SENATE—*Wednesday, October 31, 2001*

The Senate met at 10 a.m. and was called to order by the Honorable TIM JOHNSON, a Senator from the State of South Dakota.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, a day of responsibilities stretches out before us. As we face them, we thank You for Winston Churchill's reminder that the price of greatness is responsibility. Father, You have entrusted the Senators with heavy responsibilities. Thank You that You will not ask more from them than You will give them the strength to carry. Help them to draw on Your artesian wells of wisdom, insight, discernment, and vision. Be with them in the lonely hours of decisionmaking, of conflict over issues, and the ruthless demands of overloaded schedules. Tenderly whisper in their souls the reassurance, ''I have placed you here and will not leave you, nor forsake you.'' In Your grace, be with their families. Watch over them and reassure the Senators that You care for the loved ones of those who assume heavy responsibilities for You. May responsibility come to mean ''respondability,'' a response of trust in You to carry out what You have entrusted to them. In the name of Him who lifts burdens and carries the load. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TIM JOHNSON 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 31, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM JOHNSON, a Senator from the State of South Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. JOHNSON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, there is going to be a period of morning business today. I ask unanimous consent that the time extend past the hour of 10:30 so that Senator STEVENS may have his full 20 minutes and the Democratic designee may have 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, at approximately 10:35, we will begin again consideration of the Labor-HHS appropriations act. We hope there will be a lot of work on this bill today. We have a finite list of amendments. I have spoken to both managers of the bill and they have indicated that even though there is a finite list of amendments, they are not going to wait around forever for people to offer amendments. Both Senators HARKIN and SPECTER have said that if people don't come and offer amendments, they are going to move to third reading. There will be no one to protect those people who are waiting. Unless there is some type of a problem a Member has coming to offer an amendment, I ask that they do so at the earliest possible time.

We have other things to do. We completed the energy and water conference report last night. I just spoke to the former chairman and ranking member of the Appropriations Committee, Senator STEVENS. With a little bit of luck, we can do three or four more conference reports and send them to the President this week. That would really be good news. He has two.

UNANIMOUS CONSENT AGREEMENT—H.R. 3061

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the agreement entered with respect to H.R. 3061, the following filed amendments be in order: Senator CHAFEE, No. 2018; and Senator ROCKEFELLER, No. 2028.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, these amendments were filed at the appropriate time, but they just simply were missed in the list that was submitted to the clerk.

Mr. STEVENS. Will the Senator yield?

Mr. REID. I will.

Mr. STEVENS. Is it still the understanding that there would be an amendment first on the majority side and then back and forth?

Mr. REID. We will be happy to rotate back and forth. In fact, there are more amendments on the Republican side so they will have more offerors than we. But until we run out of amendments over here, we will go back and forth.

Mr. STEVENS. I thank the Senator.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 10:30 a.m. with Senators permitted to speak therein for up to 5 minutes each.

Under the previous order, the Senator from Alaska is recognized to speak for up to 20 minutes.

NATIONAL SECURITY

Mr. STEVENS. Mr. President, I have come to floor this morning to talk about the priority of national security issues. Since the terrorist attacks of September 11, debate in the country has changed. We now focus on issues we used to take for granted. We must look at those issues from the perspective of national security.

Senator FRED THOMPSON has repeatedly called for a review of our export control laws for dual-use technologies. In the past year, as chairman and now as ranking member of the Senate Government Affairs Committee, Senator THOMPSON has repeatedly called for increasing our defenses against cyberterrorism. He has also sought to halt proliferation of nuclear weapons. For all of these issues, export controls, cyberterrorism and nuclear proliferation, he has cited national security concerns—real national security issues. He is right. They are national security issues.

The week before the September 11 attacks, the Senate Foreign Relations Committee heard testimony about terrorism. At that hearing, the committee

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

heard from former Senator Sam Nunn and the ex-CIA Director James Woolsey. They described in detail the threats of biological and chemical weapons as tools of terrorists. They described the need for more vaccines, stockpiles of drugs and antibiotics, and the new technologies for delivering these medicines. Senator Nunn stated it best when he said: ''Public health has become a national security issue.''

Sam was right.

The Senate Commerce, Science, and Transportation Committee held a hearing to discuss the FAA's response during and after the terrorist attacks. At that hearing, Chairman HOLLINGS properly noted: ''Airport and aircraft security are national security issues.'' He, too, was right.

The Bismarck Tribune in North Dakota reported on September 20 that Robert Carlson, president of the North Dakota Farmers, said food security is an issue that should ''become important in the mind of Congress.'' As head of a farm group from a farm State, this position is understandable. And Senator DORGAN repeated that position here: food security is a national security issue.

On October 11, Representative HENRY WAXMAN called for the regulation of sniper rifles under the National Firearms Act. In his statement, he cited a national security need for such legislation. He was right. Self-defense is a national security issue.

On October 11, Newsday reported that several television networks had discussed screening video footage of Osama bin Laden before airing that footage publicly. Such screening is necessary—it is a national security issue.

In July, the Senate Appropriations, Intelligence, and Armed Services Committees held hearings on terrorism. On October 12, the House Committee on Government Reform held a hearing to assess the threat of bioterrorism in America. Clearly, these are all national security issues.

Just a few days ago, the junior Senator from Washington, Ms. CANTWELL, said the northern border is a national security issue because it controls the flow of people and goods between our country and Canada. Representative MARGE ROUKEMA voiced similar concerns about the northern border and the need to triple the number of border agents patrolling the area. These are national security issues.

Congress is considering a seaport security bill, an economic stimulus package with infrastructure security measures, increased funding for the intelligence communities, and better preparedness within the health community. All of these specific items have been tied to national security.

But none of these national security issues faces the threat of a filibuster. To filibuster any of these actions that involve national security would be wrong for the country. Amazingly, some Members of this body have now threatened to filibuster specific portions of the comprehensive energy bill.

Tuesday's Baton Rouge Advocate reported the President may direct an additional 70 million barrels of oil be put into the National Strategic Petroleum Reserve. The President realizes that energy is a national security issue.

My colleague, Senator MURKOWSKI of Alaska, the ranking member on the Energy and Natural Resources Committee, has been calling for a comprehensive energy package for over 2 years. He has been joined by Senators BREAUX, LANDRIEU, THOMAS, CRAIG, and others. Most recently, Senator INHOFE took to the floor to make the point that energy should be at the top of the list of national security issues. I agree with my colleagues and countless others who have called energy a national security issue.

Yesterday, several veterans groups called on the Senate to consider an energy bill. In early October, the Printing Industries of America called for an energy plan in response to last year's domestic energy shortages and high fuel costs. Charles Jarvis, chairman and CEO of the United Seniors Association, called on the Senate to consider legislation that would lower our dependence on foreign oil. His members do not want to be held hostage by countries that do not share our interests.

If any issue should be debated along with an economic stimulus package, health preparedness, and airline security, it must be energy. Planes cannot fly without jet fuel. Americans cannot drive without gasoline. Roads cannot be made without crude oil, and many medicines cannot be made without the chemicals that come from crude oil. Many of our everyday products are in fact made from crude oil. Economic stimulus, health care, and transportation are all tied to energy and oil.

In 1973, the Senate debated the amendment to create a right-of-way from Alaska's North Slope to Valdez, which I offered with my then colleague from Alaska. The amendment allowed the transport of 2 million barrels of oil a day, which that pipeline is capable of carrying. At the time there was a tacit understanding in this body that any item dealing with national security would not be filibustered. Perhaps Senator Moss of Utah put it best when he said:

> I cannot get overly upset about the ritual mating season for Alaskan caribou when in the city of Denver last weekend it was almost impossible to find gas. How long do you suppose the people of this country will tolerate an empty gas tank while we debate the merit of a pipeline to bring 2 million barrels of oil a day over a right-of-way traversing lands that belong to the people of the United States?

Mr. President, one of the arguments put forth by opponents to that right-of-way was the potential impact of the oil pipeline on caribou. Nearly 30 years and over 13 billion barrels of oil later, there are more than 4 times the number of caribou in that area of Alaska compared to the years before the oil pipeline.

During the debate on the Alaska oil pipeline amendment, Energy Committee Chairman Henry Jackson, my great friend from Washington, said the pipeline ''involves a national security issue.'' He said, ''There is no serious question today that it is urgently in the national interest to start north slope oil flowing to markets.''

He also said that if he saw any more attempts to delay construction of the pipeline, he would push legislation to have the Federal Government build the project. The national security concerns were that important to Scoop Jackson, and they are important to me.

Even Senator Walter Mondale supported the construction of the Alaska oil pipeline and the transport of oil to the lower 48. He said then, ''It has always been my position that we need Alaskan oil and that this oil should flow to the lower 48 as soon as possible, consistent with environmental safeguards and the greatest benefit for the entire country.''

In addition to that, Senator Bartlett of Oklahoma said then, ''We need every possible drop of crude oil production that can be developed and maintained.''

We debated the construction of this 800-mile pipeline when we believed there was a probability we could recover 1 billion barrels of oil from the area near Prudhoe Bay. As I said, last year, Alaskans produced our 13 billionth barrel of oil from Prudhoe Bay.

I want to talk about that same pipeline today being used to transport oil from the Arctic Coastal Plain—an area predicted to contain a minimum estimate of 5 billion barrels of oil, with the possibility of up to 30 billion barrels of oil. This is a resource on Federal land; it is not a State resource. Not to have it available to produce puts us at the mercy of foreign interests who produce the oil we import.

The Alaska oil pipeline carried 2 billion barrels during the Persian Gulf war. It was up as high as 2.1 billion barrels a day. We increased it, through special means, to secure the supply for America and to assure that we had domestic oil to rely upon then. Now our Alaska pipeline is only half filled with oil coming from Prudhoe Bay and other north slope wells. If the remainder of the pipeline is to be filled, it must come from the coastal zone, from the ANWR area. At the minimum estimate of 5 billion barrels, being produced at 1 million barrels per day, that oil supply would last for over 14 years. At the medium estimate of 10 billion barrels it would last for 27 years.

As I stand here, I remember the debate on the oil pipeline. I remember

Alan Bible of Nevada sitting right there across the aisle from me. We were in the minority. Senator Bible then was in the majority. He said to me that he had not made up his mind about the pipeline. I don't think I have seen it since—I had never seen it before. But Senator Bible sat there for the whole time of the debate on the floor, and just before the end of that debate he came to me and said: I am going to vote with you because I know this is a national security issue.

There is no question today, because of the security crisis we face and our dependence upon foreign oil, the oil from Alaska's north slope is a national security issue. We now import nearly 60 percent of our oil daily. We have over 700,000 barrels of oil a day coming from Iraq—Iraq, Mr. President. There was not one barrel of oil coming from Iraq at the time we debated the concept of what we should do during the Persian Gulf war. Obviously, there has been a great change.

It is estimated that we will import nearly 230 million barrels of crude oil from Iraq by the end of this year. Almost 40 million barrels of that will be unloaded in California. Why? It is replacing oil that used to be delivered to California through the Alaska oil pipeline.

As I said, we delivered 2.1 billion barrels a day during the Persian Gulf war. Today, it is 1.2 billion barrels a day. At a rate of $20 per barrel, we send over $5 billion a year to Iraq to buy oil that we could produce in our own country.

During peacetime operations, the Department of Defense uses about 300,000 barrels of oil a day. Most of it is jet fuel. That has increased now by over 200,000 barrels a day, as it did during the gulf war. Defense fuel usage is increasing daily because of our activities in the global war against terrorism, particularly the events in Afghanistan.

During the Alaska pipeline debate, Senator Paul Fannin of Arizona gave two reasons for why the pipeline was a national security issue. First, he said it would reduce our dependence on foreign countries. Obviously, that was a valid statement.

Senator Fannin's second point was the construction of the pipeline would create tens of thousands of jobs. It did. Economic reports show that a small pipeline connecting the Alaska pipeline to transport oil out of the Coastal Plain will create several hundred thousand jobs nationwide.

