unfriendly governments. As the Resolution says, "the first obligation and chief priority of every sovereign government is to defend and protect its own citizens and territory; and the government of Israel, no less than that of the United States, acts upon that right."

I would like to have the text of this Resolution placed into the CONGRESSIONAL RECORD following my statement, and I urge my colleagues to read it in its entirety.

SUPPORT FOR AMERICA'S DEMOCRATIC ALLIES IN THEIR INTERNAL DECISION-MAKING PROCESSES

Resolution of the Board of Directors of JINSA

June 6, 2004.

Whereas JINSA is an American non-profit association concerned with American defense policy and the relationship between the United States and our democratic allies, and Israel is one of those allies;

Whereas the first obligation and chief priority of every sovereign government is to defend and protect its own citizens and territory; and the government of Israel, no less than that of the United States, acts upon that right;

Whereas this right cannot be subjugated to demands of foreign governments or entities, irrespective of a country's "best friend" or most important trading partners; [In the case of Israel, these would be the United States and the European Union, respectively.]

Whereas the chief priority of "The Quartet" [the US, the UN, the EU and Russia] is movement on the Road Map toward the establishment of Israeli-Palestinian peace through a negotiated two-state settlement, and any unilateral action by Israel might thus be considered interference with the Road Map process, or more broadly with the "peace process";

Whereas in the view of the Prime Minister of Israel there is no Palestinian partner for steps in the Road Map and instead of waiting for the Palestinians to produce one, he has chosen to make unilateral decisions about how Israel can best protect its citizens during the current war. There is in this an implicit threat that if Israel takes enough unilateral actions, the Palestinians might find themselves with nothing left to decide;

Whereas President Bush officially welcomed Prime Minister Sharon's Gaza disengagement plan and reiterated the United States' "steadfast commitment to Israel's security, including secure, defensible borders;" and President Bush specifically recognized the reality of Jews residing east of the 1948 armistice line and rejected the claims of Palestinians of a right to settle in Israel;

And whereas Israel, being a democracy, has engaged both in an intense national and governmental debate about the parameters of the Prime Minister's plan; Therefore,

The Board of Directors of JINSA resolves to commend President Bush for his clear and forthright commitment (1) to the legitimacy of Israel as a Jewish state, (2) to the right of Israel to defensible borders, and (3) to a peaceful settlement between Israel and the Palestinians subject to the Palestinians making good their previous security and other commitments;

The Board specifically commends the President's recognition of Israel's right to determine for itself what actions are required to ensure the future safety and security of its people.

The Board strongly hopes that the nature of this recognition is all-encompassing and not just limited to decisions Israel might make with which the United States is in agreement.

Even if JINSA does not agree with some elements of any proposed plan, the Board further resolves to support the right of the duly elected Government of Israel to make those decisions and not be pressured by friendly or unfriendly governments,

The Board strongly believes the President and the American people should be encouraged to tell Israel, our ally in the war against terrorists and the swamps that breed them, that we will stand with it as its government determines what steps are necessary to defend and protect it—as we ourselves have done.

The Board further urges the other members of the Road Map "Quartet," to recognize the right of a democratic country to determine without outside pressure what actions serve the goals of its security and meaningful progress towards peace.

The Board urges Congress to make a similar declaration without reservation.

## RECOGNIZING THE 150TH ANNIVERSARY OF THE CITY OF MOUND CITY, IL

### HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. COSTELLO. Mr. Speaker, today I'd like my colleagues to join me in honoring the sesquicentennial of one of the oldest communities in southern Illinois, Mound City.

In its earliest days, Mound City was known as the "Mounds" because of prehistoric Indian mounds found there. Mound City already had a small settlement located there because of its strategic location as a river trading center and was also well known for its safe harbor and steep river banks.

The original Mound City was platted in 1854. In 1855, the Emporium Real Estate and Manufacturing Company, based in Cincinnati, OH, was organized solely for the purpose of building a community in Southern Illinois on the banks of the Ohio River. The company received $1.5 million from stock sales and secretly purchased a large section of land adjacent to the newly platted Mound City. The company named the development Emporium City.

The financial backers of the Emporium Real Estate Company had big hopes for Emporium City. At one time, plans even called for a new U.S. Capitol to be located in the new town. The company built a hotel, several warehouses, a foundry, homes and a shipyard, but went bankrupt in 1857 and the two communities merged into Mound City.

The shipyard or the Marine Ways played a key role in the further development of Mound City. The wheels and machinery for the boats

constructed at the facility were molded at the Mound City Foundry. At the outset of the Civil War in 1861, the U.S. Government leased the Marine Ways facility for $40,000 a year. This facility in Mound City was used by the government to build and repair ships and to convert steamships into armored vessels. It was at the Marine Ways site that the USS *Cairo*, the USS *Mound City* and USS *Cincinnati* were constructed under the direction of James Eads. These gunboats or ''ironclads'' were used by the Federal Government during the decisive river conflicts of the Civil War, particularly the capture of the confederate facility at Fort Donelson in Stewart County, TN. In fact, Andrew Foote's flagship, the USS *Benton* was serviced at the Marine Ways complex.

In 1863, the Federal Government took possession of additional property fronting the river to be used for a naval station together with the adjacent rail depot. One of the warehouses built by the Emporium Company was converted into a naval hospital.

The hospital treated thousands of Union soldiers and was the largest hospital facility in the Union's western campaign. After the Civil war, the hospital served many uses but was eventually destroyed by fire. Many of the soldiers who had died being treated at the hospital were buried nearby and the government created the Mound City National Cemetery there in 1862 where over 5000 soldiers are buried.

Also affiliated with Mound City during the Civil War is the story of the USS *Red Rover*, the first hospital ship of the U.S. Navy. Originally a confederate side-wheel steamer, the Rover was captured by the crew of the USS *Mound City* in 1862 when it was hit by another Union ship. It was then refitted as a hospital ship. The Red Rover Hospital Ship entered service and during a battle in Arkansas in July 1862, the USS *Mound City* was struck and many crewmembers were injured, the Red Rover came to their aid and transported them to the Mound City Naval Hospital. Some of the Red Rover's female personnel were the first to serve on a naval vessel. Though not in operation today, the boatyard is still present in Mound City.

In 1861, Pulaski County moved its county seat from Caledonia to Mound City as recognition of the growth and development of the town and its strategic importance during the Civil War. Fire in 1879 destroyed the courthouse and flooding was a constant problem for the community. It was during this time that the city strengthened its levee system and flood waters never entered the city from 1868 to 1936. In January, 1937 a record flood on the Ohio breached its levees and inflicted much damage to the community. As a result of that flood, the community strengthened its levees.

Mound City today is a community of over 600 and remains a vital part of the economy of Pulaski County and southernmost Illinois. The community serves as a key tourist attraction for southern Illinois with a restored historic courthouse, national cemetery, and Civil War attractions. Pulaski County continues to promote economic development by creating a business environment conducive to further development. Mound City is part of the Southernmost Illinois Delta Empowerment Zone, an Illinois Enterprise Zone and the Delta Regional Economic Development Authority.

Mr. Speaker, I ask my colleagues to join me in honoring the founding of the community and the people of Mound City, IL, on the occasion of its 150th anniversary.

## TRIBUTE TO JORDIE TATTER

### HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to a dear friend of mine, Jordie Tatter, who unexpectedly passed away in January 2003. Today, I am pleased that the conference center at the Southwest Michigan Research and Extension Center is being dedicated to Jordie. This is a great honor for my friend; however because of votes in the House today, I can not be at the dedication ceremony this afternoon in Berrien County.

As this dedication confirms, Jordie was a giant in the agricultural and natural resources industries. His commitment and enthusiasm to excellence in the field of agriculture was unmatched, whether it be at the local, national, and yes, even international level. He truly embodied the heart and soul of southwest Michigan, and I am blessed to have formed a close friendship. I looked at this friendship, not only as a source of console and inspiration, but also as a true compass of direction in greater understanding and appreciation of our community.

I have never met a man more passionate or knowledgeable toward the industry he loved—Michigan agriculture. Jordie was always willing to lend his extensive knowledge to those interested, and his great mind benefited all who had the pleasure of crossing his path. I was fortunate enough to call Jordie a close friend. During the time that I had with him, I relied on his insight and intelligence. He was kind and supportive—even more so when times were tough. Jordie's love of his work, the outdoors, the Farm Bureau, and Michigan State University, will be deeply remembered and this dedication is yet another reminder of his immense impact on our community.

We all miss Jordie greatly but his legacy lives on at the Extension Center, as others continue to follow in his footsteps in the agriculture community. He will always live on through our many wonderful memories that will not fade away.

## INTRODUCTION OF AGE-OUT FIX FOR ADOPTED FOREIGN CHILDREN

### HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. LOFGREN. Mr. Speaker, many American families bring new children into their lives through foreign adoption. Some do so to help orphans in countries unable to meet the needs of abandoned children while others adopt for more personal reasons.

Families spend years of effort, thousands of dollars, and more importantly, become emotionally attached to the child they adopt. Unfortunately, because of odd provisions in the immigration code, in rare cases adoptive parents find there is no way to gain legal immigration status for the child they have adopted from overseas.

Current law allows foreign children adopted by American citizens to attain legal immigration status and citizenship through their adoptive parents. To do so, the adoptions must be finalized by the age of 16 for immigration purposes. However, some adoptions can be very long and difficult processes, especially international adoptions. An adoption initiated at age 14 or even earlier can sometimes only be finalized after age 16. In that case, the child who has been adopted will be denied legal immigration status to stay with their adoptive family, unlike children whose adoptions were finalized sooner.

Often, American parents seek help by approaching their Member of Congress to seek a private relief bill so their child can stay with the family. But there is a better way than dealing with these tragic cases on such a haphazard basis.

Today I am introducing a bill to straighten out this problem. By simply changing the current requirement that adoptions be finalized before the adoptee's 16th birthday, to requiring that adoptions by initiated before the 16th birthday, these terrible cases will be avoided. In this way, children whose adoptions have been time-consuming may still obtain U.S. immigration status through their adoptive parents like other adoptees. Bureaucratic delay should not be the reason parents are separated from their adopted children.

Congress has considered and granted private relief for some children in these difficult situations whose parents are lucky enough to get a private relief bill introduced and passed in Congress. Rather than approach this problem in a piecemeal fashion through private relief bills, I hope this Congress will work together to quickly pass this important bill and provide relief to many American families who only want the chance to begin their new life with an adopted child.

## MEDICARE DISCOUNT CARD PROGRAM

### HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. BERRY. Mr. Speaker, I wish to insert into the RECORD testimony submitted by the National Committee to Preserve Social Security and Medicare to the Senate Finance Committee regarding the new Medicare discount card program. This statement correctly identifies some of the concerns Seniors have with discount cards and the Medicare Prescription Drug Law in general.

*Mr. Chairman, we believe the problems evident in the discount card program have provided Congress with a unique opportunity to correct the flaws in the new Medicare bill before it goes into effect.*—Barbara B. Kennelly, President and CEO, National Committee to Preserve Social Security and Medicare.

STATEMENT FOR THE RECORD—SENATE FINANCE COMMITTEE, MEDICARE DRUG CARD: DELIVERING SAVINGS FOR PARTICIPATING BENEFICIARIES, JUNE 8, 2004

Mr. Chairman and Members of the Committee: On behalf of the 3.2 million members and supporters of the National Committee to Preserve Social Security and Medicare, we applaud Chairman Grassley and Senator Baucus for holding this hearing today. We

have discovered through many meetings with seniors around the country that they remain confused and skeptical about the new discount card program. This is unfortunate, because there are some seniors—particularly those who qualify for the low-income benefit—who will clearly benefit from the new discount cards. In our written materials and many meetings, we have urged seniors everywhere to research the cards and determine whether they will benefit from them. We welcome hearings such as this, because we believe they can provide critical information to millions of seniors struggling to understand the new benefit.

