

same time, have the loan rates pegged at a level where America's farmers can cover most of the costs of their operation. So as a consequence, our proposal is to increase the loan rate for corn as an example, to \$2.43 a bushel; the loan rate on soybeans to \$5.50 a bushel; to extend the period of the marketing loan to 20 months; and to include payment limitations, so that this farm program does not enrich those that are farming tens of thousands of acres, but instead, focuses its benefits and its attention on those farmers that are moderate size, family farming operations.

Mr. Speaker, I submit that this is the track that we need to take if we are going to get American agriculture back on course, and I urge my colleagues to join with the gentleman from North Dakota (Mr. POMEROY) and myself on this legislation.

TOPICS OF NATIONAL INTEREST

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

Mr. DUNCAN. Mr. Speaker, I rise tonight to speak on two unrelated, but very important topics of national interest.

CAPITAL PUNISHMENT

Mr. DUNCAN. Mr. Speaker, first, I spent 7½ years before coming to Congress as a criminal court judge, trying felony criminal cases. I tried several death penalty cases, and I think I am the only Member of this Congress who has sentenced anyone to the electric chair.

It is almost impossible, Mr. Speaker, to get a jury to return a death sentence today. Despite polls showing very high support for capital punishment, it is one thing to favor the death penalty, but a much more difficult thing to actually impose it. It is so difficult, in fact, that most prosecutors will not even ask for a death sentence except in the most gruesome, horrible cases; and that is the main point I wish to make today, that juries return death sentences only in extremely brutal, terrible crimes.

In fact, it has been the law in this country for many years that an ordinary, simple murder, if there is such a thing, with nothing more, is not a capital case. To have a case justifying the death penalty, there must be aggravating circumstances that outweigh any mitigating factors, anything sympathetic in favor of the defendant. There have to be multiple crimes or killings, circumstances that make the case especially heinous.

I do not think a death sentence is appropriate except in 1 in 1 million very rare, very unusual kinds of cases. But I do believe that there are cases which are so gruesome, so horrendous that a

death sentence is the only appropriate punishment. Those who oppose the death penalty should ask themselves, would they oppose it if their daughter or wife or sister was brutally raped as her three small children watched and then all were strangled to death, an actual case.

The media does a great job gaining sympathy for those who are about to be put to death. I wish they would do just as good a job describing the sickening details of the murders that have been committed, even if almost shockingly, a prosecutor can get a rare, unusual jury to return a death sentence, the trial judge sits as the 13th juror and must later approve the verdict or grant a new trial or sometimes a lesser sentence. Following the trial judge, both State and Federal appellate courts review the case. Usually at least 30 or 40 judges review a death sentence before it is carried out, and many of these judges are philosophically opposed to the death penalty. There seems to be a real drum beat in the media to do away with capital punishment.

I urge my colleagues and others to look very closely at this before they jump on this particular band wagon.

SHORTAGE OF TEACHERS IN AMERICA

Mr. DUNCAN. Secondly, Mr. Speaker, another important, but unrelated issue of national concern is the impending teacher shortage. This is a very artificial, political government-produced shortage. It has come about only because the teachers' unions and colleges of education want to drastically restrict and limit and control the number of people allowed to teach in the Nation's public schools.

If a person with a Ph.D. and 30 years of experience, say a chemist, wanted to teach after working for years for the Government, he cannot do so under the rules in most States today. If a small college went under and a professor with 25 years of teaching experience, let us say a professor of English, wanted to move to a public school, he could not do so in most States today. If a very successful businessman wanted to teach for a few years as a way to contribute back to society, he could not do so today, despite all of his great wealth and success and experience. Why? Because they would not have the required degrees in education.

So school boards are restricted to hiring 22-year-olds with no experience because they have taken a few education courses over people with Ph.D.s and great experience and success and knowledge who have not had the education courses. This makes no sense at all at any time, but it is crazy in a time when there is or is about to be a teacher shortage. School boards should never hire an unqualified teacher, but they should be given the flexibility and freedom and power to hire people who have great knowledge or experience or success in a particular field, even if

they have never taken an education course. If they could do this, there would be no teacher shortage in this country. There are hundreds of thousands of experienced, well-trained, well-educated people with degrees and even graduate degrees who have not taken education courses, but who could and would make great teachers, if only government regulations would give them the freedom and opportunity to do so.

