

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H. J. Res. 7. Joint resolution recognizing the 90th birthday of Ronald Reagan.

The message also announced that pursuant to Public Law 105-83, the Chair, on behalf of the Democratic Leader, announces the reappointment of the Senator from Illinois (Mr. DURBIN) as a member of the National Council on the Arts.

The message also announced that pursuant to section 2761 of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Democratic Leader, appoints the Senator from West Virginia (Mr. BYRD) as Co-Chairman of the Senate Delegation to the British-American Interparliamentary Group during the One Hundred Seventh Congress.

The message also announced that pursuant to Public Law 106-550, the Chair, on behalf of the Majority Leader, announces the appointment of the following Senators to serve as members of the James Madison Commemoration Commission—

the Senator from Virginia (Mr. WARNER); and
the Senator from Alabama (Mr. SESSIONS).

The message also announced that pursuant to Public Law 106-398, the Chair, on behalf of the Majority Leader, announces the appointment of the following individuals to serve as members of the Commission on the Future of the United States Aerospace Industry—

William Schneider, Jr., of New York; and
Robert J. Stevens, of Maryland.

PUBLICATION OF THE RULES OF THE COMMITTEE ON THE JUDICIARY 107TH CONGRESS

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

Mr. SENSENBRENNER. Madam Speaker, pursuant to clause 2(a)(2) of Rule XI of the Rules of the House of Representatives, I hereby submit the rules of the Committee on the Judiciary for the 107th Congress for publication in the CONGRESSIONAL RECORD. These rules were adopted by the Committee on January 31, 2001, in a meeting that was open to the public.

U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON THE JUDICIARY, RULES OF PROCEDURE, ONE HUNDRED SEVENTH CONGRESS, ADOPTED JANUARY 31, 2001

MEMBERS OF COMMITTEE—ONE HUNDRED SEVENTH CONGRESS

F. James Sensenbrenner, Jr., Wisconsin, *Chairman*, Henry J. Hyde, Illinois, George W. Gekas, Pennsylvania, Howard Coble, North

Carolina, Lamar S. Smith, Texas, Elton Gallegly, California, Bob Goodlatte, Virginia, Steve Chabot, Ohio, Bob Barr, Georgia, William L. Jenkins, Tennessee, Asa Hutchinson, Arkansas, Chris Cannon, Utah, Lindsey O. Graham, South Carolina, Spencer Bachus, Alabama, Joe Scarborough, Florida, John N. Hostettler, Indiana, Mark Green, Wisconsin, Ric Keller, Florida, Darrell E. Issa, California, Melissa A. Hart, Pennsylvania, and Jeff Flake, Arizona.

John Conyers, Jr., Michigan, Barney Frank, Massachusetts, Howard L. Berman, California, Rick Boucher, Virginia, Jerrold Nadler, New York, Robert C. Scott, Virginia, Melvin L. Watt, North Carolina, Zoe Lofgren, California, Sheila Jackson Lee, Texas, Maxine Waters, California, Martin T. Meehan, Massachusetts, William D. Delahunt, Massachusetts, Robert Wexler, Florida, Steven R. Rothman, New Jersey, Tammy Baldwin, Wisconsin, and Anthony D. Weiner, New York.

RULES OF PROCEDURE

Rule I

The Rules of the House of Representatives are the rules of the Committee on the Judiciary and its subcommittees with the following specific additions thereto.

Rule II. Committee Meetings

(a) The regular meeting day of the Committee on the Judiciary for the conduct of its business shall be on Tuesday of each week while the House is in session.

(b) Additional meetings may be called by the Chairman and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chairman, there is no need therefor.

(c) At least 24 hours (excluding Saturdays, Sundays and legal holidays when the House is not in session) before each scheduled Committee or subcommittee meeting, each Member of the Committee or subcommittee shall be furnished a list of the bill(s) and subject(s) to be considered and/or acted upon at the meeting. Bills or subjects not listed shall be subject to a point of order, unless their consideration is agreed to by a two-thirds vote of the Committee or subcommittee.

(d) The Chairman, with such notice to the ranking Minority Member as is practicable, may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(e) Committee and subcommittee meetings for the transaction of business, i.e., meetings other than those held for the purpose of taking testimony, shall be open to the public except when the Committee or subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(f) Every motion made to the Committee and entertained by the Chairman shall be reduced to writing upon demand of any Member, and a copy made available to each Member present.