Unfortunately, we believe most of the problems with the new cards are inherent in the design of the program and cannot be corrected by the end of 2005. More importantly, we believe the discount cards are a metaphor for the entire new Medicare law. Unless the law is rewritten, the same fundamental flaws that have made the discount cards so frustrating to seniors today will make the new drug benefit equally disappointing when it becomes effective in 2006, and could undermine public support for the entire Medicare program.

The National Committee to Preserve Social Security and Medicare spent the last six years advocating for a comprehensive, affordable prescription drug benefit offered through the Medicare program, because that is what our seniors have been telling us they need and we believe they deserve. If Congress had worked directly through Medicare rather than a system of private providers to provide both the temporary discount card and the permanent drug benefit, it could have taken advantage of the universal, consistent, inexpensive delivery system that is already inherent in the Medicare program. The result would have been a simple, meaningful benefit to seniors.

Unfortunately, that is not what has been implemented through P.L. 108–173. We understand that the wide variety of discount card providers was intended as a service to seniors, to give them the broadest array of card choices. But instead of providing a benefit to seniors, the multitude of options has proved to be extremely confusing, particularly with so few seniors comfortable using the Internet. Allowing sponsors of the cards to change both the drugs covered and the discounts on the drugs weekly was intended to encourage competition between providers, further lowering prices. But experience to date has shown the listed prices can go up as well as down, and even those seniors who research the cards carefully cannot be certain they will end up with the best deal. Meanwhile, because seniors are only allowed to have one Medicare-approved card at a time, and they are locked into their chosen card until the end of the year, they worry about being forced to stay with a plan that ultimately does not provide them with significant benefits. This worry can result in paralysis, with seniors preferring not to purchase a card at all rather than risk buying one that does not serve their needs.

This problem will be exacerbated when the permanent benefit begins. We do not know today how many companies will opt to provide the permanent prescription drug benefit in 2006, so it is not clear whether seniors will be faced with a choice between as many providers. Even if the number of options is smaller, however, their choices will be even more complicated than with the discount card. Not only will they be confronted with a confusing array of multiple providers covering different drugs at a variety of prices, in some cases they will also be faced with choosing between managed care companies with completely different menus of standard health services as well.

If they choose wrong in the case of the discount card, their only loss is the price of the card and whatever discounts they might have received with a different card. But if they pick a health care provider that does not serve their needs once the permanent benefit begins, the financial consequences could be catastrophic. And unlike the discount card, where taking time to make the right choice does not have adverse consequences, seniors delaying enrollment in the permanent benefit could pay increased premiums for the rest of their lives.

But the most significant problem with the new Medicare law, Mr. Chairman, is the lack of cost containment. As you know, most seniors are on relatively fixed incomes, dependent upon Social Security for a significant portion of their income in retirement. They are extremely sensitive to price increases because they rarely have a cushion of disposable income to protect them from the ravages of inflation. They are well aware of the skyrocketing increases in prescription drug costs that have been confirmed in two recent studies. Families USA found prices of the 30 most popular drugs used by seniors increased at four times the rate of general inflation during 2003, and AARP found a 28% increase in a broader list of drugs from 2000 to 2003. Small wonder that seniors are less than impressed by a discount card program that offers reductions of 10 to 25 percent.

CMS has said it intends to monitor the cards to make sure senior discounts are not based on artificially inflated prices, but without a clear definition of what is an acceptable price increase, and considering the issues of artificially inflated prices represented by Average Wholesale Prices, protecting seniors will not be easy. And we are not aware of any federal agency investigating the significant increases prescription drug prices have experienced in recent years, to determine whether those increases were warranted in the first place.

If the new prescription drug benefit is offered through Medicare, the purchasing power of its 41 million seniors can be harnessed to negotiate for the lowest possible prices, with all the savings passed along directly to seniors. But without effective cost containment, the new prescription drug benefit could well turn out to be an illusion for many seniors, offering limited federal assistance in paying for drugs whose cost keeps skyrocketing unchecked, much as the discount card program appears to many seniors today. And unfortunately, the drug benefit that looks meager today will only become worse with time. According to Medicare's own Trustees, within a few short years seniors will need to have over $8,580 in covered drug costs to trigger the catastrophic coverage. At that point, seniors will be paying over $6,000 in out-of-pocket costs, in addition to an estimated $730 in annual premiums, and only $2,500 will be picked-up by Medicare.

Many in Congress, including you, Mr. Chairman, have acknowledged the lack of cost containment in the new prescription drug program by advocating for reimportation of drugs from Canada and other countries. While the National Committee supports reimportation, we believe any relief it offers will be temporary.

Mr. Chairman, we believe the problems evident in the discount card program have provided Congress with a unique opportunity to correct the flaws in the new Medicare bill before it goes into effect. We urge you to revisit the program while there is still time to make the fundamental changes that will be needed to provide seniors with the kind of access to affordable drugs that they truly require. We look forward to working with you toward this goal as the process continues.

## HARRY BELAFONTE RECEIVING THE GLOBAL EXCHANGE HUMAN RIGHTS AWARD

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Ms. LEE. Mr. Speaker, I rise today to honor Mr. Belafonte both a friend and mentor as he receives the Global Exchange Human Rights Award. I share his passion for civil rights, social justice, peace, lifting the embargo on Cuba, and eradicating poverty both abroad and at home.

Recently, I introduced legislation to create a national Caribbean-American Heritage Month, and Mr. Belafonte was a primary influence in developing this legislation. Born in New York, but raised in Jamaica, Mr. Belafonte served our country and beyond in many ways; throughout his career, Mr. Belafonte has worked to unite the international community for just causes.

When people think of Mr. Belafonte, they may remember him for his album Calypso being the first to sell over 1 million copies with his hit the Banana Boat, or they may reminisce of his scenes as the co-star in the historic adaptation of Bizet's opera, "Carmen" titled "Carmen Jones."

Many will recall Mr. Belafonte marching alongside Dr. Martin Luther King and leaders of the Civil Rights Movement. Dr. King was later to say, "Belafonte's global popularity and his commitment to our cause is a key ingredient to the global struggle for freedom and a powerful tactical weapon in the Civil Rights movement here in America."

Belafonte was named to the Board of Directors of the Southern Christian Leadership Conference (SCLC), and at Dr. King's death, he became one of three executors of the great leader's estate. I commend him for his tireless efforts in championing the rights of people here in the United States and beyond.

Showing that his talents were not limited to making history in just music and politics, Mr. Belafonte became the first African-American producer in television. His company went on to produce one Emmy-nominated success after another for the three major networks—"The Strollin' Twenties," written by the famed author Langston Hughes, starring such great performers as Sidney Poitier, Diahann Carroll, Sammy Davis, Jr. and Duke Ellington and "A Time for Laughter," featuring Richard Pryor, Redd Foxx, Moms Mabley and Pigmeat Markham. The format of this special set became the model for the TV comedy series, "Laugh-In."

In 1960 he was named by President John F. Kennedy as cultural advisor to the Peace Corps; this position inspired Mr. Belafonte's development of our similar passion for the people of the African continent. Twenty-five years later, Mr. Belafonte won an Emmy for the all-star We Are the World video, calling global attention to war and famine crises throughout Africa.

Two years later, he was appointed as UNICEF Goodwill Ambassador, only the second American to hold that title. In this capacity, Mr. Belafonte created an historic symposium in Dakar, Senegal for the immunization of African children. The positive response to this symposium led to a successful campaign

for the eradication of curable diseases among African children. This work was continued in a convention called ''Children of the Front Line'' in Harare, Zimbabwe. As part of this effort, with the largest concentration of African artists ever assembled, Mr. Belafonte performed a concert benefiting UNICEF.

Mr. Speaker, there is much more that I would like to share about this living legend who has left a mark on our world. Clearly, Mr. Belafonte is laudable recipient of this award, which highlights his contributions toward securing human rights and freedoms locally and throughout the world. Most importantly, I am proud and honored to call ''Harry'' my friend.

I thank you for giving me the opportunity to honor Mr. Belafonte, a World War II veteran, musician, visionary, activist, and my brother, in the struggle for social justice and peace.

## PAYING TRIBUTE TO ''RAY CHARLES—A NATIONAL TREASURE''

### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. DAVIS of Illinois. Mr. Speaker, tonight I pay tribute to the angel of soul in music Mr. Ray Charles the piano man with the soulful voice who reshaped American music for a half century. He brought the essence of soul to country, jazz, rock, and every other style of music that you can think of he had an influence on it.

Mr. Charles died at the age of 73 of an acute liver disease at his Beverly Hills home at 11:35 a.m. on Thursday, June 10, 2004 surrounded by family and friends. As a singer, pianist and composer, Charles broke racial and musical barriers as an African American, blind by the age of 7 and an orphan at 15, he spent the rest of his life blending rhythm and blues into various musical art forms that earned him 12 Grammy Awards and immense fame for five decades.

Ray Charles ''The Genius'' produced many hit songs like ''What'd I Say?'' which featured the Raelettes, was his first million selling song. Next came a classic version of Hoagy Carmichael's 1930 song ''Georgia on My Mind.'' Charles version became the official state song of Georgia. Due to some objections by recording executives at the label company, Charles made ''Modern Sounds in Country and Western music'' in 1962, an album that produced a million-seller with songs like ''I Can't Stop Loving You'' and the popular hit ''Hit the Road, Jack'' and ''Let the Good Times Roll.'' At the 1960 Grammy Awards, he took home four awards across all genres, including best vocal performance by a pop artist (''Georgia on My Mind''), best vocal performance album (''The Genius of Ray Charles'') and best R&B performance (''Let the Good Times Roll'').

He later won Grammy Awards for ''Busted'' in 1963 and ''Crying Time'' in 1966 and other songs like ''Let's Go Get Stoned.'' In all, Mr. Charles made more than 60 albums and his influence has resonated through generations of country, pop, R&B and gospel singers.

Mr. Charles began involving himself in music at a very early age. In his autobiography, Charles said, ''as long as I can remember, music has always been something extraordinary in my life. It's always been something that completely captured my attention—from the time I was three, when Mr. Pitman was showing me these little melodies. My first love was the music I heard in the community: blues, church gospel music, and country and western. My mom would let me stay up to listen to the Grand Old Opry on Saturday night. That's the only time I got to stay up late. I heard the blues played by Muddy Waters and Blind Boy Philips and Tampa Red and Big Boy Crudup. And of course every night if you listened to the right station, you might pick up a little Duke Ellington or Count Basie. But the bulk of what I heard of blues in those days was called ''race music,'' which became rhythm and blues, and rhythm and blues later was called soul music.''

Mr. Charles learned to read and write music in Braille, scored for big bands and played instruments like the trumpet, clarinet, organ, alto sax and the piano. This experience in reading Braille and playing by ear helped Charles develop a superb memory where he could sit at his desk and write a complete arrangement in his head and not touch a musical instrument and the music would come out exactly the way it sounded in his head.

Mr. Charles thank you for being the angel of soul, you will be missed.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. KOLBE. Mr. Speaker, Ronald Reagan's passing gives this nation an opportunity to reflect on the can-do attitude that he exuded and the greatness of the American people that he believed in. He was the essential American, a President born in mid-America, instilled with solid Midwestern values. He had a deep love affair with the American people, and they with him. Like Franklin Roosevelt, he was an American icon, and like Roosevelt, he had an uncanny ability to connect and communicate with common people.

Today we salute four tenets of President Reagan's legacy: economic growth, deregulation, peace through strength, and patriotism though a return of the American dream.

The father of Reaganomics launched the boldest economic plan since FDR that promoted lower taxes, sound money, and less regulation. Reagan unveiled a ''program for economic recovery'' to a Joint Session of Congress calling for a $41.4 billion in tax cuts—the largest in history.

Reagan was an advocate for deregulation and free trade pacts. He worked to tear down barriers to enterprise and encourage a spirit of self enterprise. His commitment to deregulation was evident when in 1981 he took decisive action to carry out this promise to fire 13,000 air traffic controllers for an illegal strike.

After years of crumbling defense spending, President Reagan increased defense spending 35 percent during two terms and promoted peace through strength. He called the Soviet Union for what it was—an evil empire—and by standing firm against it hastened the end of the Cold War and the return of Russia to the family of nations.