Just yesterday I was given a study completed by the American Petroleum Institute. It stated that oil transported from the Coastal Plain down the pipeline to the Valdez terminal would require the construction of an additional 19 tankers to transport that oil to the coastline of the United States, particularly the west coast.

It will take 19, as I said, new tankers, with 2,000 direct construction jobs and 3,000 support jobs for each tanker. That is 5,000 jobs per tanker resulting in over 90,000 new jobs just in the shipbuilding industry by opening the coastal plain of ANWR for exploration and production.

During the debate on the Alaska pipeline issue in this body, I said, ''We cannot afford to bury our heads in the snow and freeze, nor must we allow our economy and the jobs of thousands to be endangered while we stand idly by.'' That was true then, and it is even more true now.

Drilling on the Arctic coast and going forward with production of oil in the United States will help stimulate this economy. I intend to raise this issue again and again as we talk about stimulus for the economy.

I hope we will not hear the threat of filibuster against this measure to bring oil from the Arctic coast to the United States. It is a national security issue, and it must not be filibustered. No national security issue has ever been filibustered on the floor of the Senate. To do so now would be not only a violation of tradition, it would be a travesty of justice during a time of war.

I intend to speak often on this issue in the days to come. We cannot end this session of Congress without a national security energy plan which includes Alaska's North Slope oil and gas potential, particularly the oil and gas from the coastal plain.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I wish to speak in morning business for up to 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SEASONAL ENERGY EFFICIENCY RATING

Mr. BINGAMAN. Mr. President, I am here to address another aspect of the energy issue that will come before us as comprehensive energy legislation, hopefully either this fall or early next year. It may seem to be an unusual item to address on Halloween as we are going into the colder months of the year, but it is one which I think deserves attention.

There was a development 10 days ago that I think needs to be called to the attention of colleagues in the Senate. About 10 days ago, the Environmental Protection Agency transmitted formal comments to the Department of Energy—that is one agency of the Federal Government commenting to another Agency or Department of the Federal Government—on the proposed standard for efficiency in central air conditioners. The Clinton administration had finalized a rule that mandated a 30-percent increase in efficiency for those central air conditioners. It was a so-called 13 SEER standard. SEER stands for seasonal energy efficiency rating.

Shortly after the current administration took office, they proposed to back off this mandate and reduce it to only a 20-percent increase or a 12 SEER standard. The argument used by the new administration in rolling back the air-conditioning standard struck many of us in Congress as being based on outdated price data and a faulty analysis.

The Committee on Energy and Natural Resources, where the distinguished Presiding Officer and I both serve, had a hearing on this topic. We had expert testimony that demonstrated these analytical problems in the decisionmaking which the new administration had gone through.

This EPA filing 10 days ago capsulized those concerns eloquently. In the Agency's own words, the new proposed standard—that is, the 12 SEER standard, the lesser standard this administration embraced—''overstates the regulatory burden,'' it ''understates the savings benefits of the 13 SEER standard, over and underestimates certain distributional inequalities,'' and ''mischaracterizes the number of manufacturers that already produce at the 13 SEER level or could produce at the 13 SEER level through modest changes to the product. . . .''

I will read one other quotation from the explanation of the EPA position. It says:

> EPA believes there is a strong rationale to support a 13 SEER standard.

That is what the previous administration adopted.

> EPA also believes that the more stringent standard will be more representative of the long term goals of the administration's energy policy and will do more to reduce both the number of new power plants that need to be constructed, as well as the emissions resulting from these plants. . . .

While these comments by the Environmental Protection Agency have received some attention, I believe they deserve broader attention by the public and certainly deserve to be recognized by people in the Senate.

I ask unanimous consent that the text of the EPA letter to the Department of Energy and their explanation which they attached to that be printed in the RECORD following my statement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BINGAMAN. Mr. President, getting to a more efficient air-conditioning standard is an important part of a national energy strategy. This

past summer, a nationwide heat wave in August led to brownouts and blackouts as our electricity system was stretched to its limits. While the new standard would take effect gradually over the long term, it would help reduce the peak demand for electricity on very hot days, and it would give consumers a break.

I have been informed that thousands of public comments have been filed with the Department of Energy favorable to the 13 SEER standard, demonstrating broad public support for sticking with that standard.

Previously, I indicated my belief that we should include a legislative provision mandating a 13 SEER standard in any energy legislation that we pass. It should be clear to all that this is a matter where there is broad public support for the better standard, and I believe the administration should try to be in line with that public sentiment.

I hope the Department of Energy decides to go back to the earlier established standard, and they can certainly do that administratively without Congress having to act. But if DOE continues to push for watering down the standard, then I hope the Office of Information and Regulatory Affairs in the Office of Management and Budget will exercise its watchdog role to ensure that good technical and economic analysis carries the day on this issue.

I expect we will continue to see strong legislative support for this standard in the debate on energy legislation we have over the next weeks and months, and I hope that ultimately the EPA view of this matter will prevail.

EXHIBIT 1

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, October 19, 2001.

MS. BRENDA EDWARDS-JONES,
U.S. Department of Energy, Washington, DC.

DEAR MS. EDWARDS-JONES: On behalf of the U.S. Environmental Protection Agency, I am pleased to submit the attached comments to Docket No: EE–RM–98–440, the Department of Energy's Proposed Rule: Energy Conservation Program for Consumer Products; Central Air Conditioners and Heat Pumps Energy Conservation Standards.

DOE has proposed a change to its previously issued standard that decreases energy efficiency requirements for residential air conditioners and heat pumps. DOE proposes to withdraw its previously issued 13 SEER standard and replace it with a 12 SEER standard. These comments affirm EPA's support for DOE's original 13 SEER standard.

EPA believes there is a strong rationale to support a 13 SEER standard. A 13 SEER standard represents a 30% increase in the minimum efficiency requirements for central air conditioners and air source heat pumps. In contrast, a 12 SEER standard represents only a 20% increase. The Administration's National Energy Policy stresses the important role that energy efficiency plays in our energy future. A 13 SEER DOE standard will do more to stimulate energy savings that benefit the consumer. DOE has quantified these savings at approximately 4.2 quads of energy over the 2006–2030 period, equivalent to the annual energy use of 26 million households and resulting in net benefits to the consumer of approximately $1 billion by 2020. In comparison, DOE projects that only 3 quads of energy would be saved over that same period with a 12 SEER standard.

A 13 SEER standard will also do more to reduce fossil fuel consumption and more to limit emissions of air pollutants. For example, by avoiding the construction of 39 400 megawatt power plants, a 13 SEER standard will reduce nitrous oxides (NO_X) emissions by up to 85 thousand metric tons versus up to 73 thousand metric tons that would be reduced with a 12 SEER standard. A 13 SEER standard will also result in cumulative greenhouse gas emission reductions of up to 33 million metric tons (Mt) of carbon. This is in contrast to a 12 SEER rule which will reduce up to 24 Mt of carbon equivalent by avoiding the construction of 27 400 megawatt power plants. At a time when many areas across the nation are struggling to improve their air quality, the additional emissions reductions achieved by a 13 SEER standard are especially important.

Thank you for the opportunity to provide these written comments. Should you have any questions, please contact Dave Godwin in EPA's Office of Air and Radiation at 202–564–3517 or via e-mail at godwin.dave@epa.gov.

Sincerely,

LINDA J. FISHER,
Deputy Administrator.

COMMENTS OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY ON THE PROPOSED RULE: ENERGY CONSERVATION PROGRAMS FOR CONSUMER PRODUCTS; CENTRAL AIR CONDITIONERS AND HEAT PUMPS ENERGY CONSERVATION STANDARDS, OCTOBER 10, 2001

OVERVIEW OF EPA COMMENTS

The Environmental Protection Agency welcomes the opportunity to comment on the Department of Energy's Proposed Rule setting forth energy conservation standards for residential central air conditioners and central air conditioning heat pumps. EPA recognizes that the new proposed DOE rule represents a 20% increase in minimum efficiency standards for central air conditioning and heat pumps. However, we instead support the previous final rule of a 30% increase.

EPA has issue with several of the arguments DOE used to justify the withdrawal of the previous final rule as outlined within the Federal Register Notice of July 25, 2001 and the Technical Support Document. In summary, EPA believes that the information in the Federal Register Notice of July 25, 2001

overstates the regulatory burden on manufacturers due to HCFC phase-out and concludes that the industry is under greater financial pressure from a 13 SEER standard than it is,

understates the savings benefits of the 13 SEER standard,

over and underestimates certain distributional inequalities,

mischaracterizes the number of manufacturers that already produce at the 13 SEER level or could produce at the 13 SEER level through modest changes to the products, and thereby mischaracterizes the availability of 13 SEER product.

[EPA believes there is a strong rationale to support a 13 SEER standard. EPA also believes that the more stringent standard will be more representative of the long term goals of the administration's energy policy and will do more to reduce both the number of new power plants that need to be constructed, as well as the emissions resulting from these plants.] EPA's more detailed comments are provided below.

Another example would be:

Move directly to producing R–407C and/or R–410A units that meet the new DOE efficiency regulations;

Increase the production of these units to meet customer demand by 2006;

Meanwhile, phase out all HCFC–22 units by 2006.

Of course, some combination of these strategies is more likely to be taken and seems to offer the most opportunity for manufacturers to reduce regulatory burden.

The TSD states ''To the extent that manufacturers can introduce new products utilizing the new refrigerant and meeting the new efficiency standard, the cumulative burden will be reduced.'' (TSD page 8–62). EPA believes that there is ample opportunity to meet both a 13 SEER efficiency standard and a ban on HCFC–22 in new equipment with limited regulatory burden.

UNDERESTIMATES OF SAVINGS IN THE COST BENEFIT ANALYSIS

DOE's analysis of the benefits of the withdrawn 13 SEER rule are significantly underestimated. DOE's analysis is based on summer 1996 electricity prices, adjusted downward based on EIA projections of future annual electricity prices. Changes in the electricity market due to utility deregulation has resulted in increased electricity prices overall. DOE did not consider this trend in its analysis.

According to Synapse Energy Economics' wholesale electricity price data, DOE analysis underestimates the cost of electricity for residential air conditioning by an average of approximately $0.02/kWh. In addition, the California Public Utilities Commission raised some residential rates by as much as 37%, affecting more than 10% of the U.S. electricity market and thereby, raising the national average electricity prices above DOE's projections. Adjusting DOE's analysis to include more recent electricity prices will definitely and drastically alter the results indicating that a DOE minimum standard of 13 SEER represents the better decision for the nation.

OVER AND UNDER ESTIMATES OF DISTRIBUTIONAL INEQUITIES

EPA sees distributional inequalities that DOE has not adequately considered. One results from the fact that the residential price of electricity does not capture the complete cost for running systems that largely run at peak times. That is, except in select circumstances, residential customers purchase electricity based upon average rates, not ''time-of-use'' rates. The actual costs of electricity at peak times are dramatically more and therefore, higher peak rates drive up the average costs. Less efficient equipment operating at peak times drives up the cost of electricity for all customers, including those of low income, who are less likely to have central air conditioning. According to 1997 Residential Energy Consumption Survey (RECS) microdata (the same data set used by DOE in their analysis), of the total 101 million households represented, approximately 46% have central air conditioning, but among poor households, only 25% have central air conditioning; just half the rate of presence among non-poor households (See Exhibit 2).

Also related to distributional equities and according to the RECS data, among households below the poverty level, about 60% rent their housing units. This is in contrast to 27% of above poverty level households that rent (See Exhibit 2). Therefore, low-income consumers, or those defined as ''poor''

in TSD Table 10.1, are not the ones to buy a central A/C or heat pump product, but they would be the one to pay the utility bill (or likely face increased rents if utilities were included in their rent) for the use of that product. Instituting a higher minimum efficiency standard will actually ensure that low-income consumers have lower utility bills, providing a benefit to this population.