(g) For purposes of taking any action at a meeting of the full Committee or any subcommittee thereof, a quorum shall be constituted by the presence of not less than one-third of the Members of the Committee or subcommittee, except that a full majority of the Members of the Committee or sub-

committee shall constitute a quorum for purposes of reporting a measure or recommendation from the Committee or subcommittee, closing a meeting to the public, or authorizing the issuance of a subpoena.

(h) Transcripts of markups shall be recorded and may be published in the same manner as hearings before the committee and shall be included as part of the legislative report unless waived by the Chairman.

Rule III. Hearings

(a) The Committee Chairman or any subcommittee chairman shall make public announcement of the date, place, and subject matter of any hearing to be conducted by it on any measure or matter at least one week before the commencement of that hearing. If the Chairman of the Committee, or subcommittee, with the concurrence of the ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date.

(b) Committee and subcommittee hearings shall be open to the public except when the Committee or subcommittee determines by majority vote to close the meeting because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise would violate any law or rule of the House.

(c) For purposes of taking testimony and receiving evidence before the Committee or any subcommittee, a quorum shall be constituted by the presence of two Members.

(d) In the course of any hearing each Member shall be allowed five minutes for the interrogation of a witness until such time as each Member who so desires has had an opportunity to question the witness.

(e) The transcripts of those hearings conducted by the committee which are decided to be printed shall be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members of Congress, whose comments are to be published as part of a committee document shall be given the opportunity to verify the accuracy of the transcription in advance of publication. Any requests by those Members, staff or witnesses to correct any errors other than errors in the transcription, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior to approval by the Chairman of hearings conducted jointly with another congressional committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the verbatim transcript.

Rule IV. Broadcasting

Whenever a hearing or meeting conducted by the Committee or any subcommittee is open to the public, those proceedings shall be open to coverage by television, radio and still photography except when the hearing or meeting is closed pursuant to the Committee Rules of Procedure.

Rule V. Standing Subcommittees

(a) The full Committee shall have jurisdiction over the following subject matters: antitrust law, tort liability, including medical malpractice and product liability, legal reform generally, and such other matters as determined by the Chairman.

(b) There shall be five standing subcommittees of the Committee on the Judiciary, with jurisdictions as follows:

(1) *Subcommittee on Courts, the Internet, and Intellectual Property*: copyright, patent and trademark law, information technology, administration of U.S. courts, Federal Rules of Evidence, Civil and Appellate Procedure, judicial ethics, other appropriate matters as referred by the Chairman, and relevant oversight.

(2) *Subcommittee on the Constitution*: constitutional amendments, constitutional rights, federal civil rights laws, ethics in government, other appropriate matters as referred by the Chairman, and relevant oversight.

(3) *Subcommittee on Commercial and Administrative Law*: bankruptcy and commercial law, bankruptcy judgeships, administrative law, independent counsel, state taxation affecting interstate commerce, interstate compacts, other appropriate matters as referred by the Chairman, and relevant oversight.

(4) *Subcommittee on Crime*: Federal Criminal Code, drug enforcement, sentencing, parole and pardons, Federal Rules of Criminal Procedure, prisons, other appropriate matters as referred by the Chairman, and relevant oversight.

(5) *Subcommittee on Immigration and Claims*: immigration and naturalization, admission of refugees, treaties, conventions and international agreements, claims against the United States, federal charters of incorporation, private immigration and claims bills, other appropriate matters as referred by the Chairman, and relevant oversight.

(c) The Chairman of the Committee and ranking Minority Member thereof shall be ex officio Members, but not voting Members, of each subcommittee to which such Chairman or ranking Minority member has not been assigned by resolution of the Committee. Ex officio Members shall not be counted as present for purposes of constituting a quorum at any hearing or meeting of such subcommittee.

Rule VI. Powers and Duties of Subcommittees

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

Rule VII. Non-Legislative Reports

No report of the Committee or subcommittee which does not accompany a measure or matter for consideration by the House shall be published unless all Members of the Committee or subcommittee issuing the report shall have been apprised of such report and given the opportunity to give notice of intention to file supplemental, additional, or dissenting views as part of the report. In no case shall the time in which to file such views be less than three calendar days (excluding Saturdays, Sundays and legal holidays when the House is not in session).