Influenced by his humble beginnings, Reagan's patriotism and optimistic spirit exemplified the American dream. He restored America's ''can do'' creed. We will always remember the words of his farewell address, when he said those of his generation ''were taught, very directly, what it means to be an American. And we absorbed, almost in air, a love of country and an appreciation of its institutions.''

He never trimmed his sails or compromised his values. We will remember him as a president who understood the balance between pragmatism and partisanship. We will remember him as the great communicator who united Americans toward common goals. But most of all we will remember him as a great president who brought honor and respect to the Office of President. I join with all Americans in expressing our sympathy to Nancy Reagan and his family for the loss of this great American.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. HOEKSTRA. Mr. Speaker, today I rise in honor of Ronald Reagan, 40th President of the United States and one of the greatest leaders and statesmen of the 20th Century.

America has long known that President Reagan was ill, but his death came as a shock to a country that continued to feel his presence. He touched millions of lives during his tenure as governor of California and two terms in America's highest office. Although long anticipated, his passing marks with finality the end of the Reagan era.

President Reagan's commitment to freedom altered the course of modern history. He brought the United States through the end of the Cold War with strength and resolve, and he led the U.S. economy to heights once unimaginable through his sound domestic policies.

He possessed a vision for America that reflected its devotion to individual liberty, that every person is born with the intrinsic right to achieve their dreams through their own labors and determination.

He will forever be remembered as a champion of promoting peace and prosperity throughout the world with a strong faith at the core of his principles and values. He was a great man elected to take charge of a great country at a time when strong leadership was sorely needed.

President Reagan's infectious optimism inspired many Americans to become involved in the political process, and his influence and vision will continue to live throughout the ages.

My prayers and those of my family are with the family and hundreds of millions of friends of President Reagan, knowing that the Lord has preserved a very special place for him in heaven.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. TIBERI. Mr. Speaker, folks from across the country came to Washington this week to mourn the passing of President Ronald Reagan. Even in death, the former President continued his fascinating connection with Americans of all types.

Although I never met Ronald Reagan, he was one of my inspirations for entering politics. I was 18 at the time of his 1980 presidential campaign and it was the first big election to which I really paid attention. I remember being drawn to what this man, a half a century older than me, was saying about having faith in our country, its people and their future. He was optimistic, cheerful and came across as a thoroughly likable guy.

It was simply astounding how he could establish a bond with even the most unlikely audience. In 1984, I was a senior at The Ohio State University and a member of the marching band. We were asked to play at a rally that President Reagan would be holding at St. John Arena. At first we all thought it would be an official band appearance, but then we were informed that since the President's visit was actually a campaign event, we could not appear as The Ohio State University Marching Band. If we wished, though, we could volunteer on our own, and appear without our uniforms. There were roughly 200 members in the band at that time and, as I recall, roughly 200 of us jumped at the opportunity to play at the President's campaign event. Think of it. A couple of hundred college kids were treating the appearance of a 73-year-old Republican President as enthusiastically as the Michigan game—we would not have missed it for the world.

President Reagan could connect with college kids and he could connect with Democrats, particularly those like my dad, an Italian immigrant who worked as a machinist. He came to America so he could have a better life and his kids' lives would be better still. He knew exactly what Ronald Reagan was talking about.

He was The Great Communicator. President Reagan swept aside the filters and "analysis" of the news media and spoke from the Oval Office directly with the American people. He had the gift of explaining issues and his positions on them in simple, effective terms—a gift all too few of us in politics today possess. President Reagan spoke in a way that made Americans feel like they were almost partners with him.

Perception is reality, and Ronald Reagan knew that. His message of hope and optimism put a new face on the Republican Party, and brought an end to the dour Nixonian era of GOP politics. Young people like me began looking at the Republican Party in a different way. Because of Ronald Reagan, we could take pride in being Republicans.

I was struck by the attitude I saw in Washington this week. Certainly, there was sadness and grief over the loss of one of the giants of our time. But in keeping with the make-up of the man himself, there was more. As often as not, people also smiled when they spoke of Ronald Reagan, often displaying that same sense of hope and good cheer that he himself had radiated throughout his life. For all his accomplishments, it's that same sense of hope and optimism that I'll think of whenever I remember Ronald Reagan.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. TURNER of Ohio. Mr. Speaker, I'm honored to join my colleagues in support of H. Res. 664, honoring the late Honorable Ronald Wilson Reagan, 40th President of the United States. As is the case for so many speaking in this chamber today, Ronald Reagan was one of my personal heroes.

Although we are all deeply saddened by the passing of President Reagan, Americans today are still touched by his legacy and his steadfast belief in the promise of this great Nation. By using his famous wit, he knew how to make us believe in ourselves again. Each of us has our favorite examples of the Reagan wit. My favorite quote is, "Government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it."

To Ronald Reagan, "America is a shining city upon a hill for all to see and to follow and reach to, something toward which mankind should strive." Reagan brought convictions and determination as well as a genuine, hopeful and optimistic outlook to the office of President. Ronald Reagan never doubted his convictions. He never lost faith in America. His reassuring tones were comforting even in difficult times. With Reagan as president, it was indeed morning again in America.

Just prior to Ronald Reagan assuming the presidency, many people wondered whether this country's best days were behind us. Reagan insisted: "America's best days lie ahead." By the time he left office, the United States was enjoying the longest peacetime economic expansion in our history. President Reagan's most long-lasting legacy is his role in winning the Cold War. While the common doctrine of the time called for containing Communism, Reagan boldly predicted it would soon be "left on the ash-heap of history."

During the journey that was the Reagan revolution, he restored prosperity, confidence, optimism, faith and pride in America. While we will miss Ronald Reagan, his contributions to the world will be felt for generations to come. He came to Washington to change the country and ended up changing the world. As he said in his farewell address to the Nation from the Oval Office, "A final word to the men and women of the Reagan revolution, the men and women across America who for eight years did the work that brought America back. My friends: We did it. We weren't just marking time. We made a difference. We made. the city stronger, we made the city freer, and we left her in good hands. All in all, not bad, not bad at all."

Summing up an American icon, a giant, like Ronald Reagan is an enormous task. I am grateful for the vision Ronald Reagan taught me and the lessons about the power of convictions, the value of principled leadership, and the goodness and the decency of the human spirit. We'll miss the twinkle in his eyes and affable smile which have left this earth. However, the contributions he made to his country and to mankind remain with us, as vast as the great continent that the United States spans, and God willing, will outlast us all.

As an American, I want to join in offering my support of H. Res. 664, honoring the late Honorable Ronald Wilson Reagan, 40th President of the United States.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Ms. HARMAN. Mr. Speaker, I join my colleagues in offering a tribute to former President Ronald Reagan. He is rightly remembered as a larger-than-life figure—a man who conquered first Hollywood, then California, and then Washington, DC, and whose message of freedom and democracy spread around the world. Though I did not know him well, I did know his daughter Maureen very well, and she is also missed.

President Reagan was naturally possessed of the qualities that make a great leader. As Governor of California and later as President, he used a blend of humor, kindness and boldness to communicate with the American people, to challenge and defeat the Soviet adversary, and to promote his uniquely American vision of how things should be.

While I disagreed with a number of his policies, I always admired his ability to convey his ideas and his power to persuade.

The enormous outpouring of emotion and love for this man comes as no surprise. When we think of Ronald Wilson Reagan, we will remember his infectious optimism and grace, and his belief that there is always a better day ahead for America.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. ENGEL. Mr. Speaker, along with all of my colleagues here today, I rise to honor President Ronald Reagan. I was first elected to Congress in 1988, on the same day that President George H.W. Bush was elected. Because Members of Congress officially take office on January 3, while a new President does not take office until January 20, my first 17 days as a Congressman were during the last 17 days Ronald Reagan served as President. So when people ask me who was the President when I first came to Washington, I reply that it was Ronald Reagan. I had the opportunity to see Ronald Reagan in person only

one time, with his wife Nancy, during the inauguration of President George H.W. Bush. I remember thinking that together they had a larger than life presence.

Although I differed with Ronald Reagan a great deal on domestic policy, I nevertheless admired him for the strong leader that he was. He had an affable manner that allowed him to interact well with people who both supported and opposed his policies. He was a strong leader who had a lot of charm, strength and enthusiasm.

The gulf between the Republican and Democratic policies can sometimes seem vast. But the bridge that spans that gulf is our common heritage as Americans and belief in this great nation. Ronald Reagan had the gift to make that bridge seem very small. I am pleased to honor him today.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mrs. NORTHUP. Mr. Speaker, last week our nation honored the life of one of the most beloved, and most important, presidents of the twentieth century. During the 1980s, President Reagan did what many considered the impossible.

As we faced great challenges at home and abroad, he helped us believe that it was ''morning in America,'' and that we would overcome our difficulties. With the will of the nation behind him, President Reagan's steadfast leadership led to the defeat of communism and a robust economic recovery.

When President Reagan took office a quarter century ago, communism was on the march, threatening to bring the free world to its knees. But President Reagan's policy of ''peace through strength'' starved the Soviet bloc and made it safe for freedom to flourish in new nations. ''No weapon in the arsenals of the world is so formidable as the will of free men and women,'' he said.

Here at home, our country was in the worst recession since the Great Depression, with high unemployment, inflation, and interest rates. But President Reagan trusted the entrepreneurial spirit and cut taxes from 70 to 28 percent, creating 19 million new jobs and twenty years of growth. His economic policies formed the foundation upon which American families prosper. ''We believe that no power of government is as formidable a force for good as the creativity and entrepreneurial drive of the American people,'' he said.

By rallying the will of our country, by reminding us of our remarkable abilities—of what it means to be Americans, President Reagan reunited us as a confident and hopeful nation. And with a focused vision, he set us on a course that preserved our liberty and allowed our domestic economy to prosper again.

In life, President Reagan was a guiding light for our nation. Even when times were tough, he rejected the idea that America's best days were past, insisting that there is no limit to what our nation and our people can endure—or accomplish. And he was right.

Today we face a new enemy of liberty, in the war on terror. It is my hope, Mr. Speaker, that the confident optimism and clear vision that President Reagan gave to this nation will light our path.

May God bless President Ronald Reagan.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. TOM DAVIS of Virginia. Mr. Speaker, I was deeply saddened to learn of the passing of President Reagan over the weekend. My thoughts and prayers go out to Nancy and to the Reagan family and friends. This is an extraordinarily difficult time for any family, but I hope they can find some comfort in the joy and inspiration that President Reagan brought to so many around the globe.

Ronald Reagan was a true American original, a Midwestern boy of humble beginnings who chased his dreams of stardom in Hollywood and evolved into one of the foremost political leaders of the 20th Century.

His legacy is so profound and pervasive that it's easy to take for granted. But we should not forget that it was Ronald Reagan who restored strength to the Office of the President. It was Ronald Reagan who reshaped the federal government and ushered in two decades (and counting) of lower taxes and economic growth. It was Ronald Reagan who bolstered America's strength as a world military power. And it was Ronald Reagan who reminded us that America was indeed that ''shining city on the hill,'' and we had bountiful reasons to be proud to be Americans.

His love of country was a guiding force throughout his life and his political career—he knew America was great because America was free, and his sought to shine the light of freedom on corners of the globe darkened by the stain of totalitarianism. His demand for Mikhail Gorbachev to ''tear down this wall'' is not only a seminal moment in Cold War history, but a reminder that America's democratic ideals are ultimately stronger than any barriers erected by forces of oppression.

Quite simply, President Reagan's words and actions helped change the world for the better. And I can't think of a greater accomplishment than that.

We lost more than a man on Saturday, when President Reagan ended his long journey into the sunset.

We lost a true giant, and a great American.

## MOURNING THE PASSING OF PRESIDENT RONALD REAGAN

SPEECH OF

### HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 8, 2004*

Mr. SIMMONS. Mr. Speaker, I rise to commemorate the passing of Ronald Reagan, the 40th President of the United States of America.