MISINFORMATION ON PRODUCT AVAILABILITY

DOE justifies a lower SEER rule because the higher efficiency levels would put manufacturers out of business. However, according to the Air Conditioning and Refrigeration Institute (ARI) database of model combinations, many manufacturers already produce models that meet the 13 SEER requirements. This technology has been available for many years to large and small manufacturers alike. Although confidential ARI shipment information may not reflect large sales of high efficiency equipment, the publicly accessible ARI database of models shows extensive product availability. Over 7,000 air source heat pump model combinations and over 14,000 central air conditioner model combinations currently meet or exceed the 13 SEER level as listed by ARI.

The TSD (TSD page 8–2) describes a group of manufacturers that ''offer more substantial customer and dealer support and more advance products. To cover these higher operating expenses, this group attempts to ''sell-up'' to more efficient products or products with features that consumers and dealers value.'' With a higher standard, these manufacturers would not go out of business, but would rather continue to sell-up, to even higher efficiency levels or additional valued features.

Furthermore, results and upcoming plans for utility programs around the country also document the availability of 13 SEER and above products, as well as the demand for such products. Austin Energy's Residential Efficiency Program 2000–2001 gave rebates to single family existing homes for installation of split systems and heat pumps with efficiencies of 12 SEER and above. Rebates were staged: $150 for 12.0–12.9 SEER; $250 for 13.0–13.9 SEER; $400 for 14.0–14.9 SEER; and $500 for 15.0 and above. In total, 4,000 rebates averaging $312 were given to consumers. These numbers illustrate that a significant portion of the rebates given were for 13 SEER and above units.

In New Jersey, a 3-year rebate structure began in 2000 with a $370 rebate given for the installation of 13.0 SEER equipment and a $550 rebate given for 14.0 SEER equipment. A total of 14,000 rebates were given in the year 2000. As of August 2001, 8,000 rebates were given out with approximately 6,000 of these units at the 14.0 SEER level. Overall results in New Jersey show that 27% of the market (1998–2000) are 13 SEER or higher with 60% of those being at the 14 SEER or higher levels.

The Long Island Power Authority (LIPA) instituted a program similar to the one in New Jersey offering rebates for installation of 13.0 and 14.0 SEER equipment. Results to date show that LIPA is on target to reach their goal of approximately 3,500 rebates for 13 SEER equipment. Approximately 80% of these rebates are for SEER 14 equipment. LIPA is expecting to ramp up to 5,000 rebates in 2002. Overall, 17% of LIPA's market in 2000 is at 13 SEER or higher, with the market share for existing homes even higher at 22%.

Program plans for 2002 in Texas and California are geared toward equipment at 13 SEER and above. Reliant Energy in Southeast Texas is planning an incentive program to target 13 SEER and above matched systems. California's two large municipal utilities (Sacramento Municipal Utility District and Los Angeles Department of Water and Power) and four investor owned utilities (San Diego Gas and Electric, Southern California Gas, Southern California Edison, and Pacific Gas and Electric), serving over 30,000,000 consumers, are planning rebate programs to assure California residents receive energy efficient equipment, measures, and practices that provide maximum benefit for the cost. These programs all revolve around 13 SEER equipment or higher. Actual incentive amounts are not yet available.

RECORD CLARIFICATION

Mr. BINGAMAN. Mr. President, I have a clarification for the RECORD. Amendment No. 2018 is an Inhofe amendment and not a Chafee amendment.

The ACTING PRESIDENT pro tempore. The RECORD will so reflect.

ORDER FOR RECESS

Mr. BINGAMAN. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate recess today from 12:30 p.m. until 2:15 p.m.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3061, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

Pending:

Dorgan amendment No. 2024, to provide for mandatory advanced electronic information for air cargo and passengers entering the United States.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, first I salute Chairman HARKIN and Senator SPECTER for doing, in my view, a superb job with respect to this bill. They have really set a special standard in terms of trying to work on important issues in a bipartisan way. The chairman has left the Chamber, but I want him to know how much I appreciate the good work he and his staff are doing on this issue.

This morning I wish to talk about a health and a scientific issue of extraordinary importance, and that is the vacancies that now exist at the National Institutes of Health, the Food and Drug Administration, and the National Cancer Institute. At a time when the public is focused on public health because of bioterrorism, there are many reasons we should be concerned about the work of these agencies and get these positions filled.

I want to talk for a few moments about why I am so troubled by the vacancies we are seeing at these agencies today. This has been, as all of us know, a decade of remarkable scientific progress in the health care field. It has really been something of a scientific and health care renaissance with extraordinary amounts of information learned about cells, about cancers, about what has come to be known as biological detectors that are important as we deal with anthrax and smallpox, and various other serious health concerns that Americans are focused on today.

This scientific progress has been bipartisan. Democrats and Republicans alike have joined to support funding for these very key public health agencies, and we have worked together to ensure these programs are properly funded.

I am convinced if those vacancies are not promptly filled, if we do not soon get a head of the National Institutes of Health and the Food and Drug Administration and the National Cancer Institute—if those positions are not soon filled—it threatens to unravel some of the important progress that has been made in this country over the last decade.

Suffice it to say, if those positions are not filled, a message is sent to the young scientists, to the young future leaders of this country in the health care field, that the Federal Government does not think this is particularly important. It takes years for companies to get products developed and approved, and this is especially true of the new products created by biotechnology. It is important that we have scientific leadership throughout this process—at the companies developing these products and at every level of these two important agencies—NIH

and the FDA. Without these scientists throughout the process, in the companies, and at the Federal level, biotech companies lose the incentive to invest in what might be the next medical breakthrough.

I spoke to a group of students on a college campus just a few days ago. A young woman came up to me and only half jokingly said: ''I am ready to be the head of the National Institutes of Health. I have focused on these issues. I have studied the questions for some time. Why in the world can the Federal Government not get somebody to head the National Institutes of Health right now?''

I have focused on health care and technology questions over the last few years in Congress, and the business community is especially alarmed that these vacancies are open. They want to work with leaders at the Federal level to expedite the development of drugs, vaccines, and therapies. One of these business leaders told me recently what concerns him is that at a time when the public is focused on public health, on the question of how to deal with anthrax and smallpox and bioterrorism, there is not anybody home in the Federal Government.

I think it is extraordinarily important that the Congress work with the President to get the officials we need sent up for review by the key committees. The National Institutes of Health has now been without a leader for almost two years.

The National Institutes of Health is now hemorrhaging the key people they need to be effective advocates for the public health. Recently, there was another vacancy at the National Institutes on Mental Health, and there is a vacancy at the National Cancer Institute. There has been a substantial period of time where we have not had anybody heading up the Food and Drug Administration.

If we want to attract the stellar scientists whom I know Democrats and Republicans both are so interested in supporting, we are not going to be able to do it, and we are going to lose very talented people who are in these agencies now.

We are already seeing a real brain drain in these essential agencies. What we need to do, and the Congress is prepared to do, and what the chairman and Senator SPECTER have made it very clear that they are willing to do, is make sure these agencies are properly funded. What we need now especially are scientifically sound programs to take on anthrax, smallpox, and ensure we can allow our scientists to work on what are known as biological detectors so we can move more rapidly and readily to recognize the agents in the field. We can more precisely describe the various strains of these bacteria and diseases. We will have a chance to learn more about their genomic sequence and develop creative strategies for public health that could pay very significant benefits for this country. Certainly the potential benefits to this country can be extraordinary.

I am very interested in working with the President on filling these positions. Biomedicine research and science policy has long been bipartisan. Senator Mack, for example, from Florida, did yeoman work for years and years with Senator SPECTER, Senator HARKIN, myself, and others. That is the kind of progress, it seems to me, that is in danger of being lost at this time.

The President of the United States certainly has lots on his agenda right now. All of it is extremely important as we deal with the question of fighting terrorism. I come to the Chamber today to say it is of extraordinary importance these positions at the National Institutes of Health and the Food and Drug Administration move to the top of the President's agenda, move to the top of the congressional agenda, and we work together in a bipartisan way, as we have done on a variety of subjects in recent weeks, to get the key officials in these agencies in place.

To make progress in the area of biomedical research and science, we need a public-private partnership, one where the Federal Government is involved in ensuring our laboratories are helping address issues that involve coming up with the basic knowledge that companies and scientists can then take to develop the cures and therapies that will improve the quality of life for the public.

I want to work with the President of the United States to get the biosciences back on track. I want to make sure we don't step back from this golden age of scientific progress, when we had an administration committed to ensuring we moved forward with this important research, and Congress backed it up on a bipartisan basis. The Congress has the power to advise and consent, and it is important that the Congress and the President work together to fill the positions at the Food and Drug Administration, the National Institutes of Health, and the National Cancer Institute.

We are not dealing just with bioterrorism although that is obviously very much on our mind this morning—but the entire public health system. We are seeing, obviously, when we open our morning newspaper, there are gaps that we need to address. We can best address this if officials in these key agencies are in a position to advise the Congress.

It has been too long that we have gone without a leader at the National Institutes of Health. It has been too long that we have gone without a leader at the Food and Drug Administration. The Senate will meet the President of the United States more than halfway. He can speak for himself. He has been extraordinarily eloquent on biomedical research over the years. Senator KENNEDY, who I have discussed this with, has made it very clear as chairman of the committee that focuses on these issues, he is very anxious to get these officials confirmed.

I hope this message this morning, at a time when we are working on this important bill that funds so many key health agencies, can help spark a new effort to speed up getting these key positions filled. I, and I believe every Member of the Senate, wants to work with the President to get these positions filled. Even though there are so many important issues the President has to deal with, this issue of the vacancies at the National Institutes of Health, the Food and Drug Administration, and the National Cancer Institute has become so serious, it needs to be a priority matter that Congress moves quickly to deal with. We ought to move quickly to deal with it before we adjourn for the year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, we urge our colleagues to come to the Chamber to offer amendments. There was a long list filed yesterday where we have a unanimous consent agreement limiting amendments to those which have been listed. Many of them are obviously placeholder amendments. We need to move ahead with this bill. We have been on this bill now into our second day. We have had only one amendment offered so far. We urge our colleagues to come to the Chamber and identify what amendments they intend to offer and to be in a position to move forward to proceed with the disposition of this bill.

Mr. REID. Will the Senator yield?

Mr. SPECTER. I yield.

Mr. REID. We have an amendment pending, the Dorgan amendment. Has there been a decision made whether that would be accepted or do you want a vote on it?

It is my understanding now that staff is still working on that.

Senator STEVENS wanted to alternate back and forth, and I said that was fine, but if we could get all Democrats to offer their amendments and all Republicans, one after the other—we are so desperate to have amendments, we don't care where they come from.

Mr. SPECTER. If I may respond, I don't think we have a problem on alternating. We have a problem finding amendments. If a series of amendments from your side of the aisle come forward, we will take them; and if a series of amendments from our side of the aisle come forward, we will take them. If there is a complication, we will alternate. We are now in search of amendments.

The Senator from Alabama is prepared to offer an amendment. I ask

unanimous consent the pending amendment be set aside so we may proceed to the amendment of the Senator from Alabama.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2042

Mr. SESSIONS. I thank Senator SPECTER for his leadership and courtesy in allowing me to present this amendment which I believe is exceedingly important to health care in America. It is a problem with which we simply have to deal. It affects hospitals all over America, causing the richer hospitals to get richer and the poorer hospitals to get poorer.

The problem is the wage index. I offer the Wage Index Fairness Act, and I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 2042.

Mr. SESSIONS. Mr. President, I ask unanimous consent reading of the amendment be dispensed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend title XVIII of the Social Security Act to establish a floor on area wage adjustment factors used under the medicare prospective payment system for inpatient and outpatient hospital services)

On page 54, between lines 15 and 16, insert the following:

SEC. ____. (a) FLOOR ON AREA WAGE ADJUSTMENT FACTORS USED UNDER MEDICARE PPS FOR INPATIENT HOSPITAL SERVICES.—Section 1886(d)(3)(E) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)) is amended—

(1) by inserting ''(i) IN GENERAL.—'' before ''The Secretary'', and adjusting the margin two ems to the right;

(2) by striking ''The Secretary'' and inserting ''Subject to clause (ii), the Secretary''; and

(3) by adding at the end the following new clause:

''(ii) FLOOR ON AREA WAGE ADJUSTMENT FACTOR.—Notwithstanding clause (i), in determining payments under this subsection for discharges occurring on or after October 1, 2001, the Secretary shall substitute a factor of .925 for any factor that would otherwise apply under such clause that is less than .925. Nothing in this clause shall be construed as authorizing—

''(I) the application of the last sentence of clause (i) to any substitution made pursuant to this clause, or

''(II) the application of the preceding sentence of this clause to adjustments for area wage levels made under other payment systems established under this title (other than the payment system under section 1833(t)) to which the factors established under clause (i) apply.''.