HIV/AIDS, THE WORLD'S DEADLIEST DISEASE

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

Mr. CUMMINGS. Mr. Speaker, today I rise to discuss one of the most challenging and life-threatening public health issues facing the global community, HIV infection and AIDS. I will also highlight significant actions our government and fellow Americans have taken to combat this threat.

HIV/AIDS is now the world's deadliest disease with more than 40 million persons infected worldwide. Not surprisingly, the pandemic affects the most vulnerable citizens of our global community. In fact, nearly 95 percent of infected persons live in the developing countries, with sub-Saharan Africa being the hardest hit of any other region in the world.

The statistics are startling. New HIV infections in Africa have numbered more than 1.4 million each year since 1991. That is an average of more than 3,800 new HIV/AIDS infections per day. Nearly 6,000 will die within this same time frame. Mr. Speaker, 23.3 million adults and children are infected with the HIV virus in the region, which has about 10 percent of the world's population, but nearly 70 percent of the worldwide total of infected people.

Life expectancy in these nations has been reduced by the disease to between 22 and 40 years. Some sub-Saharan African countries could lose as much as a third of their adult population by 2010, and 16 African countries have an HIV infection rate of more than 10 percent. South Africa is 20 percent, Zimbabwe and Swaziland are at 25 percent; and in Botswana, which has the highest infection rate in the region, 36 percent of adults are HIV infected.

When I hear these daunting statistics, I am reminded of a quote by John F. Kennedy. He said, "Mankind must put an end to war, or war will put an end to mankind." HIV/AIDS and its death toll have declared war on our humanity. We must fight back. All sectors and all spheres of society have to be involved as equal partners in fighting this assault. The health sector cannot meet this challenge on its own, nor can one government or nation. It is imperative that we have a collective global effort.

Although I do believe we can do more, I am proud to say that the executive and legislative branches of our government, as well as the private sector, have taken significant steps in that direction. Earlier this month, the U.S. Export-Import Bank extended up to \$1 billion in financing to 24 sub-Saharan African countries to buy anti-AIDS drugs. The financing will be combined with a \$500 million commitment from the World Bank to help these countries purchase reduced-priced drugs, buy medical equipment, and develop specialized health services.

More recently, the gentlewoman from California (Ms. LEE), along with the gentlewoman from California (Ms. WATERS), the gentleman from Florida (Mr. HASTINGS), and the gentleman from Illinois (Mr. JACKSON), and the Congressional Black Caucus successfully offered an amendment adding \$42 million to the Infectious Disease Account for international HIV/AIDS funding in the House-passed version of the fiscal year 2001 Foreign Operations Appropriations Act. The amendment increased this important funding for HIV/AIDS to the President's original budget request of \$244 million, which is \$190 million over current-year funding.

Additionally, during the 13th International Annual AIDS Conference in Durban, South Africa this month, the Bill and Melinda Gates Foundation announced a round of grants amounting to \$100 million to prevent AIDS in mothers and children, assist AIDS orphans, and relieve suffering in dying patients. Of this funding, a \$50 million grant will go to Botswana, the country in sub-Sahara with the highest HIV infection rate. That will be matched mostly through drug donations by the U.S. Merck Pharmaceutical Corporation.

When the history of this war is written, it will record the collective efforts of societies. Future generations will judge us on the adequacy of our response. I commend the Ex-Im Bank, my colleagues in this House, and the Bill and Melinda Gates Foundation for their compassion and foresight in addressing this issue.

TENTH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

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

Mrs. MORELLA. Mr. Speaker, I am pleased to comment this evening to this body on the 10th anniversary of the Americans With Disabilities Act.

I want to make a quote: "I now lift my pen to sign the Americans With Disabilities Act and say, let the shameful wall of exclusion finally come tumbling down."