As a Vietnam veteran and an officer with the CIA from 1969–1979, my world was changed dramatically and for the better when Ronald Reagan won his historic presidential race in November 1980.

At the time I was serving on the staff of Senator John H. Chafee (R–RI). Politically, it was a watershed year. Not only did the Senate go from Democrat to Republican control for the first time in 26 years, but also some very well known Democratic Senators were swept from office in the ''Reagan Revolution.'' They included Senator Frank Church, former Chairman of the Committee to Investigate the Intelligence Activities of the United States, and Birch Bayh, second Chairman of the newly established Senate Select Committee on Intelligence.

The Senate Intelligence Committee, where I went on to serve for four years as staff director, gained new leadership under Chairman Barry Goldwater and Vice Chairman Daniel Patrick Moynihan.

Goldwater had a long-standing and close political relationship with Ronald Reagan. In fact, many have said that a speech delivered by Reagan during Goldwater's historic 1964 presidential campaign propelled Reagan into the national political spotlight.

Goldwater was excited to work with President Reagan and CIA Director William Casey to institute a new approach to intelligence oversight. First, it focused on bipartisan consensus in intelligence where Vice Chairman Moynihan was a valued partner.

It also departed from the adversarial process of Senators Church and Bayh, and focused on rebuilding the morale and intelligence capabilities of American intelligence. Rather than adopting Church's belief that the CIA was a ''rogue elephant,'' Goldwater expressed his supportive feelings by talking about the ''intelligence family.''

Sadly, in 1984 these positive developments were disrupted when the CIA was discovered to have been covertly involved in the mining of Nicaraguan harbors, without proper notification to Congress. In the ensuing firestorm, Barry Goldwater wrote a pointed note to CIA Director Casey expressing his concern over the lack of communication. The letter was quickly leaked to an eager press, excited that Senator Goldwater was at odds with the Reagan Administration.

At the time these events were unfolding, President Reagan was scheduled to appear at the Washington Hilton for the White House Correspondents Association annual black-tie dinner. Many observers felt that the press would use the opportunity to embarrass the president over the intelligence ''flap.'' But, in what was to become a classic response of the President to a difficult situation, Ronald Reagan opened his remarks by saying:

> ''What's all that talk about a breakdown of White House communications? How come nobody told me?'' Laughter. ''Well, I know this: I've laid down the law, though, to everyone there from now on about anything that happens, no matter what time it is, wake me, even if it's in the middle of a Cabinet meeting.'' Laughter. The official presidential documents recorded that the President received twenty-six more laughs.
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> [Bob Woodward, Veil: The Secret Wars of the CIA 1981–1987, p. 333]

It was to the point. It was funny. It was self-deprecating. It defused for a moment what was a gathering storm for the Administration.

It gave everyone the opportunity to step away from a potentially explosive moment and get on with the challenging business of government.

Mr. Speaker, under the leadership of President Reagan, the United States rebuilt her intelligence and national security structure from 1980–1988. This was not done without controversy, but it was done. Morale was restored at the Central Intelligence Agency and elsewhere in the Intelligence Community. Capabilities were improved.

The military, too, regained a new pride and strength following the disasters in Vietnam and Iran. Members of the armed forces felt their service was respected by the Commander in Chief, and they valued his support. They loved his patriotic speeches, and were eager to follow his lead.

And yet for all of his accomplishments as a national and world leader, President Reagan never lost the personal touch. When I departed Washington, DC in early 1985, I left with a personal letter of thanks signed by the President.

This letter hangs in my office even today as a proud reminder of what President Reagan and Congress were able to accomplish during those difficult but historic years. It is also a clear symbol of a man who never allowed the trappings of high office obscure his view of the "little people" who constitute the strength of our government and Nation.

Now as we remember the life of Ronald Reagan, and as his casket lies with honor under the Capitol dome, it is my turn to thank him for his distinguished service to our country and to the world. He left us a better people and he left the world a better place.

The man will be missed, but the memory lives on in all of us who were touched by his life and his leadership. I yield back the balance of my time.

## TRIBUTE TO ROSALIE GORDON-MILLS

### HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. MICA. Mr. Speaker, it was my privilege to know Rosalie Robinson Gordon-Mills, a community leader and distinguished citizen of Florida's 7th Congressional District. Her recent death is a great loss to St. Johns County and the State of Florida because of Mrs. Gordon-Mills' many contributions to our school system, civil rights, and community service. I join others in paying tribute to this special woman. It is my honor to include in the CONGRESSIONAL RECORD of the United States House of Representatives the rich history of her life and many contributions from a recently published obituary.

Mrs. Rosalie Robinson Gordon-Mills, 96, died April 20 at Flagler Hospital following complications of a collapsed lung. A retired educator and counselor for 44 years with the St. Johns County School System, she was head of the English Department at Excelsior School and director of guidance and college placement at St. Augustine High School.

In addition to her teaching career, Mrs. Gordon-Mills was a civic leader and politician, having been the first black woman in 400 years to run for public office in St. Augustine, for which she is currently listed in the Florida history books. In 1986, she received a Presidential Award from President Reagan for Private Sector Initiatives because of her outstanding leadership role with the St. Augustine Council on Aging in procuring the site and establishing the first multipurpose senior citizen's center in St. Augustine.

Mrs. Gordon-Mills was born in Tallahassee, to Arthur Howard Robinson, owner of a dairy business, which exported dairy products interstate. Her mother, Callie Eliza Ferrell, was a school teacher with her own school, as was her grandmother, Henrietta Robinson, the first licensed black teacher in the state of Florida. In the 1920's, her parents moved to St. Augustine, where her father became the head of the Agriculture Division of Florida Normal College and her mother became the dean of women. They came at the invitation of President Collier, who had met them in Tallahassee.

Mrs. Gordon-Mills attended the Model Laboratory School of Florida A & M, where she graduated with highest honors. She then realized her dream of attending college at Boston University, where she majored in chemistry and physical sciences. During her years at Boston University, she was a member of the varsity broad jump and pole vaulting team, as well as the debating team. She also pledged Alpha Kappa Alpha sorority-Epsilon Chapter and was a member of The Aristos, a Boston social club. She would later return to Boston University and receive her master's degree in guidance and counseling in 1947.

When she returned to St. Augustine following graduation to visit with her parents, she met her future husband, Dr. Rudolph Nathaniel Gordon, America's first black maxillo-facial surgeon, who was researching a location for his practice. They met at an Episcopalian Church picnic, were married and were together for 25 years prior to Dr. Gordon's death in 1959. Together they were a formidable force in the St. Augustine community. Education and care of the children of Lincolnville was a top priority. They encouraged young people to attend four-year colleges and often took them to college and paid their tuition. He established a free dental clinic for Lincolnville children and a Boy Scout troop for the boys of the community. After Dr. Gordon's death, Mrs. Gordon-Mills would marry Dr. Otis J. Mills, longtime friend and member of the family that owned the famous "Iceberg" drugstore and manufactured the popular "Smooth As Silk" ice cream. They had a wonderful 12–year relationship before he succumbed to Alzheimer's disease.

Mrs. Gordon-Mills was an enthusiastic participant in the civil rights movement and supported all efforts of Lincolnville to work with Dr. Martin Luther King. She also befriended Mrs. Peabody, who came from Massachusetts to support the movement in St. Augustine. During this time, she ran for the City Council against six males and, after winning the primary, finished third in the final election, making her the first black woman to run for public office. She always felt a strong commitment to the future of St. Augustine and wanted to promote racial harmony. A member of one of Florida's most illustrious families, she was a direct descendant (through her maternal grandmother, Henrietta Robinson) of "The Great Antonio Proctor," who was born in 1743 and was the recipient of 185 acres in St. Augustine from the Spanish Governor of Florida for his work as an interpreter between the Creek Indians and the Spanish when Florida was still under Spanish rule.

Mrs. Gordon-Mills' elder years were as filled with activity as her early years. A woman of intellectual brilliance, impeccable character and determination, she continued to be active as a lifetime member of the Board of the Council on Aging; an officer of the Board of Echo House—a tutoring and community center she started—and an active member of St. Cyprian's Episcopal Church, where she was a member of The Daughters of The King and a member of the Vestry. She was the active C.E.O. of the family real estate business until the week of her death, spending each day problem-solving, meeting with her management crew and ensuring that her tenants and her properties were well cared for. Her considerable business acumen was respected by all of the business people whom she encountered. (She made recent trips to Tallahassee to meet with the State Historical Society to present grant requests for her Echo House project).

Her social life was equally active. As a founding member of the Daytona Beach chapter of the Links, Inc., she attended meetings and activities regularly and participated in their many scholarship fundraising efforts for regional students. In addition, she administered the scholarship fund set up by her dear, deceased friend, Mrs. Bemis, of St. Augustine, that enables deserving and talented students to attend Bethune Cookman College. She enjoyed the regular gatherings of the Clique Club and Venetian Club, to which she had belonged for many years.

Mrs. Gordon-Mills loved her family; her daughter, Dr. Carlotta Gordon Miles and her son-in-law, attorney Theodore A. Miles, of Washington, D.C. (Her beloved son, Rudolph N. Gordon II, predeceased her in 1967.) Her grandchildren were the loves of her life and she had a special relationship with each of them—Dr. Wendell Gordon Miles and Miss Lydia Carlotta Miles, of Washington, D.C., and Mrs. Cecily Miles Slater and her husband, Ramael Slater, of Hollywood, CA. Her brother, Dr. Arthur J. Robinson, and his son, Arthur J. Robinson Jr., of Palm Coast; her sister-in-law Verna C. Robinson of Washington and her niece, Angela Robinson Witherspoon, and her husband, John Witherspoon, of Los Angeles, CA, and her nephew Elbert C. Robinson, of Washington. Her first cousins, Celestine Nicks of Mandarin, and Ida Mae Harrison, of Columbus, GA. Her family looked to her for guidance, advice and as an example of a Christian life well-lived.

Born into a privileged family, Mrs. Gordon-Mills had a deep sense of obligation to her fellow man and an unfailing determination to make a difference with her life. She had a deep devotion to all children, a strong sense of racial pride and a commitment to the concept of "From those to whom much is given, much is expected." Her selflessness and generosity to others was unequaled. She believed that love should be put into action and faith in God is the foundation of life.

Mrs. Gordon-Mills was fortunate in having a circle of loving friends who, in the last years of her life, joined her family in making these years especially joyful. W.D. McCoy, a former student and "son," was a devoted and concerned companion; Dorothy and Rudolph Israel and Maggie and Pat Patterson were ever present and supportive in whatever she chose to undertake. Otis and Myrtis Mason made it possible for her to continue her Links Inc. participation. Father David Allert and the members of the St. Cyprian's congregation admired and respected her wisdom and her spirituality. Arthur Schwecke, her neighbor and "son;" and Joe Logan and Janis Brown, her business manager, helped her continue her corporate activities. Josephine Quarterman, Lena Callueng and John Gilbert enabled her to continue to maintain her household and lifestyle until the end.

These special friends will always be remembered with gratitude and deep affection by her family.

## 150TH ANNIVERSARY OF THE FOUNDING OF WAVERLY

### HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. HINCHEY. Mr. Speaker, I rise today to honor the Village of Waverly in Tioga County, New York, which is part of the 22nd Congressional District that I proudly serve. This year marks the 150th anniversary of the founding of Waverly. I am pleased to recognize the Village of Waverly and the important contributions it has made to Tioga County and to the State of New York on its sesquicentennial anniversary.

Located along the majestic Susquehanna and Chemung Rivers, the Village of Waverly is nestled in the Town of Barton and the heart of Tioga County. The Cayuga and Onondaga tribes of the Iroquois Confederacy originally inhabited present day Waverly and its surrounding areas prior to European settlement. Incorporated in 1854, Waverly was named by businessman Joseph Hallet after Sir Walter Scott's famous series of novels. Early inhabitants included settlers from Connecticut, Pennsylvania, and New York. The most prominent was John Shephard, who in 1796 purchased a one thousand acre plot upon which the whole of Waverly now stands.