(b) FLOOR ON AREA WAGE ADJUSTMENT FACTORS USED UNDER MEDICARE PPS FOR OUTPATIENT HOSPITAL SERVICES.—Section 1833(t)(2) of the Social Security Act (42 U.S.C. 1395l(t)(2)) is amended by adding at the end the following: ''For purposes of subparagraph (D) for items and services furnished on or after October 1, 2001, if the factors established under clause (i) of section 1886(d)(3)(E) are used to adjust for relative differences in labor and labor-related costs under the payment system established under this subsection, the provisions of clause (ii) of such section (relating to a floor on area wage adjustment factor) shall apply to such factors, as used in this subsection, in the same manner and to the same extent (including waiving the applicability of the requirement for such floor to be applied in a budget neutral manner) as they apply to factors under section 1886.''.

Mr. HARKIN. Will the Senator yield?

Mr. SESSIONS. I yield.

Mr. HARKIN. Which amendment?

Mr. SESSIONS. The Wage Fairness Index Act.

Mr. HARKIN. I thank you.

Mr. SESSIONS. I note that Iowa is also adversely impacted by this wage index formula.

I introduced this amendment as a bill earlier this year with my colleagues, Senator SHELBY and Senator HUTCHINSON. We have a terrible inequity in the system and in the index formula. This amendment will establish a floor on the area wage index adjustment factors that are utilized under the Medicare prospective payment system for inpatient and outpatient hospital services. I believe this is the best way to do that.

Several other Members have other proposals to help fix this problem. This is a solution I believe would be most effective. Over the past several years, I visited a number of hospitals, 15 or more, in the State of Alabama. In every one, hospital administrators and staff have urged me to do something about the wage index. Time after time it has been cited to me in personal and confidential discussions, just heart to heart, as we discussed the frustrations and problems they face in hospitals, and in particular rural hospitals. It has been raised to me as a No. 1 issue facing hospitals in Alabama.

The Alabama Hospital Association and its members have helped craft a plan. They consider it an emergency problem and a priority for them. The National Hospital Association has recognized this as a problem, and they support reform.

A complicated and a mostly arbitrary formula, the wage index, is part of the hospital prospective payment system which was created just in the early 1990s, about 10 years ago. We are just now beginning to feel how it plays out in real life. It was an effort to cut Medicare spending. It established a base rate for Medicare reimbursement based on two components—the labor component and the nonlabor-related costs. That is how a hospital is paid for Medicare services they render to a person who is not otherwise paying. This could be the elderly on Medicare and they come in and the hospital provides services. All they get for that service is what the Federal Government pays them under the Medicare Act.

So everyone knows that basically hospitals are not making any money. In fact, they lose money, often, on Medicare patients. It is the individuals who pay their way or have insurance to pay their way who help them be a success. The hospitals that have larger numbers of Medicare patients who serve a poorer population are more critically impacted by this problem. Once again, the wage index is falling particularly hard on hospitals that serve a disproportionately high number of Medicare patients and poor patients—Medicaid also.

It established a base rate for paying Medicare costs. They decide how much we are going to pay for a gall bladder operation, how much we will pay for pneumonia and other things, and that is what the hospital gets. They factor that on labor and nonlabor costs.

Nonlabor costs—that is the material and all—are similar nationwide, and the factors come out the same. But labor-related costs must be adjusted to regional differences in wage costs. This adjustment is made according to the wage index. The wage index, by the way, is a larger component of the cost of hospital care than the other factors. It is the biggest component. I believe about 60 percent of the reimbursed rate is based on the wage rate.

Rural areas such as Alabama and other States have lower wage costs, which is not a good thing. We don't like it that our nurses and support personnel aren't paid the same wages as in other States. But it is true we have some lower wage rates. Therefore, the Medicare reimbursement cost for health care in Alabama and many other States and rural areas even within larger States is much lower. Actually, Alabama has the lowest average wage index in the country and Montgomery, AL, the capital—a good, strong city, not some small rural town—has the lowest wage rate in the State. In fact, the wage index for all Alabama hospitals is between .74 and .89, well below the national average of 1.0.

In other words, where the national average is hospitals are reimbursed at the rate of $1, they are reimbursed at the rate of maybe 78 cents in Alabama, many of them at 74 cents. Some hospitals in the country that have somehow, some way, under this formula found their costs higher, they get as much as $1.50. So it is twice as much, 74 cents to $1.50, on 60 percent of the formula on the payment for health care. This is too big a gap. This is more than we ought to accept. For person in Iowa, a person in Alabama, their health care is just as valuable and as important as the health care of someone in New York or California.

To further exacerbate the problem, Alabama has to compete for nurses and hospital personnel with nearby urban areas such as Atlanta. To recruit these

highly qualified health care professionals, Alabama hospitals must compete with urban wages. This has become a bidding war and has really impacted adversely the bottom line of hospitals in the State. Until we fix this problem, Alabama hospitals and hospitals all over the country will continue to lose millions of dollars each year. Unfortunately, it is falling hardest, and the losses fall most often, on hospitals in poorer areas, the ones that are actually doing the care and the good deed of treating people who otherwise would not have health care. They are already forced to make the most of limited resources and to continue to provide care for the State's uninsured.

These hospitals will face tough decisions regarding health care services. They will continue to postpone important projects and the purchasing of much needed equipment. The rich are getting richer and the poor are getting poorer.

In fact, what happens is, when your wage index is low and you talk with your nurses about what kind of raises they might expect, or how many RNs and how many LPNs and how many less skilled personnel you have because you are not being reimbursed at the national rate but maybe 75 percent of the national rate, you end up cutting those salaries even more, so you have more LPNs rather than RNs, you have more support personnel than nursing personnel to try to get by, and what happens then? Your wage index goes down even further. They come in and say: Look, your wage index isn't that high. You don't get reimbursed as much. So your formula can even go down worse.

The Center for Medicare and Medicaid Services, CMS, the Medicare Payment Advisory Commission, and the MedPAC have recognized the problem, and they have even made recommendations to improve the wage index.

In addition to these recommendations, several pieces of legislation have been introduced in this Congress to address the wage index. Five bills have been introduced so far this year to address the wage index. Forty-five Senators from twenty-nine States have either sponsored or cosponsored wage index legislation.

Eight members of the Senate Finance Committee, including the ranking member, Senator GRASSLEY, agree something must be done. Unfortunately, although many have recognized the problem with the wage index, we have not been able to do anything to fix it.

So I raise this issue today to call attention to what is a critical problem in health care in America. Particularly in light of September 11, we know we are going to have to be sure we have a healthy health care system to deal with crises with which we may be faced at any time. If we allow an unfair reimbursement system to continue, then we will allow our hospitals to weaken and eventually close.

This is a matter of serious import. The wage index is irrational. It is not working correctly. It is ratcheting down wages on poorer hospitals in rural areas. When the hospitals cut and reduce and cut and reduce, then the next year the wage index formula people come in and say your wages are lower, and your index drops even further, and you go down even more.

This is something we have to confront. I will share this specific example from my hometown of Mobile, AL. The wage index dropped from .81 to .77, whereas 50 miles away in Pensacola, FL, it is maybe .87; it is in the high .80s in Pascagoula, MS, an hour's drive either way from the city. That means millions of dollars of reimbursement for those people. Montgomery, our capital, has the lowest rate in the Nation. Its hospitals are hurting as a result.

Mr. President, this is an important issue. The time has come to address it. Although this is a Health and Human Services bill that deals with health care issues, I recognize that this amendment is not appropriately favored to be offered here—although we could offer it with a point of order. I hope we can begin to draw some attention to an issue that is getting out of control. The gap is simply too large. We cannot accept it. We cannot allow it to continue. We have to do something to fix this problem.

My bill will bring everybody up to 92 percent. It would not bring down anybody. It would at least bring those 74-cents-on-the-dollar hospitals up to 92 cents on the dollar. They would still be well below the national average—and well below the people who are above the national average—but it would at least bring them out of poverty and allow them to provide the kind of quality health care we need.

Mr. President, I appreciate the opportunity to make these remarks. I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DAYTON. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EDWARDS). Without objection, it is so ordered.

Mr. DAYTON. Mr. President, I ask unanimous consent that I be permitted to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DAYTON pertaining to the introduction of S. 1600 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DAYTON. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BAYH). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I will just follow up on the remarks I made previously concerning the wage index and share with our fellow Members some of the information I have concerning this issue.

I have a letter from the Mobile/Baldwin County area hospitals. It was sent to me, Senator SHELBY, and Congressman Callahan. I will share some of the things that are in it supporting the legislation I have offered. They note this:

> Because of the huge discrepancy in the Area Wage Index which applies in Mobile and Baldwin Counties, Alabama as compared to our neighboring areas of Pascagoula, Mississippi and Pensacola, Florida, not to mention the even greater discrepancy with other parts of the country, we are beginning to face a critical shortage of skilled registered nurses with which to staff our hospitals. In the last three months alone we have lost at least 87 registered nurses from our area labor pool to traveling nurse agencies and to facilities in adjacent states. Collectively, we have over 200 registered nurse vacancies in the hospitals of Mobile and Baldwin Counties. . . .
>
> We are literally unable to compete with the salaries that are being offered these individuals because of the very low (.80) Medicare Area Wage Index under which we must now labor.
>
> Already our ability to handle the volume of patients being seen in our emergency rooms has been hampered and the waiting time has increased significantly. Already this summer we have had occasions where one or more of our hospitals have had to declare a ''Code Red'' status, meaning that they could not accept any more patients in their facility that would require intensive care due to a lack of staffed intensive care beds.

As a matter of fact, this weekend I was in an airport and talked to an administrator at one of our area hospitals. He told me for the first time in years, they cannot accept more patients. This is a great hospital. My mother has been there a number of times; other relatives, including my father, have been hospitalized there. I said: You mean you don't have beds or you don't have nurses?

He said: We don't have nurses. We have the beds. We don't have nurses.

This index situation is working in a perverse way so that when you economize, when you reduce your cost and cut your salary and negotiate toughly with nurses and pay them the most minimum salary you can get away with paying them, then they come back the next year and rate your wage

costs lower. Then they want you to cut it again next year. This thing is getting out of sync.

We have nurses in Alabama—and I have heard this all over the State in talking to administrators—who go off for a week or two. They work long hours at nearly twice the salaries they make in the State of Alabama. Then they quit working at the local hospitals where they have worked before. This is done because the majority of health care in hospitals in most areas of the country is Medicare/Medicaid work. So if you are not paying a living wage, if you are not paying a basic amount for those Medicare payments—this is our elderly who are most often hospitalized—then the net result of all that is the hospital gets squeezed badly.

Last year, we made a good step in increasing the overall inflation index for hospitals. We had reduced that substantially as part of the Balanced Budget Act of 1997. It helped us create a surplus in this country, but we realized that it was beginning to cut deeper and deeper and deeper into hospitals. So this helped hospitals across the board.

I know the hospitals in more rural areas are at a double disadvantage because 60 percent of their reimbursement cost is based on the wage index.

Again, in Mobile, one of the larger cities in the State, a city on the coast, Mobile's wage index is 80. They get 80 cents on the dollar. The average in America is $1. Some hospitals in America are being reimbursed at $1.50. So this is really a huge difference. That is almost twice.

In Montgomery, another sizable city in the State of Alabama—Alabama is a State of 4 million people, an almost average State in America—it is being reimbursed at 74 cents on the dollar. That is half what you are getting reimbursed in some other areas of this country.