That was spoken by President Bush on July 26, 1990. Mr. Speaker, I rise

today to reflect on how far we as a Nation have come since that summer day 10 years ago when I was honored to be an original cosponsor of the Americans With Disabilities Act.

Today, I joined another President and disability advocates at the F.D.R. Memorial, President Franklin Delano Roosevelt Memorial, to commemorate this landmark law.

I want to discuss a little bit what has happened in the decade since its enactment, but I would like to recognize for about 40 seconds the distinguished gentleman from Pennsylvania (Mr. GEKAS), who would like to make a comment.

Mr. GEKAS. Mr. Speaker, I join with the gentlewoman in the celebration of the moment of the 10 years of good times spent in developing the Americans With Disabilities Act. I was on the committee, as I still am, on the Committee on the Judiciary, when we had the first hearing; and one of the principal witnesses, some may remember, was Attorney General, then Attorney General Dick Thornberg in the Bush administration, speaking for the Bush administration, endorsing the Americans With Disabilities Act, and bringing into play not only his personal and professional endorsement of it for the Bush administration, but also because he himself as a father has undergone problems in the family with people with disabilities.

So we had a merging, during that committee, of all of the elements that are necessary to make the Americans With Disabilities Act work, namely, that the administration, whatever administration it is, always is behind it; number two, that spokesmen for the administration now and in the future will be developing programs with the Americans With Disabilities Act; and, third, to recognize that members of our own families and neighbors and friends are all subject to the benefits of the Americans With Disabilities Act.

I thank the gentlewoman.

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Mrs. MORELLA. Yes, Mr. Speaker, in the decade since its enactment, the ADA has changed the social fabric of our Nation. It has brought the principle of disability civil rights into the mainstream of public policy. In fact, the law, coupled with the disability rights movement, has fundamentally changed the way Americans perceive disability.

ADA placed disability discrimination alongside race gender discrimination, and exposed the common experiences of prejudice and segregation, and provided a cornerstone for the elimination of disability discrimination in this country.

The passage of ADA resulted from a long struggle by Americans with disabilities to bring an end to their inferior status and unequal protection

under law. It is well documented the severe social, vocational, economic, and educational disadvantages of people with disabilities.

Besides widespread discrimination in employment, housing and public accommodations, education, transportation, communication, recreation, I could go on, institutionalization, health services, voting, and access to public services, people with disabilities faced the additional burden of having little or no legal recourse to redress their exclusion.

Mr. Speaker, over the past decade, ADA has become a symbol of the promise of human and civil rights. It has brought change and access to the architectural and telecommunications landscape of the United States. It has created increased recognition and understanding of the manner in which the physical and social environment can pose discriminatory barriers to people with disabilities.

I want to point out that we have been making some strides. My Subcommittee on Technology passed and allows Congress significant assistive technology which was included in the budget. Just last week, a commission on the advancement of women, minorities, and persons with disabilities in science, engineering, and technology established under my legislation in the last Congress did a roll-out of their recommendations. We are hoping to pull together a public-private partnership so that we can give more access and opportunity to persons with disabilities.

ADA is not self-acting in ensuring its provisions are fully enforced.

The Federal Government commitment to the full implementation of ADA and its effective enforcement is essential to fulfill the law's promises. Although this country has consistently asserted its strong support for the civil rights of people with disabilities, many of the Federal agencies charged with enforcement and policy development under ADA, to varying degrees, have been overly cautious, reactive and lacking any coherent and unifying national strategy.

Enforcement efforts are largely shaped by a case-by-case approach based on individual complaints rather than an approach based on compliance monitoring and a cohesive, proactive enforcement strategy.

In addition, enforcement agencies have not consistently taken leadership roles in clarifying frontier or emergent issues, issues that, even after nearly 10 years of enforcement, continue to be controversial, complex, unexpected, and challenging.

Mr. Speaker, for ADA to be effective, this needs to be changed.

There is something ADA cannot legislate, and that is attitude. There is a saying with the disability community: "Attitude is the real disability." The attitude toward employment of people with disabilities has to change.