By the nineteenth century, Waverly had attracted a wide array of businesses, most notably the Novelty Furniture Works, the Butter and Oyster Pail Manufactory, and the Sayre Butter Package Company. Waverly was still deeply connected to agrarian life, which flourished in the form of grist and flouring mills, saw mills, creameries, and wagon and blacksmith shops.

The early twentieth century saw the brief but historic appearance of the J.E. Rodeo. In 1938, Colonel Jim Eskew bought the Loomis Farm on Talmadge Hill that would soon be known as the ''Rodeo Capital of the East.'' The opening performance was a sign of the good fortune ahead, as traffic was backed up for a mile and half prior to the show. Over the years, it was not uncommon to see authentic cowboys around the Village of Waverly. Visitors came from hundreds of miles away to see the ''Rodeo Capital of the East.'' The annual Fourth of July celebration was highlighted by a special rodeo performance and was attended by young and old alike. However, with the advent of television and the onset of WWII, the rodeo eventually faded away and now is just a happy memory for the residents of Waverly.

Waverly's vibrant history is evident today. The village boasts many beautifully restored structures, seemingly on every corner of Broad Street and beyond. Waverly continues to offer its visitors breathtaking scenery and views of the Susquehanna and Chemung Rivers. Small villages like Waverly are an essential component of our nation's past, present, and future, and deserve to be honored and recognized for their numerous contributions. Mr. Speaker, it gives me great pleasure to recognize the Village of Waverly, New York as it celebrates the 150th Anniversary of its founding.

## THE MIDDLE CLASS SQUEEZE ON HISPANIC FAMILIES

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 14, 2004*

Mr. BACA. Mr. Speaker, Hispanic families in America are being left out of the American Dream, thanks to the Bush administration's failure to create jobs and fund the programs essential to health and education. Thanks to the Bush tax cuts that favor the rich and the privileged, middle-class families in America are struggling to get by.

Over 1.4 million Hispanic workers are still looking for a job. Over $1 trillion will be spent over the next 10 years on additional tax cuts for the rich, instead of creating jobs here at home. The unemployment rate for Hispanics is now 25 percent higher than when President Bush took office. This money should be used to create jobs for hardworking and dedicated individuals, instead of being used to give a break to the wealthy.

If things do not change, not only will there be no jobs for our students when they enter the real world, but they will graduate unprepared for today's job market. Over 27 percent of Hispanic students drop out of high school, yet the President's budget will eliminate funding for dropout prevention programs. The Bush budget will essentially freeze funding for bilingual education, even though the number of students with limited English proficiency is growing rapidly. These children need English skills to help them achieve the American Dream and we cannot neglect to teach them this basic tool.

The squeeze on Hispanic families does not stop there. The Bush budget cuts funding for the Office of Minority Health by 15 percent and neglects to make health care affordable for the over 12 million Hispanic Americans without health insurance. In the richest nation in the world, every American should be able to have access to health care.

We must not leave our families behind. We need a budget that will make sure that average Americans have jobs, an education and health care. We do not want one that rewards the rich and the privileged.

## SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 15, 2004 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

### JUNE 16

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings to examine S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications.

SR–253

10 a.m.

Appropriations

Business meeting to markup proposed legislation making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005.

SD–124

Indian Affairs

Business meeting to consider S.J. Res. 37, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States, S. 297, to provide reforms and resources to the Bureau of Indian Affairs to improve the Federal acknowledgement process, S. 1529, to amend the Indian Gaming Regulatory Act to include provisions relating to the payment and administration of gaming fees, S. 1696, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, S. 2172, to make technical amendments to the provisions of the Indian Self Determination and Education Assistance Act relating to contract support costs, and S. 2277, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, and motion to authorize the chairman to issue subpoenas in regards to tribal lobbying matters; to be followed by an oversight hearing to examine the No Child Left Behind Act (Public Law 107–110).

SR–485

Judiciary

To hold hearings to examine the nominations of Richard A. Griffin, of Michigan, David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit, and Virginia Maria Hernandez Covington, to be United States District Judge for the Middle District of Florida.

SD–226

Commission on Security and Cooperation in Europe

To hold hearings to examine the April 2003 Berlin Conference on Anti-Semitism and consider appropriate steps to following up on the conference.

334 CHOB

11 a.m.

Finance

To hold hearings to examine measures to strengthen regulations and oversight to better ensure agriculture financing integrity.

SD–215

11:30 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD–366

2 p.m.

Foreign Relations

To hold hearings to examine the nominations of Charles P. Ries, of the District of Columbia, to be Ambassador to Greece, Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium, and John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia.

SD–419

Indian Affairs

To hold hearings to examine S. 1996, to enhance and provide to the Oglada Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program.

SR–485

### JUNE 17

9 a.m.

Governmental Affairs

Investigations Subcommittee

To hold hearings to examine the danger of purchasing pharmaceuticals over the Internet, focusing on the extent to which consumers can purchase pharmaceuticals over the Internet without a medical prescription, the importation of pharmaceuticals into the United States, and whether pharmaceuticals from foreign services are counterfeit, expired, unsafe, or illegitimate.

SD–342

9:30 a.m.

Commerce, Science, and Transportation

To hold hearings to examine measures to enhance border security.

SR–253

Foreign Relations

To hold hearings to examine Council of Europe Convention on Cybercrime (the ''Cybercrime Convention'' or the ''Convention''), which was signed by the United States on November 23, 2001 (Treaty Doc. 108–11), United Nations Convention Against Transnational Organized Crime (the ''Convention''), as well as two supplementary protocols: (1) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and (2) the Protocol Against Smuggling of Migrants by Land, Sea and Air, which were adopted by the United Nations General Assembly on November 15, 2000. The Convention and Protocols were signed by the United States on December 13, 2000, at Palermo, Italy (Treaty Doc. 108–16), Inter-American Convention Against Terrorism (''Convention'') Adopted at the Thirty-second Regular Session of the General Assembly of the Organization of American States (''OAS'') Meeting in Bridgetown, Barbados, and signed by thirty countries, including the United States, on June 3, 2002 (Treaty Doc. 107–18), and Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures done at Brussels on June 26, 1999 (Treaty Doc. 108–6).

SD–419

Judiciary

Business meeting to consider pending calendar business.

SD–226

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the regulation of the bond markets.

SD–538

Energy and Natural Resources

To hold hearings to examine the Environmental Management Program of the Department of Energy and issues associated with accelerated cleanup.

SD–366

2 p.m.

Foreign Relations

To hold hearings to examine the nominations of Anne W. Patterson, of Virginia, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, and to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations, and James B. Cunningham, of Pennsylvania, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, and to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

SD–419

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 2513, to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System, S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico, S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse, S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans, and S. 1211, to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the ''Reclamation Wastewater and Groundwater Study and Facilities Act'', by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico.

SD–366

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings to examine the final report on the President's Commission on Implementation of US Space Exploration Policy.
SR–253

JUNE 23

Time to be announced
Conferees
Meeting of conferees on H.R.3550, to authorize funds for Federal-aid highways, highway safety programs, and transit programs.
Room to be announced

10 a.m.
Indian Affairs
To hold an oversight hearing to examine Indian tribal detention facilities.
SR–485

SEPTEMBER 21

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to examine the legislative presentation of the American Legion.
345 CHOB

## CANCELLATIONS

JUNE 16

9:30 a.m.
Foreign Relations
To hold a closed briefing on Pakistan counterterrorism cooperation.
S–407, Capitol

## POSTPONEMENTS

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine the grounding of multi-engine fire-retardant aircraft, steps the Forest Service and Department of the Interior have taken to provide alternative aerial support for initial attack and extended attack fire fighting operations in the short run, and the feasibility and desirability of designing and implementing an inspection process to allow the use of multi-engine fire-retardant aircraft in the future.
SD–366

JUNE 24

10 a.m.
Foreign Relations
To hold hearings to examine U.S. policy toward Southeast Europe, focusing on unfinished business in the Balkans.
SH–216

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S6685–S6747***

**Measures Introduced:** Two bills and four resolutions were introduced, as follows: S. 2516–2517, and S. Res. 376–379. **Page S6734**

**Measures Passed:**

***Congratulating Syracuse University Orangemen's Lacrosse Team:*** Senate agreed to S. Res. 376, congratulating the Syracuse University Orangemen's lacrosse team on winning the 2004 NCAA Division I men's lacrosse National Championship. **Page S6742**

***Congratulating Le Moyne College Dolphins Men's Lacrosse Team:*** Senate agreed to S. Res. 377, congratulating the Le Moyne College Dolphins men's lacrosse team on winning the 2004 NCAA Division II men's lacrosse National Championship. **Pages S6742–43**

***National Pledge of Allegiance to the Flag Day:*** Senate agreed to S. Res. 378, designating June 14, 2004, as ''National Pledge of Allegiance to the Flag Day''. **Pages S6743–45**

***Smithsonian Astrophysical Observatory Authorization:*** Committee on Rules and Administration was discharged from further consideration of S. 2362, to authorize construction of a Smithsonian Astrophysical Observatory instrumentation support control building and associated site development on Kitt Peak, Arizona, and the bill was then passed. **Page S6745**

**Department of Defense Authorization Act:** Senate resumed consideration of S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, taking action on the following amendments proposed thereto: **Pages S6693–S6722**

Adopted:

Wyden/Dorgan Amendment No. 3305, to impose a limitation on Department of Defense contracting for performance of acquisition functions closely associated with inherently governmental functions. **Pages S6701–03**

Reid (for Levin) Modified Amendment No. 3449 (to Amendment No. 3322), to express the sense of Congress on the nonproliferation of ballistic missiles. **Pages S6695, S6704–05**

Allard Amendment No. 3322, to promote international cooperation on missile defense. **Pages S6693–95, S6705**

By a unanimous vote of 91 yeas (Vote No. 112), Dodd Modified Amendment No. 3312, to require the Secretary of Defense to provide reimbursement for certain protective, safety, or health equipment purchased by or on behalf of members of the Armed Forces for deployment in connection with Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom. **Pages S6697–S6700, S6713–14**

Levin (for Byrd) Amendment No. 3344, to require the Commission on the Future of the National Technology and Industrial Base to consider shortages of critical technologies and to make recommendations regarding shortages; and to ensure adequate consideration of small business interests by the Commission. **Page S6714**

Warner (for McConnell/Graham (SC)) Amendment No. 3435, to provide for a conveyance of land at the Naval Weapons Station, Charleston, South Carolina. **Pages S6714–15**

Levin (for Landrieu) Amendment No. 3314, to authorize the conveyance of land at Louisiana Army Ammunition Plant, Doyline, Louisiana. **Page S6715**

Warner (for McCain) Amendment No. 3229, to exclude service academy permanent and career professors from a limitation on strengths applicable to active duty officers in grades of major, lieutenant colonel, and colonel and Navy grades of lieutenant commander, commander, and captain. **Pages S6715–16**

Levin (for Kennedy/Chambliss) Modified Amendment No. 3257, to provide for improved assessment of public-private competition for work performed by civilian employees of the Department of Defense. **Pages S6716–17**

Warner (for Collins/Levin) Amendment No. 3224, to amend title 31, United States Code, to provide Federal Government employees with bid protest

rights in actions under Office of Management and Budget Circular A–76. **Page S6717**

Levin/Feinstein Amendment No. 3340, to authorize the settlement of the claim of the Oakland Base Reuse Authority and Redevelopment Agency of the City of Oakland, California. **Page S6717**

Warner Amendment No. 3432, to amend the short title to name the bill in honor of the late Ronald W. Reagan, the 40th President of the United States. **Page S6717**

Warner (for Lott) Amendment No. 3221, to ensure continuity of the search and rescue capabilities of the Federal Government. **Pages S6717–18**

Levin (for Nelson (FL)) Modified Amendment No. 3376, to express the sense of Congress on space launch ranges. **Page S6718**