It is draining our qualified nursing personnel and endangering health care, causing the poor to be poorer and the rich, in a way, to get richer. At least the poor will get poorer. Nobody is getting rich on Medicare reimbursement today.

I will share one more letter from the Baptist Health Care System of the State of Alabama. I talked with Dennis Hall a number of times. I have visited in several of his hospitals around the State of Alabama. He is passionately of the belief that the wage index is devastating their health care system. He said:

> The national crisis is affecting hospitals in Alabama in dramatic ways. Most of the hospitals in Alabama, including the very strong Baptist Health System, are losing money on operations. We have counted on interest earnings on reserves to offset losses. However, most institutions are now facing losses on their reserves also.
>
> Our total losses in operations for our year ended June 30, 2001 will be in excess of $21 million. Charity, Medicaid and Medicare played a big role in causing these losses. We simply cannot continue to sustain these operating losses. We certainly cannot be adequately prepared to respond to bio-terrorism should it strike one of our hospitals where we serve.

Mr. President, I have also a letter from the Coffee Health Group. I visited the Coffee Health Group. It is in Florence, AL, the Quad Cities area. There are a number of people in this area, a series of smaller communities in a fairly sizable metropolitan area.

This is what Carl Bailey writes me:

> The wage index is a complicated issue that I truly believe few understand. Nevertheless, you have asked us to help you get some grasp of the problem by describing the impact of the recruitment of a registered nurse from one of our Alabama hospitals (''Hospital A'') to another institution (''Hospital B'') that is already receiving higher Medicare payment due to higher wage index.

Hospital B will pay the travel, lodging, and higher wages to recruit the RNs. This additional cost to Hospital B actually increases the wage index for Hospital B.

The hospital that is hiring a person at a higher wage and paying all these costs then bills that to create a higher wage index.

This increase can only be paid from other areas because of budget neutrality.

Get that? This increase for Hospital B that is paying a higher wage can only be paid from taking money from the other areas because of budget neutrality. We only have a certain pot of money.

Therefore, Hospital A must share in the cost of paying for the increased wages of Hospital B. Since Hospital A cannot replace this RN, Hospital A's average wage decreases due to the loss of an employee with a higher than average hourly rate.

You get that? Hospital A's, the losing hospital's wage index goes down because their wage rate goes down because they lost one of their higher paid people and one of their better people.

This lowers the wage index for Hospital A and because of budget neutrality further increases the wage index gain for Hospital B. To respond to the shortage of staff, Hospital A then hires two or three nursing assistants to share the workload, reducing the number of nurses. This creates an even lower wage index for Hospital A which decreases the wage index even more. It also decreases the quality of care in Hospital A. Again, because of budget neutrality, the decrease in reimbursement to Hospital A is passed on as a higher wage index to Hospital B. Hospital B is now in a better financial position to hire additional employees from Hospital A than they were before, and the cycle continues.

> Although this scenario takes three years to play out, the mechanics are very real. We in Alabama have been living with similar recruitment strategies and subsequent negative reimbursement impact that has occurred in the past. Our loss in the past cannot be recruited, but we must stop the flow of Medicare funds from the ''have-nots'' to the ''haves.''

Mr. President, those are the points we are making. This affects hospitals all over America, States such as New York. Both Senators from New York support wage index reform because their State has large numbers of hospitals that are being adversely affected. It is not just what State or what area of the State you are from; the gap has grown too great, and the gap is widening and accelerating. It is not good for quality of health care in America. We have to do something about it.

Perhaps this is not the best bill to fix it, but I hope we can bring some increased attention to it. I look forward to working on it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I thank the Senator from Alabama for raising this very important issue. It is also an important issue to our providers in my State also, I might add. According to the Iowa Hospital Association, providers in Iowa would get about an additional $25 million a year under this amendment. To put it simply, we are being discriminated against in our State and in a lot of rural areas, as I am sure Alabama is.

This critical issue is at the center of States' like Iowa that are trying in vain to recruit and retain an adequate number of providers in rural areas. This is something of which I am very supportive. This is a point in time where I wish I were chair of the Finance Committee and we had a finance bill on the floor and we could take care of it right now.

The Senator raised this issue in good faith. He is right on the mark. We have to change this wage index floor. We have to raise that floor. Also, I say to my friend from Alabama, since we are now talking about this issue, I ask him to look at another piece of legislation that I and others have introduced called the FAIR Act. The difference in States between Medicare reimbursement for Medicare patients on a per patient basis vary widely. Some States are as low as about $3,000 per beneficiary per year; some States are as high as $7,000 per beneficiary per year. In other words, if you are on Medicare in one State, the reimbursement rate for your State might be as high as $7,000; in another State, it may be less than half that amount. In Iowa, we are No. 50 out of the 50 States. I think Alabama is down pretty low with us. We need to close that gap. My bill would do just that as well as address the wage index floor problem this amendment seeks to address.

My bill would take the national average and you say that no State can go

over 105 percent and no State can go under 95 percent. You would leave some leeway for different problems, but no State could go over 105 percent and no State could go below 95 percent of the average. I ask the Senator to take a look at that because that is something that would even out some of the problems we have in Medicare reimbursements. But the bottom line is simple. Any Medicare reform bill, whether it is attached to an appropriations bill or goes on its own, has to include a provision to level the playing field and fix a system that is currently unfair and inequitable. Again, I would like to accept the Senator's amendment and include it in this bill, but the Chair and Ranking Member of the Senate Finance Committee have made it clear that they will oppose any attempt to attach amendments that fall under the jurisdiction of the Finance Committee—including this amendment—to this appropriations bill.

I wanted to mention that, and I thank the Senator for raising this issue. Count me on board to work with him to see what we can do.

Mr. SESSIONS. I think it would take a point of order to do this. I wanted to raise this issue, and maybe others would like to speak on it. I would like to go on to another issue. I have had my say at this point. Perhaps a vote would not be necessary on this amendment or on a point of order. It is a health care bill.

It is time to talk about one of the biggest problems we have in health care, which I believe is the wage index. I have been to hospitals and talked to administrators and CFOs, the people writing the checks, and the heads of nursing, and they see people leave, driving up the wage index at another hospital and reducing theirs even further. We have to fix this.

Mr. HARKIN. The Senator is right on target on this issue.

Mr. SESSIONS. I thank the Senator for his interest and leadership.

I yield the floor.

Mr. SPECTER. Mr. President, I commend my distinguished colleague from Alabama for raising this important issue. I believe it has national implications. There is certainly a problem in my state of Pennsylvania.

For those who are watching on C–SPAN II and don't understand the procedures, it might be worth a word or two of explanation. This is a matter for the Finance Committee, and they have the jurisdiction over this matter and have lodged an objection to having it taken up on this bill.

So what we have to do is look for an opportunity to raise it in a context where there is a Finance Committee bill on the floor. At that time, I think the Senator from Alabama will have a lot of support. I thank him for raising the issue at this time.

Mr. President, in the absence of any Senator seeking recognition to introduce an amendment, I ask our colleagues to come forward. We have 29 amendments on the list on one side and 32 on the other, for a total of 61. We need to proceed to conclude this bill. The conference is going to be very lengthy. If we are to have the appropriations for the National Institutes of Health, and the education bill, and the other matters, we are going to have to move ahead and not have this folded into a continuing resolution. I urge colleagues to come forward.

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. DASCHLE. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. CARPER). Without objection, it is so ordered.

AMENDMENT NO. 2044

Mr. DASCHLE. Mr. President, I ask unanimous consent the pending amendments be set aside and that an amendment I have just sent to the desk be considered.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 2044.

Mr. DASCHLE. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. DASCHLE. Mr. President, I rarely come to the floor to offer amendments on appropriations because, I have to say, especially in this case, the chair and ranking member have done a phenomenal job under very difficult circumstances to get us to this point. I admire their work and their leadership and appreciate very much their extraordinary efforts as we have attempted to accelerate consideration of the appropriations bills.

I come to the floor to offer this amendment in part because I believe this provides perhaps the only vehicle we will have to consider legislation that I believe ought to have the opportunity to be considered before the end of this year. I offer the amendment on this bill in part because of the importance I think this legislation holds, not only for firefighters but for the country as a whole.

When the planes crashed into the World Trade Center on September 11, the shift had just changed at fire houses all across the country. In New York, firefighters who had just worked through the night could have gone home, but they didn't. Without a moment's hesitation, they rushed to what we now call Ground Zero to try to save lives.

They climbed on the first pumper or ladder truck they saw. One group of firefighters even commandeered a city bus to get to the World Trade Center as quickly as they could. Retired firefighters who heard what had happened rushed from their homes. Within hours, we now know, 343 New York City firefighters had lost their lives in the greatest terrorist attack in our Nation's history.

More than 7 weeks later, other firefighters, police, and rescue workers continue to comb through the still smoldering pile at Ground Zero, still risking their lives.

We have heard many words of praise for these heroes, and for their extraordinary efforts and for their first responders who risked their lives at the Pentagon, and in western Pennsylvania. They deserve every word of that praise, and far more.

As we honor them, it is important to remember that they are not alone.

Every day, in every State in America, firefighters, police officers and other emergency workers risk their lives to protect our safety. But in 18 States, they don't have the legal right to sit down with their employers and talk about their own health and safety.

That is wrong, and I believe the time has come for those circumstances to change.

That is why Senators DODD and GREGG, and I are offering this bipartisan amendment today: the Public Safety Employer-Employee Cooperation amendment.

Our amendment extends the basic right of collective bargaining to firefighters, police officers, paramedics, and emergency medical technicians.

It guarantees public safety officers the right to form and join a union, and the right to bargain collectively over hours, wages, and conditions of employment.

That is it.

There are things this amendment does not do, and I want to clarify and emphasize that.

It expressly forbids strikes or ''lockouts'' by public safety workers. It exempts all States with State bargaining laws for public safety workers that are equal to or greater than this proposal. And it preserves all management rights.

We know the essential role firefighters, police and other first responders played on September 11.

We know the role Capitol Police played on October 15. When a member of my staff opened a letter containing anthrax, Capitol police officers were immediately notified and were there immediately as well. They risked their lives to protect us. As a result, six law enforcement officers were exposed to the deadly bacteria. Today, every one of them is on the job.

Capitol Police are all working 12-hour, 14-hour days, 6 days a week, to protect us all; and they are all union members.

People who say that protecting public safety workers' basic rights will somehow jeopardize the public safety simply do not understand the dedication of the men and women who take these jobs.

We owe them our thanks. We owe them the basic right to collective bargaining. We owe them this opportunity to look out for themselves in the best way they know how, in their health, in their work, and in their lives.

So, Mr. President, I hope that our colleagues will look favorably on this amendment. I commend the extra effort made by Senators KENNEDY and DODD in particular, and Senator GREGG, who has been an outspoken advocate and proponent of this legislation. I am grateful to them. I am especially grateful for the opportunity this afternoon to offer this amendment with their support.

Mr. KENNEDY. Mr. President, I thank our leader, Senator DASCHLE, for the introduction of amendment No. 2044 to this Health and Human Services appropriations. I welcome the opportunity to cosponsor this with him.

So much of the Labor, HHR appropriations bill addresses the well being of our Nation's workers. We must meet the needs of all our workers, including our public safety workers, who do so much for us. The firefighters tell us that this amendment is their highest priority. This amendment is the least we can do for them, in light of the sacrifices they have made for our country.

This amendment is an important bipartisan effort to help protect our Nation's public safety officers on the job. I have been pleased to work with my Republican cosponsors, Senator GREGG, Senator DEWINE, and Senator SNOWE. This amendment will measurably add to the caliber of our defense against threats to the security of our communities. It will also further this country's historic commitment to collective bargaining. I can point out to the Senate the substance of this amendment, in legislation, passed overwhelmingly from our Senate Labor and Human Resource Committee.

I know that no one in this room needs to be reminded of the heroic efforts made by the country's public safety officers in the last 10 days. The pictures of tired, dust covered firefighters confronting unimaginable horror are permanently emblazoned in our minds.