Rule VIII. Committee Records

The records of the Committee at the National Archives and Records Administration shall be made available for public use according to the Rules of the House. The Chairman shall notify the ranking Minority Member of any decision to withhold a record otherwise available, and the matter shall be pre-

sented to the Committee for a determination on the written request of any Member of the Committee.

PROTECTING OUR GREATEST MILITARY ASSET: OUR MILITARY PERSONNEL

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

Mr. SKELTON. Madam Speaker, as we begin the 107th Congress and our debate turns to our national security, I want to remind our colleagues that we must remain vigilant in protecting the greatest asset in our defense arsenal, our military personnel. Without our soldiers, sailors, airmen and Marines, we cannot sail our ships, fly our fighters, or put boots on the ground to protect our Nation's interests here and abroad.

Our highly qualified, well-trained military personnel are the core of our Nation's defense. I am concerned that the new administration will rush to fund high visibility weapons systems with important political constituencies, like the National Missile Defense, at the expense of ensuring that our military personnel remain the best in the world.

I believe we must make every effort to continue to recruit quality service members to ensure the continued success of our Armed Forces. With the good economic times, rising numbers of high school graduates going on to college, low unemployment, myriad job opportunities in the private sector, and a whole host of other factors, it is no secret that the military services have been experiencing difficulties in recruiting and retaining enough qualified individuals.

Last year, all of the services reached their yearly recruiting goals for enlisted active duty personnel, but this success was not easily achieved. For example, the Air Force, which historically has an easier time recruiting, had to establish a special task force in order to improve its recruiting program. This year, the services are forecasting that they will each make their active duty recruiting goals for enlisted personnel. Time will tell.

Active duty recruiting is not the only challenge facing the services. Maintaining a suitable reserve force to provide the additional support for our military is also a daunting challenge. Last year, two of the seven reserve components, the Navy Reserve and the Air Force Reserve, missed their enlisted recruiting goals.

Currently, the Army National Guard and the Naval Reserve are both on a path to miss their projected goals for this fiscal year. Both the Army and the Air National Guard are struggling to meet a higher recruiting mission with fewer recruiters than last year. With

our growing dependence on the Guard and the Reserve, these difficulties are a cause for serious concern. Unlike years past, our military cannot operate effectively without the participation of the National Guard and Reserve. So we must do everything possible to ensure that we devote sufficient resources to Reserve and Guard recruiting.

Retaining those highly trained service members who are already in the military is also vitally important. We cannot afford to lose the investment we make in our service members by failing to provide adequate education, training, working conditions and quality of life to make military service an attractive career option. Today, highly skilled, motivated individuals are being enticed to leave the military and to use their skills and expertise in the private sector. We simply cannot allow this trend to continue if we hope to remain the world's most foremost military power.

Last year, enlisted retention was a particularly acute problem for the Air Force. In the officer corps, the Army missed its officer retention goal by 1,069 while the Air Force was short 523. Many officers who leave are in the junior officer ranks. These are the leaders of tomorrow; and if we hope to keep them in the military, we must be responsive to their needs and concerns.

Spending on high-tech weapons systems is important, but we simply cannot afford to neglect the people side of our defense equation. The personnel and compensation systems of today are based on outdated notions which do not make sense for the 21st Century. For example, the up or out promotion system may not make the most sense in an era where we have computer experts who aspire only to work with computers for their entire careers.

We need to revisit how the services fill critical specialty positions. The current retirement system, which penalizes those who do not stay for a full 20-year career, clearly merits scrutiny. And although the Committee on Armed Services addressed retiree health care last year, it is clear to me that the TRICARE system, which also serves the active duty and reserve communities, is broken and needs to be fixed.

If we do not attend to these people programs, all the sophisticated weapons systems in the world will not do us any good because we will not have enough people who are smart enough and well trained enough to operate them.

We simply cannot afford to let that happen. Therefore, as we begin this new millennium, let us renew our commitment to the dedicated men and women who serve in our Nation's military and to ensuring that our Nation's Armed Forces continue to be the best trained, most highly qualified force in the 21st Century.