Warner (for Domenici) Amendment No. 3167, to require a report on the availability of launch sites that permit realistic overland test flights for defenses against short-range ballistic missile systems. **Page S6718**

Levin (for Sarbanes/Warner) Amendment No. 3296, to grant a Federal charter to Korean War Veterans Association, Incorporated. **Pages S6718–19**

Levin (for Harkin) Modified Amendment No. 3316, expressing the sense of the Senate on Armed Forces Radio and Television Service programming. **Page S6719**

Warner (for Gregg) Modified Amendment No. 3164, to express the sense of the Senate on the coordination of the rights under the Uniformed Services Employment and Reemployment Rights Act of 1994 with the Internal Revenue Code of 1986. **Pages S6719–21**

Enzi Amendment No. 3295, to authorize the purchase of aircraft for use in aerial firefighting. **Pages S6711, S6721**

Reid Amendment No. 3307, to require that any plan for compensation to individuals in military prisons in Iraq include provisions for compensation to former prisoners of war held by the regime of Saddam Hussein. **Pages S6696, S6721**

Pending:

Kennedy Amendment No. 3263, to prohibit the use of funds for the support of new nuclear weapons development under the Stockpile Services Advanced Concepts Initiative or for the Robust Nuclear Earth Penetrator (RNEP). **Page S6693**

Reid (for Leahy) Amendment No. 3292, to amend title 18, United States Code, to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts. **Pages S6696–97**

Dodd Modified Amendment No. 3313, to prohibit the use of contractors for certain Department of Defense activities and to establish limitations on the transfer of custody of prisoners of the Department of Defense. **Pages S6703–04, S6705–11**

Smith/Kennedy Amendment No. 3183, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes. **Pages S6711–13**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Tuesday, June 15, 2004. **Page S6746**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the text of an amendment to the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958; which was referred to the Committee on Foreign Relations. (PM–85) **Page S6732**

**Appointments:**

***Canada-U.S. Interparliamentary Group:*** The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senator as a member of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the Second Session of the 108th Congress: Senator Akaka. **Page S6742**

**Escort Committee—Agreement:** A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan, in to the House Chamber for the joint meeting on Tuesday, June 15, 2004. **Pages S6745–46**

**Nominations Received:** Senate received the following nominations:

Carol D'Amico, of Indiana, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years. (New Position)

John C. Danforth, of Missouri, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

John C. Danforth, of Missouri, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

1 Air Force nomination in the rank of general.

2 Army nominations in the rank of general.
Routine lists in the Navy. **Pages S6746–47**

**Enrolled Bills Presented:** **Page S6732**

**Executive Communications:** **Pages S6732–34**

**Additional Cosponsors:** **Pages S6734–37**

**Statements on Introduced Bills/Resolutions:** **Pages S6737–41**

**Additional Statements:** **Pages S6730–32**

**Amendments Submitted:** **Pages S6741–42**

**Notices of Hearings/Meetings:** **Page S6742**

**Authority for Committees to Meet:** **Page S6742**

**Privilege of the Floor:** **Page S6742**

**Record Votes:** One record vote was taken today. (Total—112) **Page S6714**

**Adjournment:** Senate convened at 1:01 p.m., and adjourned at 6:53 p.m., until 10:30 a.m., on Tuesday, June 15, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6746.)

## *Committee Meetings*

*(Committees not listed did not meet)*

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Thomas Fingar, of Virginia, to be Assistant Secretary of State for Intelligence and Research, Ralph Leo Boyce, Jr., of Virginia, to be Ambassador to Thailand, James R. Kunder, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, and Suzanne Hale, of Virginia, to be Ambassador to Micronesia, after each nominee testified and answered questions in their own behalf.

# House of Representatives

## *Chamber Action*

**Measures Introduced:** 20 public bills, H.R. 4545–4564; 2 private bills, H.R. 4565–4566; and 4 resolutions, H. Res. 670–673, were introduced. **Pages H3962–63**

**Additional Cosponsors:** **Pages H3963–64**

**Reports Filed:** Reports were filed today as follows:

H.R. 3266, to authorize the Secretary of Homeland Security to make grants to first responders, amendment (H. Rept. 108–460, Pt. 2); **Page H3962**

H. Res. 671, providing for consideration of the bill (H.R. 4503) to enhance energy conservation and research and development, to provide for security and diversity in the energy supply for the American people, and for other purposes, and for consideration of the bill (H.R. 4517) to provide incentives to increase refinery capacity in the United States (H. Rept. 108–539); and **Page H3962**

H. Res. 672, providing for consideration of the bill (H.R. 4513) to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes, and for consideration of the bill (H.R. 4529) to provide for exploration, development, and production of oil and gas resources on the Arctic Coastal Plain of Alaska, to resolve outstanding issues relating to the Surface Mining Control and Reclamation Act of 1977, to benefit the coal miners of America, and for other purposes (H. Rept. 108–540). **Page H3962**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. **Page H3875**

**Recess:** The House recessed at 12:42 p.m. and reconvened at 2 p.m. **Page H3876**

**Appointment to attend Funeral Services:** Pursuant to H. Res. 663, and the order of the House of December 8, 2003, the Speaker appointed himself and the entire membership of the House to attend the funeral services for former President Ronald Wilson Reagan held Wednesday, June 9, 2004, in the Rotunda of the Capitol and Friday, June 11, 2004, at the Washington National Cathedral. **Page H3877**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***Adjusting the number of free roaming horses at Cape Lookout National Seashore:*** H.R. 2055, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore; **Pages H3877–78**

*Marine Turtle Conservation Act of 2003:* H.R. 3378, amended, to assist in the conservation of marine turtles and the nesting habitats of marine turtles in foreign countries; **Pages H3878–80**

*Replacing certain Coastal Barrier Resources System maps:* S. 1663, amended, to replace certain Coastal Barrier Resources System maps; **Pages H3880–81**

*Protecting the voting rights of military personnel in elections for the Delegate representing American Samoa in the House of Representatives:* H.R. 2010, amended, to protect the voting rights of members of the Armed Services in elections for the Delegate representing American Samoa in the United States House of Representatives; **Pages H3881–84**

*AGOA Acceleration Act of 2004:* H.R. 4103, amended, to extend and modify the trade benefits under the African Growth and Opportunity Act; **Pages H3884–91**

*Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003:* H.J. Res. 97, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, by a ⅔ yea-and-nay vote of 372 yeas to 2 nays, Roll No. 232; **Pages H3891–92, H3925**

*Stroke Treatment and Ongoing Prevention Act:* H.R. 3658, amended, to amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke; **Pages H3893–96, H3926–27**

*Sense of Congress regarding the need to improve access to information on treatment options for prostate cancer patients:* H. Res. 669, expressing the sense of Congress with respect to the need to provide prostate cancer patients with meaningful access to information on treatment options, by a ⅔ yea-and-nay vote of 377 yeas to 3 nays, Roll No. 233; **Pages H3896–97, H3925–26**

*Providing for the establishment of the headquarters for the Department of Homeland Security in D.C.:* H.R. 4322, amended, to provide for the establishment of the headquarters for the Department of Homeland Security in the District of Columbia, to require the transfer of administrative jurisdiction over the Nebraska Avenue Naval Complex in the District of Columbia to serve as the location for the headquarters, to facilitate the acquisition by the Department of the Navy of suitable replacement facilities; **Pages H3897–H3900**

Agreed to amend the title so as to read: to provide for the transfer of the Nebraska Avenue Naval Complex in the District of Columbia to facilitate the establishment of the headquarters for the Department of Homeland Security, to provide for the acquisition by the Department of the Navy of suitable replacement facilities. **Page H3900**

*Amending United States Code to allow the Secretary of Defense to respond to combat emergencies:* H.R. 4323, to amend title 10, United States Code, to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies, by a ⅔ yea-and-nay vote of 285 yeas to 97 nays, Roll No. 234; **Pages H3900–01**

*Honoring members of the Army Motor Transport Service that served during WWII:* H. Con. Res. 439, amended, honoring the members of the Army Motor Transport Service that served during World War II and participated in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D–Day invasion; **Pages H3902–03**

Agreed to amend the title so as to read: honoring the members of the Army Motor Transport Brigade who during World War II served in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D–Day invasion of Normandy, France. **Page H3903**

*Congratulating the Tampa Bay Lightening hockey team:* H. Res. 668, amended, congratulating the Tampa Bay Lightning for winning the 2004 National Hockey League Stanley Cup championship and for their outstanding performance during the entire 2003–2004 season; **Pages H3904–05**

*Honoring former President George Herbert Walker Bush on the occasion of his 80th birthday:* H. Res. 653, amended, honoring former President George Herbert Walker Bush on the occasion of his 80th birthday, by a ⅔ yea-and-nay vote of 381 yeas with none voting "nay", Roll No. 235; **Pages H3905–07, H3927**

*Recognizing and honoring the service of those who participate in funeral honor guards for deceased veterans at national cemeteries across the country:* H. Con. Res. 260, recognizing and honoring the service of those who volunteer their time to participate in funeral honor guards at the interment or memorialization of deceased veterans of the uniformed services of the United States at national cemeteries across the country; **Pages H3907–08**

*Modifying certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents:* H.R. 4417, to modify certain deadlines pertaining to machine-readable, tamper-resistant entry and exit documents; **Pages H3908–10**

***Recognizing that Flag Day originated in Ozaukee County, Wisconsin:*** H. Res. 662, recognizing that Flag Day originated in Ozaukee County, Wisconsin; **Pages H3910–12**

***Congratulating the Brigham Young University men's volleyball team:*** H. Res. 643, congratulating the Brigham Young University men's volleyball team for winning the 2004 National Collegiate Athletic Association Division I-II men's volleyball championship; **Pages H3912–13**

***Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004:*** H.R. 4278, amended, to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities; **Pages H3913–20**

***Sense of Congress that Katherine Dunham should be recognized for her achievements in performance arts and education and for working for racial equality:*** H. Con. Res. 62, expressing the sense of Congress that Katherine Dunham should be recognized for her groundbreaking achievements in dance, theater, music, and education, as well as for her work as an activist striving for racial equality throughout the world; **Pages H3920–21**

***Sense of Congress that Lionel Hampton should be honored for his contributions to American music:*** H. Con. Res. 63, expressing the sense of Congress that Lionel Hampton should be honored for his contributions to American music; **Pages H3921–22**

***Amending the Indian Self-Determination and Education Assistance Act:*** H.R. 3504, to amend the Indian Self-Determination and Education Assistance Act to redesignate the American Indian Education Foundation as the National Fund for Excellence in American Indian Education; **Pages H3922–23**

***Supporting responsible fatherhood and encouraging involvement of fathers in the lives of their children:*** H. Res. 66, supporting responsible fatherhood and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; and **Pages H3923–24**

***Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2004:*** H.R. 4061, amended, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries. **Pages H3928–35**

**Recess:** The House recessed at 5:36 p.m. and reconvened at 6:30 p.m. **Page H3924**

**Committee Resignation:** Read a letter from Representative McCollum wherein she resigned from the Committee on Resources, effective immediately. **Pages H3927–28**

**Committee Election:** The House agreed to H. Res. 670, electing Representative Herseth to the Committee on Agriculture and Representative McCollum to the Committee on Government Reform. **Page H3928**

**Presidential Message:** Read a message from the President wherein he transmitted the text of an amendment to the Agreement Between the Government of the United States and the Government of the United Kingdom and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended—referred to the Committee on International Relations and ordered printed (108–192). **Page H3924**

**Senate Message:** Message received from the Senate today appears on page H3876.

**Senate Referrals:** S. 2214 and S. 2415 were referred to the Committee on Government Reform; S. J. Res. 38 was referred to the Committee on House Administration; and S. 2017 was held at the desk. **Page H3960**

**Amendments:** Amendments ordered printed pursuant to the rule appear on page H3964.

**Quorum Calls—Votes:** Four yea-and-nay votes developed during the proceedings of today and appear on pages H3925, H3925–26, H3926–27, and H3927. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and adjourned at 12 midnight.