The courage and dedication of those who died—including Peter Ganci, the chief of the New York Fire Department; William Feehan, the first deputy commissioner; and Mychal Judge, the chaplain of the Department—set a shining example for all of us. There were 344 firefighters and paramedics who died in the World Trade Center rescue effort. They were members of locals 94 and 854 of the International Association of Firefighters. And, just miles from the Capitol, hundreds of firefighters risked their lives in the rescue efforts at the Pentagon. America needs these men and women, now more than ever, and it is no exaggeration to say that we owe our lives to them.

This amendment will ensure that firefighters, police officers, correctional officers, and emergency medical personnel will be afforded the fundamental right to bargain collectively with their employers. The amendment guarantees the basic rights that are necessary to meet that goal—to form and join a union; to bargain over hours, wages, and working conditions; to sign legally enforceable contracts; and to deal with an impasse in negotiations.

This proposal follows in the honorable traditions of our country's labor laws, by recognizing the importance of collective bargaining to improve job conditions, increasing worker safety, and improving productivity. Most importantly, this amendment will lead to safer working conditions for public safety officers and to enhanced safety for the public that they serve.

As we now know all too well, firefighters, police officers, and emergency medical personnel serve in some of the country's most dangerous, strenuous, and stressful jobs. They are frequently asked to risk—and sometimes give—their lives to protect the safety of others. We have a moral obligation to do whatever we can to increase the safety of these critical jobs—and thereby to add to the Nation's defense against threats to the public's health and safety.

It is clear that this amendment will help us to meet these goals. The men and women who serve on the front lines in providing firefighting services, law enforcement services, and emergency medical services know what it takes to create safer working conditions. Ensuring that these professionals have a right to collective bargaining will give them a voice in decisions that can literally make a life-or-death difference on the job. Making such a difference for our country's public safety officers will, by definition, improve our collective safety.

Available data prove that collective bargaining enhances safety. These data show that States that lack collective bargaining laws have death rates for firefighters that are nearly double that of States in which bargaining takes place.

In States with collective bargaining, there were 1.5 firefighters killed in the line of duty for every 10 thousand firefighters. In States without collective bargaining, 2.5 out of every 10 thousand firefighters were killed on the job. Similarly, in 1993, firefighters in 9 of the 10 States with the highest firefighters death rate lacked collective bargaining protection.

This amendment will also save money for States and local communities. A study by the International Association of Fire Fighters shows that States and municipalities that give firefighters the right to discuss workplace issues have lower fire department budgets than States without such laws.

When workers who actually do the job are able to provide advice on their work conditions, there are fewer injuries, better morale, better information on new technologies, and more efficient ways to provide the services.

The amendment also accomplishes its goals in a reasonable and moderate way. The amendment requires that public safety officers be given the opportunity to bargain collectively; it does not require that employers adopt agreements.

Nor does it regulate the content of any agreements that are reached. Where States have collective bargaining laws that substantially provide for the modest minimum standards set forth in the bill—as a majority of States already do—moreover, those States will be unaffected by the legislation.

Where States do not have such laws, they may choose to enact them or to allow the Federal Labor Relations Authority to establish procedures for bargaining between public safety officers and their employers. This approach respects existing State law and gives each State the authority to choose the way in which it will comply with the requirements set by this amendment. States will have full discretion to make decisions regarding their implementation and enforcement of the basic rights set forth in this proposal.

This approach respects existing State law and gives each State the authority to choose the way in which it will comply with the requirements of this proposal. States will have full discretion to make decisions regarding the implementation and enforcement of the basic rights in this amendment.

This amendment will not supersede State laws which already adequately provide for the exercise of—or are more protective of—collective bargaining rights by public safety officers. This amendment is intended to ensure that public safety officers have a role in addressing their wages, hours, and terms and conditions of employment; and to improve the safety and welfare of public safety officers and the communities they serve.

It is a matter of basic fairness to give these courageous men and women the same rights that have long been enjoyed by other workers. They put their lives on the line to protect us every day. They deserve to have an effective voice on the job, and improvements in

their work conditions will benefit their entire community.

I commend my cosponsors for their leadership on this important proposal, and I urge the Senate to approve it.

I yield the floor and 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. HOLLINGS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. HOLLINGS are printed in Today's record under ''Morning Business.'')

Mr. HOLLINGS. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CORZINE).

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 2044

Mr. GREGG. Mr. President, I rise in support of the amendment offered by Senator DASCHLE which deals with the rights of police officers and firefighters—especially—firefighters to have the opportunity to organize in collective bargaining agreements.

This amendment is timely in light of what we have seen relative to the commitment of our firefighters across the country, along with our police officers and police personnel, in that it gives them rights which are given to most American Government employees.

With the enactment of this language, we will have essentially covered the majority of State and local employees in a consistent manner across the country.

The language of this amendment simply requires States to provide minimum collective bargaining rights to their public safety employees in whatever manner the States choose. In other words, if the State has any form of collective bargaining, they are basically exempt from this bill.

It outlines certain rights that must be protected, but it leaves the majority of decisions to State legislatures, and States that already have the minimum collective bargaining protection, as outlined in the legislation, will be exempt from Federal statutes, as will small municipalities and subdivisions.

The amendment also addresses the issue of the right to strike. As we know, public employees do not have a right to strike, and this amendment does nothing to advance that right to any public employee.

Further, it protects the right of each employee to join or refrain from joining a labor union organization. In other words, in States which have right-to-work laws, those right-to-work laws are not impacted at all by this legislation.

This legislation is extremely important, in my opinion, at this time because it is a statement by the Congress of our understanding of the importance of the jobs which firefighters and police officers do. We saw in New York, obviously, and we saw in Washington that these individuals put their lives on the line, and it is reasonable that they have a fair opportunity to make their case in the form of a collective bargaining atmosphere which is consistent with other Government employees and which is consistent with the laws in the States in which they live and work should those States have collective bargaining agreements.

I strongly support this amendment. I appreciate the majority leader bringing it forward. It did pass the Committee on Health, Education, Labor, and Pensions, of which I am the ranking member. There was not a recorded vote on it, but I can assure my colleagues it was a significant majority who supported the bill.

I look forward to it being taken up here and adopted in the Senate.

Mr. REID. Mr. 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. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Senator DORGAN be allowed to speak following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. I wish to speak briefly about the amendment Senator DASCHLE laid down which would allow firefighters, police officers, and emergency medical personnel basic collective bargaining rights; that is to say, the right to form a union and to bargain over hours and wages and working conditions.

In other words, what we are saying is the firefighters, the police officers, the emergency medical personnel, the first responders on September 11—and indeed I meet with them all across Minnesota—they will be the first responders in all of our States if, God forbid, we have to deal with other attacks that they have the right to join a union, bargain collectively in order to be able to earn a decent living, in order to have civilized working conditions, in order to be able to support their families.

I have to say on this last day of October of the year 2001, this is a no-brainer amendment, a no-brainer in that everybody should support it. It is crystal clear. As many have said, we are redefining heroes and heroines. It is crystal clear people in our country that there is just a reservoir of good feeling and strong support for these men and women. While we can have all of the benefit concerts and everybody can give all of the speeches in the world, enough speeches to deafen all the gods, the way we can actually show our support as Senators is to support this amendment, give the firefighters, give the police officers, and give the emergency medical personnel the right to join a union and bargain collectively.

My last point—and believe me, I will not do this, but I could literally talk for the next 20 hours on this, and I will only talk for 1 minute—I want this in the RECORD if it is not in the RECORD: Washington Post, A4, ''Quick Action Urged on Economic Stimulus.''

We have some quotes from several members of the administration basically saying if we extend the health insurance subsidies—in other words, people are out of work, it is terrifying, now you have lost your job, now you do not have any health care coverage for yourself and, maybe more importantly, for your children—that if in fact we pass a recovery bill that helps people to afford health care coverage for themselves and their loved ones, workers will lose the incentive to search for new jobs.

Coming from several members of the administration, the insulting assumption is if we were to help out unemployed workers with health care benefits so they could afford coverage for themselves and their loved ones, being lazy, they might not then actually find a job and work.

This is outrageous. I do not even know if I need to say anything more. I said I would only speak briefly, so I will not say any more. It is just outrageous.

We as Democrats have to have an economic recovery act that speaks to the unemployment benefits, speaks to health care coverage, speaks to job training, workforce development, speaks to investment and affordable housing or rebuilding crumbling schools, speaks to the whole infrastructure of public safety in the country, creates jobs, puts money in the economy, and enables people to purchase.

We ought to do that. We ought to do it now. If Democrats cannot stand for these families—firefighters, police, and other working families—and if we cannot do this now, then who are we and

for what do we stand? I am confident we will have a strong package of benefits. This is something for which we have to fight hard.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I will speak about an amendment I have pending, but I will follow on the comments of my colleague from Minnesota. We do not have the option, in my judgment, of leaving this session of Congress without passing a package of legislation that will try to stimulate this economy. This economy was on its knees going into September 11. It was a weak economy in a great deal of trouble.

On September 11, we had the cowardly terrorists acts that cut a hole in this country's economy. I fear very much that perhaps most of us do not fully understand how and why the economy hurts. We need to err, if we err, on the side of taking bold, aggressive action to stimulate the economy.

Stimulating an economy is done by creating incentives for investment and incentives for consumption. Part of the incentives for consumption are to assist those in this country who, during a tough economy, are losing their jobs. Hundreds of thousands of Americans have lost their jobs and have unemployment compensation that is inadequate, for too short a duration.

Part of the stimulus package has to be to help those families, as well. That money is invested immediately into the economy in the form of consumption. I think it is important to do a range of things: Incentivize consumption, incentivize investment, and a range of other approaches to stimulate the economy and give lift to the American economy. We are likely in a recession. We do not know how deep or how long. I know we cannot afford to adjourn this Congress without working together with the President, in a bipartisan way, to create a stimulus package that is serious. This is not just politics as usual. This is serious business.

The question of whether the American people have opportunity and hope is dependant on whether we have an economy that provides an expanded economic base, and therefore creates that hope and creates that opportunity for jobs.

AMENDMENT NO. 2024

On the subject I want to discuss, I have an amendment now pending, or maybe it was set aside temporarily, but I offered the amendment, and I would like to get it approved this afternoon. The amendment deals with something called the advance passenger information system, a system that now exists in this country. It is for those who are entering our country from foreign lands. For those bringing a commercial airliner into this country and for those who will disembark today, we have what is called an advance passenger information system. Those airlines will send to this country a list of the passengers. Our Customs Service, the FBI, and other Federal law enforcement agencies can check names against lists that we have to make sure we are not allowing someone into our country, as a guest, who might be a known or suspected terrorist or someone who is associated with terrorists or someone who is on a list that we do not want to enter this country.

There are lists of people who have committed acts of terror, criminal acts, people we do not want to be allowed into this country.

Today, we have the advance passenger information systems. Most airliners voluntarily comply with it and send the information to us. Not all airlines, however. About 15 percent of the passengers come into this country without having their name on a manifest that is sent to our country to be run against one of the lists.

Let me describe, among others, the airlines that do not voluntarily comply: We do not get this information from Pakistan, Saudi Arabia, Kuwait, Egypt, Jordan, just to name a few. Does anyone here think it would be important we would get that information from those countries? You better believe it is important. Yet under the voluntary system we do not get it.

I chaired a hearing with the Customs Commissioner and the INS Commissioner. We talked about securing this country's borders, among other things. Mr. Potter, the Customs Commissioner, said we must make this advance passenger information system mandatory. It is now only voluntary, and we are not getting all the information we need in order to process who is coming into our country. We need all this information. We need information on people who are going to visit this country from Pakistan, from Saudi Arabia, from Kuwait, and others.

I introduced a piece of legislation in the Senate that says the advanced passenger information system shall be mandatory. The Senate passed it. It was part of the counterterrorism bill, which is exactly where it should have been because it deals with border security. It went to conference with the House of Representatives. Some Members in the House of Representatives, citing ''committee jurisdiction,'' decided they were going to knock this out. So that bill went to the President, the counterterrorism bill, was signed into law, is now the law of the land, and does not contain this provision. The result is a provision the Senate previously enacted is now not part of the law dealing with counterterrorism.

The result is that today there is an airplane landing from Pakistan, airplanes coming from Saudi Arabia, from Kuwait, from Egypt, from Jordan, and more, whose passenger list has not been provided to our Customs Service, our FBI, and other law enforcement agencies. Why? Because those airlines do not comply. It is voluntary. They don't have to comply.

Just yesterday, I understand, Kuwait has signed a memorandum of understanding. That is good; that is progress. It seems to me it is business as usual for some in this Congress to say: What is most important to me is not national security. Some Members say: What is important to me is the jurisdiction of my committee. If we didn't bless it, if we didn't put our stamp on it, if we didn't have our mitts on it in some way, we will not allow it to proceed.

The entire Senate passed this provision and it got knocked out in conference last week. So the President signs a bill that does not include this amendment. I have offered it again. Does it belong on an appropriations bill? No, it doesn't. But I will offer it on this bill and every other bill until it becomes law. It is absurd to think we will deal with national security without securing our borders. Securing our borders does not mean closing our borders, it means understanding who is coming into this country as guests of ours. That is the whole approach.

The visa approach is to say people coming into this country are guests of our country. Mr. President, 57 million people come in by air every year; 45,000 people today come into this country by commercial airliner, 45,000 people whose names are not run against the Customs, the FBI, and other lists. Why are those 45,000 names not able to be run against those lists? Because we have some people who, in my judgment, are thickheaded. Committee jurisdiction is more important to them than national security.

That is strong language, I know. But it upsets me that we are so small minded in some parts of this Congress that we cannot see the bigger picture. The bigger picture is things have changed. The September 11 terrorist attack that murdered thousands of American citizens changed a lot in this country. The anthrax letters that have now killed some American citizens and caused such chaos and concern across this country have changed a lot of things. It apparently has not changed the mindset of some who are busily guarding their tiny little area of committee jurisdiction.

With regret to those folks, but not at all apologetic, I say we passed this provision once, and I intend to offer it again and again and again. I intend to have a vote on it. My hope is it will be accepted by voice vote. We will go to conference and get this done in this conference. If not, it will be the next conference. If not, then it will be the next conference. I simply will not allow people who think about jurisdiction over national security to win this issue. This ought to be done. It should

have been done last week, but it wasn't. It ought to be done this afternoon, again, in the Senate to say to those who blocked it: You will not block it for long.

These are extraordinarily difficult times for our country. We face two very significant challenges. One challenge deals with national security—and that is not an insignificant challenge. It is about as tough a challenge as we faced in many decades.

Second, we face the challenge of dealing with our country's economy. My colleague from Minnesota described that. I just came from a caucus in which we discussed it for an hour and a half. This country will meet those challenges. There are no people in the world better prepared or better equipped, no people I have more confidence in than the American people to meet any challenge at any time.

This is not a time for us to shrink back in fear. This is a time for us to be bold and to join together in action that we know will prepare us and will secure us and will allow us to have the kind of opportunity that we want for us and our children.

One small piece of that is this amendment that is now pending that I hope will be approved by the Senate this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I wish to express strong support for what our good friend from North Dakota, Senator DORGAN, has addressed. I am very hopeful it will be successful on whatever legislation he offers it, and is signed into law. It is a provision we have included in strong bipartisan legislation which Senator BROWNBACK and I have introduced. The reasons for it are so compelling. He has outlined those reasons this afternoon. I congratulate and thank him for his leadership on this issue.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, it is my understanding that the matter now before the Senate is the Dorgan amendment.

The PRESIDING OFFICER. The matter before the Senate is the Daschle amendment.

AMENDMENT NO. 2024

Mr. REID. Mr. President, I ask unanimous consent that we return to the Dorgan amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, the two managers are not in the Chamber, but there has been an understanding that the Dorgan amendment could be accepted by voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment?

If not, the question is on agreeing to amendment No. 2024.

The amendment (No. 2024) was agreed to.

Mr. REID. I move to reconsider the vote.

Mr. GRASSLEY. 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 Iowa.

Mr. GRASSLEY. Mr. President, I rise to comment on the legislation before us, and particularly I want to take this opportunity to thank the chairman and ranking member of the appropriations subcommittee, as well as members of that subcommittee, because they have included some very important pieces in this legislation that deal with issues before the Senate Finance Committee of which I am a member. I would like to speak about those provisions and explain some of the subsequent action we anticipate over the next 12 months.

This is obviously a very important bill. There are some key provisions in it that relate to the work of the Finance Committee. First, I thank the Appropriations Committee for its action on the social services block grant. Earlier this year, I wrote a letter to the committee leaders requesting that funding for this key program be restored to the levels agreed to in the 1996 Welfare Reform Act.

State and local governments rely on this key block grant, that we call the social services block grant, to address a range of human service needs, particularly for vulnerable children, families, elderly, and persons with disabilities.

The bill before us would give States needed flexibility to transfer some of the funds they receive under the Temporary Assistance to Needy Families Program to the Social Services Block Grant Program. Many Governors have asked for this flexibility. I am glad that the Appropriations Committee has acted accordingly.

I also note the bill's report language favoring improved health care in rural America, including more equitable Medicare payments. While the appropriations report language is not binding on the Centers for Medicare and Medicaid Services within the Department of Health and Human Services, I appreciate the support for the Finance Committee's efforts to make Medicare payments more fair for providers in rural America.

For years I have worked, along with other colleagues, to sustain and support rural communities. As a result, Medicare legislation has passed in recent years to take significant steps to bring greater equity to rural America but still not enough equity, hence the report language, and hence the need for the Finance Committee to do greater work in this area.

I will give an example. My Finance Committee colleagues and I have successfully worked to make the Critical Access Hospital designation more widely available, allowing small rural hospitals to actually keep their doors open; otherwise, they would be out of business and we would not have health care in those parts of rural America.

As a second point, we worked to begin eliminating the bias of the Medicare Disproportionate Share Program against rural hospitals, and, lastly, to protect small rural facilities against adverse effects from the new outpatient payment system.

As I said, we still have a long way to go. So I am working with my Finance Committee colleagues to craft further legislation that will make Medicare more equitable as part of our broader efforts to strengthen Medicare. I plan to work to ensure Finance Committee approval of such legislation next year, in 2002. And I look forward to the support of Appropriations Committee members when it reaches the floor of the Senate.

On another point, appropriators have recognized the importance of enhancing education opportunities for Medicare providers, an issue I have been working on for the past 10 months with colleagues on my own Finance Committee. There is broad recognition that health care providers participating in Medicare should have access to timely and clear information about changes to the program.

Before the Senate leaves for the year, I expect to introduce some of this legislation on which we have reached agreement, after these months of work with Senators Murkowski, Baucus, and Kerry, to enhance Medicare provider education, improve communication between Health and Human Services and health care providers out in the field, and streamline paperwork burdens among other things this bill does.

Providing more money to the Medicare Integrity Program for provider education is one aspect of the legislation, and the Appropriations Committee affirmed their support in its committee report of the bill that is now before us.

I applaud, specifically, the efforts of Senator BAYH of Indiana—there are others who worked with him whom I will not name—to require the General Accounting Office report to the committees of jurisdiction on the status of HIPAA's administrative simplification regulations. Obviously, I look forward to receiving that report in the Finance Committee, and working with my colleagues to implement administrative simplification in a commonsense, rational way so that well-intended legislation will actually accomplish its goals without hurting innocent programs, peoples, or facilities.

For today, the good news is that we have already taken steps in the Finance Committee to address immediate problems with administrative simplification. Senator BAUCUS and I have

worked closely with Senator CRAIG of Idaho and Senator DORGAN of North Dakota to introduce legislation—and we did this just yesterday—allowing States, counties, health care providers, and health plans a much needed additional 1 year to comply with the ''transactions and code sets'' regulation.

Our bill will give everyone covered by the rule additional time to plan, implement, and finance the systems changes required under that rule. This is especially important for State and local offices, the public health infrastructure, and, most importantly, the patients who we all want to serve so that they continue to receive timely access to these benefits.

I pledge my full support to consider the General Accounting Office's recommendations on administrative simplification in the Finance Committee next year.

I also continue to applaud appropriators for their decision to increase funding for survey and certification activities of the Centers for Medicare and Medicaid Services. For years, I have called attention to the need for nursing homes to be examined more carefully. And this cannot be done without the additional funding. The committee's allocation for this purpose represents an $18.5 million increase over the 2001 year level.

I am pleased to note that the bill proposes a $20 million increase in funding to the Administration on Aging for the Family Caregiver Program, which supports our Nation's everyday heroes—family caregivers—to a level of $140 million. As the author of this legislation that was passed as part of the Older Americans Act reauthorization last year, I thank the appropriators for their continued support of what I consider an important program that puts us well on the way of recognizing the economic contribution, as well as the quality of life contribution of family caregivers.

Finally, I commend the appropriators for their support of the Safe and Stable Families Act. This is a broadly supported program that provides crucial services to at-risk families. I look forward to working with Chairman BAUCUS to reauthorize that program this year with increased funding levels.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mrs. CLINTON). The Senator from Alabama.

Mr. SESSIONS. Madam President, I ask unanimous consent that I be permitted to speak for 10 minutes and that we move from the pending amendment so I may offer another amendment.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Madam President, that Alabama accent got me toward the end. What did the Senator say?

Mr. SESSIONS. I asked unanimous consent to move from debate on the pending amendment so I may offer a new amendment, one that is approved on the list.

Mr. REID. Madam President, the two managers are not here, but I am sure they would agree to this. It is my understanding that at the appropriate time the Senator from Alabama will withdraw his amendment. Is that the one that is now pending?

Mr. SESSIONS. On the previous one, I do expect that I will not ask for a vote. On the one I am offering today, I believe we have reached an accord by altering my original language and it will be accepted.

Mr. REID. It is my understanding the Senator wanted to speak for 10 minutes and then offer an amendment after that.

Mr. SESSIONS. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

AMENDMENT NO. 2045

Mr. SESSIONS. Madam President, in this country, I have come to realize we have a very large student loan program which provides great benefits to a lot of American children and students who are not children in college. I am offering an amendment today that will deal with one of the more serious problems in that program that has created quite a good deal of fraud.

The amendment I submit would require the General Accounting Office to conduct a study on Federal student loan disbursements to students who attend foreign schools and ask them to report on the fraud, waste, and abuse in the Federal Family Education Loan Program as it relates to students receiving funding in order to attend foreign schools.

Study abroad can certainly be a wonderful experience for students, one we ought to encourage. It is something of which more and more students are availing themselves. I certainly celebrate that and encourage it. I do not oppose, as we do today, some form of student loan aid to students who wish to participate in the foreign educational experience. It can be a very enriching time for a student.

We do need to ensure, however, that the program involves study and not a European vacation at the expense of hard-working American taxpayers for whom a visit to the ballpark may be beyond their budget.

In recent years, there have been a number of criminal cases of so-called students falsely claiming they are attending foreign schools, directing that their student loan checks be paid directly to them as the law will allow and not to the school, and then taking the money and spending it on themselves and not even attending the foreign school at all.

This fraud has been documented with many examples listed in the 1997 Department of Education inspector general's report. I believe the Federal Family Education Loan Program is at great risk of fraud unless we institute some sound controls immediately.

In the United States, student loan checks, if you go to a college in the United States, are made out to the school and the student. If the school doesn't get the check and tuition is not paid, they don't endorse it; the check can't be cashed. Both the student and the school have to endorse the check, and the tuition is thereby paid with certainty.

With regard to foreign schools, the checks are made out simply to the students routinely. Since 1995, there have been at least 25 felony convictions of students who fraudulently claimed they were attending a foreign school and then they just cashed the Government loan check and simply did not attend class.

Of course, these are only the students who were caught in this fraudulent activity. I have no doubt that there are many more who have not been apprehended.