# *Committee Meetings*

## AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies approved for full Committee action the Agriculture, Rural Development, Food and Drug Administration and Related Agencies appropriations for fiscal year 2005.

## RESOLUTION—REQUESTING DOD TRANSMIT TO THE HOUSE RESULTS OF INVESTIGATION CONDUCTED BY MAJOR GENERAL ANTONIO M. TAGUBA

*Committee on Armed Services:* Ordered adversely reported H. Res. 640, Of inquiry requesting that the

Secretary of Defense transmit to the House of Representatives before the expiration of the 14-day period beginning on the date of the adoption of this resolution any picture, photograph, video, communication, or report produced in conjunction with any completed Department of Defense investigation conducted by Major General Antonio M. Taguba relating to allegations of torture or allegations of violations of the Geneva Conventions of 1949 at Abu Ghraib prison in Iraq or any completed Department of Defense investigation relating to the abuse or alleged abuse of a prisoner of war or detainee by any civilian contractor working in Iraq who is employed on behalf of the Department of Defense.

**ENERGY LEGISLATION**

*Committee on Rules:* Granted by voice vote, a closed rule providing for consideration of H.R. 4503, Energy Policy Act of 2004. The rule provides one hour of debate in the House on H.R. 4503, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides one motion to recommit H.R. 4503.

Section 2 of the resolution provides for consideration of H.R. 4517, U.S. Refinery Revitalization Act of 2004, under a closed rule. The rule provides one hour of debate in the House on H.R. 4517 equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. Finally, the rule provides one motion to recommit H.R. 4517. Testimony was heard from Chairman Barton and Representatives Gilchrest, Stupak, Olver, Van Hollen and Hastings (FL).

**ENERGY LEGISLATION**

*Committee on Rules:* Granted by voice vote, a modified closed rule providing for consideration of H.R. 4513, to provide that in preparing an environmental assessment or environmental impact statement required under section 102 of the National Environmental Policy Act of 1969 with respect to any action authorizing a renewable energy project, no Federal agency is required to identify alternative project locations or actions other than the proposed action and the no action alternative, and for other purposes. The rule provides one hour of debate in the House on H.R. 4513 equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule makes in order the amendment printed in Part A of the Rules Committee report accompanying the resolution, if offered by Representative Pombo of California or his designee, which shall be considered as read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part A of the report. The rule provides one motion to recommit H.R. 4513 with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 4529, Arctic Coastal Plain Domestic Energy Security and Abandoned Mine Lands Reclamation Reform Act of 2004, under a modified closed rule. The rule provides one hour of debate in the House on H.R. 4529, with 50 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule makes in order the amendment in the nature of a substitute printed in Part B of the Rules Committee report accompanying the resolution, if offered by Representative Pombo of California or his designee, which shall be considered as read and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in part B of the report. Finally, the rule provides one motion to recommit H.R. 4259 with or without instructions. Testimony was heard from Chairman Pombo and Representative Kanjorski.

**AMERICAN JOBS CREATION ACT**

*Committee on Ways and Means:* Ordered reported H.R. 4520, as amended, American Jobs Creation Act of 2004.

## CONGRESSIONAL PROGRAM AHEAD

### Week of June 15 through June 19, 2004

### Senate Chamber

On *Tuesday,* at 9:15 a.m, Senators will proceed to the House of Representatives for a Joint Meeting of Congress to receive an address from His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan. Also, at 10:30 a.m., Senate will continue consideration of S. 2400, DOD Authorization, and after a period of debate, Senate will vote on or in relation to Kennedy Amendment No. 3263.

During the balance of the week, upon conclusion of S. 2400, DOD Authorization, Senate will begin consideration of S. 2062, Class Action Fairness Act. Also, Senate may consider any other cleared legislative and executive business.

## Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Appropriations:* June 16, business meeting to mark up proposed legislation making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2005, 10 a.m., SD–124.

*Committee on Banking, Housing, and Urban Affairs:* June 15, to hold hearings to examine the nomination of Alan Greenspan, of New York, to be Chairman of the Board of Governors of the Federal Reserve System, 11 a.m., SD–538.

June 17, Full Committee, to hold hearings to examine the regulation of the bond markets, 10 a.m., SD–538.

*Committee on Commerce, Science, and Transportation:* June 15, to hold oversight hearings to examine pipeline safety, 9:30 a.m., SR–253.

June 16, Full Committee, to hold hearings to examine S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications, 9:30 a.m., SR–253.

June 17, Full Committee, to hold hearings to examine measures to enhance border security, 9:30 a.m., SR–253.

June 17, Subcommittee on Science, Technology, and Space, to hold hearings to examine the final report on the President's Commission on Implementation of U.S. Space Exploration Policy, 2:30 p.m., SR–253.

*Committee on Energy and Natural Resources:* June 15, to hold hearings to examine crude oil supply, gasoline demands and the effects on prices, 10:45 a.m., SD–366.

June 16, Full Committee, business meeting to consider pending calendar business, 11:30 a.m., SD–366.

June 17, Full Committee, to hold hearings to examine the Environmental Management Program of the Department of Energy and issues associated with accelerated cleanup, 10 a.m., SD–366.

June 17, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 2513, to authorize the Secretary of the Interior to provide financial assistance to the Eastern New Mexico Rural Water Authority for the planning, design, and construction of the Eastern New Mexico Rural Water System; S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico; S. 2508, to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse; S. 2460, to provide assistance to the State of New Mexico for the development of comprehensive State water plans; and S. 1211, to further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the ''Reclamation Wastewater and Groundwater Study and Facilities Act'', by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, 2:30 p.m., SD–366.

*Committee on Finance:* June 15, to hold hearings to examine U.S.-Australia and U.S.-Morocco free trade agreements; to be immediately followed by a business meeting to consider S.J. Res. 39, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, 10:30 a.m., SD–215.

June 16, Full Committee, to hold hearings to examine measures to strengthen regulations and oversight to better ensure agriculture financing integrity, 11 a.m., SD–215.

*Committee on Foreign Relations:* June 15, to hold hearings to examine the status report on the global partnership against weapons of mass destruction relating to the Sea Island G8 Summit, 9:30 a.m., SD–419.

June 15, Full Committee, to hold hearings to examine the current situation in Sudan, 2:30 p.m., SD–419.

June 15, Full Committee, to hold hearings to examine the nominations of Joseph D. Stafford III, of Florida, to be Ambassador to Gambia, Lewis W. Lucke, of Texas, to be Ambassador to Swaziland, and R. Niels Marquardt, of California, to be Ambassador to Cameroon, and to serve concurrently and without additional compensation as Ambassador to Equatorial Guinea, 4:30 p.m., SD–419.

June 16, Full Committee, to hold hearings to examine the nominations of Charles P. Ries, of the District of Columbia, to be Ambassador to Greece, Tom C. Korologos, of the District of Columbia, to be Ambassador to Belgium, and John Marshall Evans, of the District of Columbia, to be Ambassador to the Republic of Armenia, 2 p.m., SD–419.

June 17, Full Committee, to hold hearings to examine Council of Europe Convention on Cybercrime (the ''Cybercrime Convention'' or the ''Convention''), which was signed by the United States on November 23, 2001 (Treaty Doc. 108–11), United Nations Convention Against Transnational Organized Crime (the ''Convention''), as well as two supplementary protocols: (1) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and (2) the Protocol Against Smuggling of Migrants by Land, Sea and Air, which were adopted by the United Nations General Assembly on November 15, 2000. The Convention and Protocols were signed by the United States on December 13, 2000, at Palermo, Italy (Treaty Doc. 108–16), Inter-American Convention Against Terrorism (''Convention'') Adopted at the Thirty-second Regular Session of the General Assembly of the Organization of American States (''OAS'') Meeting in Bridgetown, Barbados, and signed by thirty countries, including the United States, on June 3, 2002 (Treaty Doc. 107–18), and Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures done at Brussels on June 26, 1999 (Treaty Doc. 108–6), 9:30 a.m., SD–419.

June 17, Full Committee, to hold hearings to examine the nominations of Anne W. Patterson, of Virginia, to be Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, and to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations, and James B. Cunningham, of Pennsylvania, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, and to be Representative of the

United States of America to the International Atomic Energy Agency, with the rank of Ambassador, 2 p.m., SD–419.

*Committee on Governmental Affairs:* June 15, to hold hearings to examine current efforts to combat terrorism financing, 10:30 a.m., SD–342.

June 17, Permanent Subcommittee on Investigations, to hold hearings to examine the danger of purchasing pharmaceuticals over the Internet, focusing on the extent to which consumers can purchase pharmaceuticals over the Internet without a medical prescription, the importation of pharmaceuticals into the United States, and whether pharmaceuticals from foreign services are counterfeit, expired, unsafe, or illegitimate, 9 a.m., SD–342.

*Committee on Health, Education, Labor, and Pensions:* June 15, Subcommittee on Substance Abuse and Mental Health Services, to hold hearings to examine substance abuse prevention and treatment services for adolescents, 10 a.m., SD–430.

*Committee on Indian Affairs:* June 15, to hold hearings to examine S. 1530, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, 10 a.m., SR–485.

June 16, Full Committee, business meeting to consider S.J. Res. 37, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States; S. 297, to provide reforms and resources to the Bureau of Indian Affairs to improve the Federal acknowledgement process; S. 1529, to amend the Indian Gaming Regulatory Act to include provisions relating to the payment and administration of gaming fees; S. 1696, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes; S. 1715, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes; S. 2172, to make technical amendments to the provisions of the Indian Self Determination and Education Assistance Act relating to contract support costs; and S. 2277, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, and motion to authorize the chairman to issue subpoenas in regards to tribal lobbying matters; to be followed by an oversight hearing to examine the No Child Left Behind Act (Public Law 107–110), 10 a.m., SR–485.

June 16, Full Committee, to hold hearings to examine S. 1996, to enhance and provide to the Oglada Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program, 2 p.m., SR–485.

*Committee on the Judiciary:* June 15, to hold hearings to examine S. 2324, to extend the deadline on the use of technology standards for the passports of visa waiver participants, 11 a.m., SD–226.

June 16, Full Committee, to hold hearings to examine the nominations of Richard A. Griffin, of Michigan, David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit, and Virginia Maria Hernandez Covington, to be United States District Judge for the Middle District of Florida, 10 a.m., SD–226.

June 17, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–226.

*Special Committee on Aging:* June 15, to hold hearings to examine certain measures to strengthen social security, focusing on what personal retirement accounts do for low-income workers, 10 a.m., SD–628.

## House Chamber

Program to be announced.

## House Committees

*Committee on Agriculture,* June 15, Subcommittee on Conservation, Credit, Rural Development, and Research, hearing to review Implementation of the Conservation Title of the Farm Security and Rural Investment Act of 2002, 11 a.m., 1300 Longworth.

June 16, full Committee, hearing to review Iraqi Agriculture: From Oil for Food to the Future of Iraqi Production Agriculture and Trade, 10 a.m., 1300 Longworth.

*Committee on Appropriations,* June 15, Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies, to mark up the Commerce, Justice, State, Judiciary and Related Agencies appropriations for fiscal year 2005, 2 p.m., H–309 Capitol.

June 15, Subcommittee on Military Construction, on Navy Budget Request, 2 p.m., B–300 Rayburn.

June 16, full Committee, to mark up the following appropriations for fiscal year 2005: Defense and Energy and Water Development, 10 a.m., 2359 Rayburn.

June 16, Subcommittee on Military Construction, on Army Budget Request, 2 p.m., B–300 Rayburn.

*Committee on Armed Services,* June 15, hearing on the strategic implications of U.S. troop withdrawals from Korea, 10:30 a.m., 2118 Rayburn.

June 16, hearing on the status of U.S. forces in Iraq after June 30, 2004, 10 a.m., and a hearing on the report of the United States—China Economic and Security Review Commission, 2 p.m., 2118 Rayburn.

June 17, hearing on training of Iraqi security forces, 9 a.m., and a hearing on the impact of defense trade offsets on the U.S. defense industrial base, 2 p.m., 2118 Rayburn.

*Committee on Education and the Workforce,* June 15, Subcommittee on Education Reform, hearing on H.R. 4496, Vocational and Technical Education for the Future Act, 2:30 p.m., 2175 Rayburn.

June 16, full Committee, hearing entitled "H.R. 4283, College Access and Opportunity Act: Are Students at Proprietary Institutions Treated Equitably under Current Law?" 10:30 a.m., 2175 Rayburn.

*Committee on Energy and Commerce,* June 15, Subcommittee on Health, to mark up the following: H.R. 2023, Asthmatic Schoolchildren's Treatment and Health Management Act of 2003; Mammography Quality Standards Reauthorization Act of 2004; and S. 741, Minor Use and Minor Species Animal Health Act of 2003, 1 p.m., 2123 Rayburn.

June 15, Subcommittee on Telecommunications and the Internet, hearing on the Junk Fax Prevention Act of 2004, 9:30 a.m., 2322 Rayburn.

June 16, Subcommittee on Oversight and Investigations, hearing entitled ''Parents Be Aware: Health Concerns about Dietary Supplements for Overweight Children,'' 10 a.m., 2123 Rayburn.

June 17, Subcommittee on Oversight and Investigations, hearing entitled ''Problems with the E-rate Program: Waste, Fraud, and Abuse Concerns in the Wiring of Our Nation's Schools to the Internet,'' 9:30 a.m., 2322 Rayburn.

*Committee on Financial Services,* June 15, to continue markup of H.R. 3574, Stock Option Accounting Reform Act, 11 a.m., 2128 Rayburn.

June 16, Subcommittee on Housing and Community Opportunity, hearing on H.R. 4110, FHA Single Family Loan Limit Adjustment Act of 2004, 10 a.m., 2128 Rayburn.

June 16, Subcommittee on Oversight and Investigations, hearing entitled ''Oversight of the Department of the Treasury,'' 2 p.m., 2128 Rayburn.

June 17, Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, hearing entitled, ''The US–EU Regulatory Dialogue: The Private Sector Perspective,'' 10 a.m., 2128 Rayburn.

*Committee on Government Reform,* June 15, hearing entitled ''Unprecedented Challenges: Contracting and the Rebuilding of Iraq,'' 11 a.m., 2154 Rayburn.

June 15, Subcommittee on National Security, Emerging Threats and International Relations, hearing on Iraq: Winning Hearts and Minds, 2 p.m., 2247 Rayburn.

June 16, Subcommittee on Government Efficiency and Financial Management, oversight hearing entitled ''Private Sector Consultants and Federal Management: More than Balancing the Books,'' 2 p.m., 2247 Rayburn.

June 16, Subcommittee on Human Rights and Wellness, hearing entitled ''Living in Fear: The Continued Human Rights Abuses in Castro's Cuba,'' 10 a.m., 2154 Rayburn.

June 16, Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census, hearing entitled ''Locking Your Cyber Front Door—The Challenges Facing Home Users and Small Businesses?'' 2 p.m., 2154 Rayburn.

June 17, full Committee, hearing entitled ''The War Against Drugs and Thugs: A Status Report on Plan Colombia Successes and Remaining Challenges,'' 2 p.m., 2154 Rayburn.

*Committee on International Relations,* June 15, Subcommittee on the Middle East and Central Asia, hearing on Uzbekistan: The Key to Success in Central Asia?'' 1 p.m., 2172 Rayburn.

June 16, Subcommittee on Europe, hearing on U.S. Initiatives at NATO's Istanbul Summit, 1:30 p.m., 2200 Rayburn.

June 16, Subcommittee on the Middle East and Central Asia, hearing on The Future of U.S.-Egyptian Relations, 3 p.m., 2255 Rayburn.

June 16, Subcommittee on International Terrorism, Nonproliferation and Human Rights, hearing on The Visa Waiver Program and the Screening of Potential Terrorists, 10 a.m., 2172 Rayburn.

June 17, full Committee, to mark up H. Res. 642, House Commission For Assisting Democratic Parliaments Resolution; followed by a hearing on United States Economic Assistance to Egypt: Does It Advance Reform?'' 10:30 a.m., 2172 Rayburn.

June 17, Subcommittee on Europe, to mark up the following measures: H. Con. Res. 415, Urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004; and H. Res. 652, Urging the Government of the Republic of Belarus to ensure a democratic, transparent, and fair election process for its parliamentary elections in the fall of 2004, 10 a.m., 2255 Rayburn.

*Committee on the Judiciary,* June 15, Subcommittee on Crime, Terrorism, and Homeland Security, hearing and markup of H.R. 218, Law Enforcement Officers Safety Act of 2003, 2 p.m., 2141 Rayburn.

June 16, full Committee, to mark up the following bills: H.R. 3266, Faster and Smarter Funding for First Responders Act of 2003; H.R. 4518, Satellite Home Viewer Extension and Reauthorization Act of 2004; H.R. 338, Defense of Privacy Act; H.R. 3632, Anti-Counterfeiting Amendments of 2003; and H.R. 2934, Terrorist Penalties Enhancement Act of 2003, 10 a.m., 2141 Rayburn.

June 17, Subcommittee on Courts, the Internet, and Intellectual Property, hearing on the Family Movie Act, 10 a.m., 2141 Rayburn.

June 17, Subcommittee on Immigration, Border Security, and Claims, oversight hearing entitled ''Families and Businesses in Limbo: The Detrimental Impact of the Immigration Backlog,'' 1 p.m., 2141 Rayburn.

*Committee on Resources,* June 15, Subcommittee on National Parks, Recreation and Public Lands, hearing on the following bills: H.R. 1630, Petrified Forest National Park Expansion Act of 2003; H.R. 2129, Taunton, Massachusetts Special Resources Study Act; H.R. 3954, Rancho El Cajon Boundary Reconciliation Act; H.R. 4481, To amend Public Law 86–434 establishing Wilson's Creek National Battlefield in the State of Missouri to expand the boundaries of the park; and S. 1576, Harpers Ferry National Historical Park Boundary Revision Act of 2003, 10 a.m., 1334 Longworth.

June 16, full Committee, hearing on H.R. 3589, To create the Office of Chief Financial Officer of the Government of the Virgin Islands, 10 a.m., 1324 Longworth.

June 16, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing on The Importance of Fishery Data Collection Programs, 2 p.m., 1324 Longworth.

June 16, Subcommittee on Water and Power, to mark up the following bills: H.R. 3334, Riverside-Corona Feeder Authorization Act; H.R. 3597, To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California; and H.R. 4045, To authorize the Secretary of the Interior to prepare a feasibility study with

respect to the Mokelumne River, 2 p.m., 1334 Longworth.

June 17, Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 3102, To utilize the expertise of New Mexico State University, the University of Arizona, and Northern Arizona University in conducting studies under the National Environmental Policy Act of 1969 in connection with grazing allotments and range and continuing range analysis for National Forest System lands in New Mexico and Arizona; H.R. 3427, Craig Recreation Land Purchase Act; H.R. 4494, Grey Towers National Historic Site Act of 2004; and S. 2003, To clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River, 11 a.m., 1334 Longworth.

*Committee on Rules,* June 16 and 17, Subcommittee on Technology and the House, hearings to examine Rule X, the Organization of Committees, including its current legislative impact, arrangement, and effectiveness, 11 a.m., H–313 Capitol.

*Committee on Science,* June 15, Subcommittee on Energy, to mark up the following bills: H.R. 3890, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; and H.R. 4516, Department of Energy High-End Computing Revitalization Act of 2004, 2 p.m., 2318 Rayburn.

June 16, full Committee, to mark up the following bills: H.R. 3890, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; and H.R. 4516, Department of Energy High-End Computing Revitalization Act of 2004; H.R. 4218, High-Performance Computing Revitalization Act of 2004; and H.R. 3598, Manufacturing Technology Competitiveness Act of 2004, 10 a.m., 2318 Rayburn.

*Committee on Small Business,* June 17, Subcommittee on Regulatory Reform and Oversight, hearing on Department of Labor's Enforcement Against Small Businesses, 10:30 a.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* June 15, Subcommittee on Aviation, oversight hearing on The Status of the Air Traffic Controller Workforce, 10:30 a.m., 2167 Rayburn.

June 16, Subcommittee on Highways, Transit, and Pipelines, oversight hearing on Pipeline Safety and the Office of Pipeline Safety, 10 a.m., 2167 Rayburn.

*Committee on Veterans' Affairs,* June 16, Subcommittee on Benefits, hearing on the following: H.R. 4032, Veterans Fiduciary Act of 2004; and the Veterans Self-Employment Act of 2004, 11 a.m., 340 Cannon.

June 17, full Committee, hearing on efforts to identify and eliminate fraud, waste, abuse and mismanagement in programs administered by the Department of Veterans Affairs, 10 a.m., 334 Cannon.

*Committee on Ways and Means,* June 15, Subcommittee on Oversight, hearing on Tax Simplification, 2 p.m., 1100 Longworth.

June 15, Subcommittee on Social Security, hearing on Enhancing Social Security Number Privacy, 11 a.m., B–318 Capitol.

June 16, full Committee, hearing on the Implementation of the United States-Australia Free Trade Agreement, 10 a.m., 1100 Longworth.

June 17, Subcommittee on Health, hearing on Health Care Information Technology, 2 p.m., 1100 Longworth.

June 17, Subcommittee on Trade, hearing on Customs Budget Authorizations and Other Customs Issues, 10 a.m., 1100 Longworth.

*Permanent Select Committee on Intelligence,* June 16, executive, to mark up the Intelligence Authorization Act for Fiscal Year 2005, 3 p.m., H–405 Capitol.

June 17, Subcommittee on Human Intelligence, Analysis, and Counterintelligence, executive, briefing on Counternarcotics: Afghanistan, 2 p.m., H–405 Capitol.

June 17, Subcommittee on Intelligence Policy and National Security, executive, briefing on Global Intelligence Update, 9 a.m., H–405 Capitol.

*Select Committee on Homeland Security,* June 15, Subcommittee on Infrastructure and Border Security, hearing entitled ''Protecting the Homeland: Building a Layered and Coordinated Approach to Border Security,'' 10:30 a.m., 2318 Rayburn.

## Joint Meetings

*Commission on Security and Cooperation in Europe:* June 15, to hold hearings to examine advancing democracy and human rights in the Middle East focusing on the possibility of using the 1975 Helsinki Final Act and related institutions as models for reform in the region, 2 p.m., 2212 RHOB.

June 16, Full Committee, to hold hearings to examine the April 2003 Berlin Conference on Anti-Semitism and consider appropriate steps to following up on the conference, 10 a.m., 334 CHOB.

*Next Meeting of the* SENATE

10:30 a.m., Tuesday, June 15

Senate Chamber

**Program for Tuesday:** Senate will continue consideration of S. 2400, Department of Defense Authorization Act, and after a period of debate, vote on or in relation to Kennedy Amendment No. 3263.

*(At 9 a.m., Senators will meet in the Senate Chamber to proceed to the House of Representatives for a Joint Meeting of Congress, to begin at 9:30 a.m., to receive an address from His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan.)*

*(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)*

*Next Meeting of the* HOUSE OF REPRESENTATIVES

8:30 a.m., Tuesday, June 15

House Chamber

**Program for Tuesday:** Joint Meeting of Congress for the purpose of receiving His Excellency Hamid Karzai, President of the Transitional Islamic State of Afghanistan.

Consideration of H.R. 4503, Energy Policy Act of 2004 (subject to a rule).

Consideration of H.R. 4517, U.S. Refinery Revitalization Act of 2004 (subject to a rule).

Consideration of H.R. 4513, Renewable Energy Project Siting Improvement Act of 2004 (subject to a rule).

Consideration of H.R. 4529, Arctic Coastal Plain Domestic Energy Security and Abandoned Mine Lands Reclamation Reform Act of 2004 (subject to a rule).

## Extensions of Remarks, as inserted in this issue

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Woolsey, Lynn C., Calif., E1094

Congressional Record

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