This is why we should take action. We must prevent cases such as this one. Mr. Conrad Cortez claimed to be such a student. He applied for student loans. In March of 2000, he admitted to charges of submitting 19 fraudulent student loan applications over a 3-year period. He pled guilty before a Federal judge to numerous counts of mail fraud, bank fraud, and Social Security account number fraud in the State of Massachusetts. The prosecutor in that case told the court that Cortez was responsible for dozens of auto loans filed outside Massachusetts, in Florida and in Texas.

The absolute disregard for the American taxpayers is epitomized by the activities of Mr. Conrad Cortez. He was living high at the expense of American taxpayers and in violation of law by filing false documents to receive loans and money from the Federal Government.

During the period from 1996 through 1999, he bought gifts for his friends, including jewelry and cars, paid for private tennis lessons—I guess he might have thought that was educational—made a downpayment on a house, sent some money back to his native Colombia, ate in the best restaurants, and even paid restitution for a previous charge of defrauding the Government, all with taxpayers' money. It was a fraudulent loan he had claimed.

His fraud only ended when he was turned in by his sister's boyfriend who claimed that Mr. Cortez had used his identity to obtain additional loans. In fact, Mr. Cortez was about to help himself to $800,000 worth of loans that you and I would pay for out of our Federal income tax. He had filed 37 false claims in all, spending the money as fast as it arrived.

The inspector general's office of the Department of Education, with the FBI

and the attorney general's office in Boston, combined forces to apprehend him before he could get all of the money he had claimed through these false loans. He did, however, pocket about $300,000 before he was caught.

This is a perfect example of how this program is at risk and is not being managed properly. Currently the methodology for approving and releasing student loan funds is vulnerable. Current law says that a student may request a check be issued directly to him or her when claiming that they are attending a foreign school, and a check will be sent directly to them without the requirement of a cosignature by the school.

The Office of Inspector General at the Department of Education found that the number of students claiming to attend foreign schools and applying for loans increased each academic year from 1993 through 1997 and went from 4,594 students to 10,715 students in just 4 years, more than doubling.

The later figures since that date of 1997 indicate that the loan numbers for foreign education continue to increase. Indeed, in 1998 to 1999, there were 12,000 loan applications from American students claiming to attend foreign schools.

The question then comes, Why are we paying to send students to foreign schools at all? These are American taxpayers' dollars flowing to foreign economies where the standard of education often is not as good as the education we have.

Certainly, our education system in the United States—our colleges and universities—is not overcrowded. It certainly has the capacity to handle more students. We need to ask that question to some degree.

I would support some assistance in the form of loans or aid to people who would attend school in a foreign country for a year or two. But I have serious doubts about whether this country ought to pay for a full degree course, 4, 5, 6 years, through subsidized loans and grant programs to students who choose to further their education in another country where they will not be accredited according to the standards of the United States.

I had attempted to raise that issue. I do believe we have not had sufficient hearings on it. We have not gone into this in some depth. Certainly educating young people through allowing them to be exposed to foreign education programs can have some benefit. But I think we need to look at curtailing that. As a matter of comity and working with the managers of this bill, they did not think this was the appropriate time to move forward on a limit of just how many years a person ought to be able to get Federal subsidies to attend foreign universities. So I have taken that out of this amendment.

Basically, what our amendment would do would be to require a GAO study to find out exactly what is going wrong with this program and to make sure that it is tightened up so that these fraudulent activities cannot continue.

This report will compare the oversight controls for loans dispensed to students attending foreign schools and domestic institutions and examine the default rates at foreign schools that enroll American students receiving federally guaranteed student loans to determine the number of students that are receiving loans for multiple years.

My amendment will also require the GAO to make recommendations for legislative changes that would be required to ensure the integrity of the Federal Family Educational Loan Program. It will help us to get this information we need so that we can have a complete and accurate picture and then Congress should be able to take legislative action to stop this abuse.

We have now, as I understand it, an agreement to spend over $600 billion in discretionary money in this year's budget. By any standard, that is a lot of money. I think sometimes we see the big billion dollar numbers so often that we are not impressed at all when somebody comes up and says, well, this person got $300,000 fraudulently. We just don't pay attention to it.

I was a Federal prosecutor for almost 15 years, and I put a lot of people in jail for defrauding the Federal Government. I know there are good laws that work to help apprehend thieves. I know there are some areas in which our laws are weak. I know there are procedural methods by which Federal agencies can make it much more difficult to allow a person to defraud the Government. I am sure this person who got $300,000 is not going to be able to pay restitution of $300,000 unless he can figure out a third way to defraud the Government to pay restitution. He is not going to pay us back, the truth be known. We will never get that money back. It is lost. Decent, honest people who do not get a vacation to Disney World will be paying for his extravagant lifestyle, his fraudulent activities, and we ought to tighten up these procedures. Every day that I come to work I have in my mind a commitment to make sure that we have as much accountability in our Federal system as possible. I think sometimes we pay too little attention to it. I have a program I call ''Integrity Watch,'' and it is just a way I focus on abuses in the system that I think could be corrected. And we will try to move to correct those problems.

I thank the Chair for the time. I yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I offer my amendment I referred to previously.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 2045.

Mr. SESSIONS. Madam 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 require the Inspector General of the Department of Health and Human Services to audit all Federal amounts allocated for AIDS prevention programs and to report to Congress concerning programs offering sexually explicit workshops using any of such amounts)

At the appropriate place in title II, insert the following:

SEC. ____. (a) FINDINGS.—Congress finds that—

(1) according to the Centers for Disease Control and Prevention, over 765,000 people in the United States have been diagnosed with the virus that causes AIDS since 1981, and over 442,000 deaths have occurred in the United States as a result of the disease;

(2) Federal AIDS prevention funds should be used to provide resources, training, technical assistance, and infrastructure to national, regional, and community-based organizations working to educate the public on the virus that causes AIDS and stopping the spread of the disease;

(3) recent reports from the Associated Press highlight the use of Federal AIDS prevention money to conduct sexually explicit workshops for homosexual men and women;

(4) such sexually explicit workshops teach homosexual men and women how to write erotic love stories and how to use sex toys for solo and partner sex; and

(5) Federal AIDS prevention funds should not be used to promote sexual activity and behavior and potentially transmit the disease that such funds were allocated to fight.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Health and Human Services shall conduct an audit of all Federal amounts allocated for AIDS prevention programs and report to Congress concerning programs offering sexually explicit workshops using such dollars.

Mr. SESSIONS. I offer the amendment and note that it has eliminated certain language from it.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

THE STIMULUS PACKAGE

Mr. CONRAD. I rise today to talk about the economic stimulus package that is being discussed and debated in both Houses of Congress.

When it became apparent that our economy was weakening, those of us who have special responsibilities for the budget—the leaders of the House Budget Committee and the Senate

Budget Committee—got together and agreed on a bipartisan, bicameral basis on certain principles for an economic stimulus package. These were the chairman and ranking member of the House Budget Committee and the chairman and ranking member of the Senate Budget Committee.

After several weeks of work, we were able to agree on a bipartisan basis on a set of principles to apply to the stimulus package. We agreed on an overall principle that an economic stimulus package should be based on the recognition that long-term fiscal discipline is essential to sustained economic growth. We agreed that measures to stimulate the economy should be limited in time so that as the economy recovers, the budget regains a surplus at least equal to the surplus in Social Security. And that any short-term economic stimulus should not result in higher long-term interest rates.

We went on to agree to the objectives, the timing, the rapid impact, the sunset, the targets, and the size of any economic stimulus package. Again, this was on a bipartisan basis and involved the leaders of both the Senate Budget Committee and the House Budget Committee.

On objectives, we agreed that an economic stimulus package should restore consumer and business confidence, increase employment and investment, and help those most vulnerable in an economic downturn. On timing, we agreed that Congress should assemble an economic stimulus package with dispatch, aiming for passage within 3 to 4 weeks of our report which was done on October 4.

On rapid impact, we agreed that a substantial portion of the fiscal impact should be felt within 6 months.

On sunset, we agreed that all economic stimulus proposals should sunset within 1 year to the extent practicable.

On targets, we agreed that an economic stimulus package should be broad based, rather than industry specific, and that policies should achieve the greatest possible stimulus per dollar spent be, and should be, directed to individuals who are most likely to spend the additional after-tax income and businesses most likely to increase spending and employment.

On size, we agreed that the economic stimulus package should be equal to roughly 1 percent of gross domestic product, which would be $100 billion, but take into account what we had already done at that point, which was some $40 billion. That would mean a floor of at least $60 billion of economic stimulus.

And on offsets, we agreed to uphold the policy of repaying the greatest amount of national debt feasible between 2002 and 2011; that outyear offsets should make up over time for the cost of any near-term economic stimulus.

With those principles in mind, we can now apply them to the various proposals that are out there. Senator BAUCUS, the chairman of the Finance Committee, has released a proposal, and we find in looking at the elements of Senator BAUCUS' proposal—we matched them with the principles that were agreed to on a bipartisan basis—that his package passes on each and every principle that had been agreed to.

On the question of temporary, on a bipartisan basis we agreed that proposals should sunset within 1 year. Senator Baucus' package provides for that.

On rapid impact, we said a substantial portion should be out within 6 months. Senator BAUCUS' proposal has all of his impact in the first year.

On size, we said approximately $60 billion. Senator BAUCUS' proposal has $70 billion in this fiscal year but actually costs less than that over the 10 years because some of the things that provide lift now actually will generate revenue later on.

On targeting, we said the stimulus dollars should go to those most likely to spend them. Senator BAUCUS' proposal includes $14 billion of rebates to those who were not included in the first package of rebates and $33 billion in worker relief targeted to low- and middle-income Americans who are the most likely to spend the money.

On the question of not hurting our long-term fiscal condition, Senator BAUCUS' proposal has virtually no effect on the surplus after this fiscal year.

His proposal clearly passes each of the tests.

If we apply those same principles to the House package, we get quite a different result. In fact, we find that they fail each of the tests. Not just one of them, not two of them; the House proposal fails each and every test that was agreed to on a bipartisan basis by those of us most responsible for the budget.

With respect to temporary, the House bill has 71 percent of its tax cuts as permanent. There is no temporary package. It is largely a permanent package. So that fails the first test of being temporary.

Second, on the question of rapid impact, we said a substantial majority of the fiscal impact should be felt within 6 months. But in the House package, nearly 40 percent of the 10-year cost is after this year. That is not a stimulus package. A stimulus is designed to give lift to the economy now, not 2003, not 2004, and yet 40 percent of the cost of the House package is after the year 2002. That clearly fails the principle of rapid impact.

On size, we said $60 billion as a starting point, as a floor. The House package is $162 billion over 10 years. That is far in excess of what the President called for. He said $60 billion to $75 billion. This has a cost of $162 billion.

On the question of targeting, the House package has 35 percent of the tax cuts going to the wealthiest 1 percent. We on a bipartisan basis agreed to the principle that stimulus ought to go to those most likely to spend the money. That is what will lift the economy. That is what will provide stimulus. But the House package disproportionately goes to the wealthiest 1 percent. Those are the very people most likely to save the money, not to spend it.

However meritorious savings may be—and goodness knows I am an advocate for savings—that does not stimulate the economy. The thing that stimulates the economy, according to every economist who came and testified before the Budget Committee, is if people and companies spend the money that they get, and spend it now—not 2 years from now, not 3 years from now, but now. Now is when the economy is weak. Now is when we need stimulus.

This morning's economic report on the last quarter of economic growth shows we are in negative territory. It makes the point as clearly as it can be made that we need economic stimulus now—not 2 years from now, not 3 years from now but now.

Madam President, while the House package has 35 percent of the benefits going to the wealthiest 1 percent, the bottom 60 percent of the income category get only 19 percent of the benefits. Yet those are the people who are the most likely to spend the money and give lift to the economy. So the House package violates that principle.

Finally, on the question of a package not worsening our long-term fiscal condition, the House package has a cost of $171 billion when you include the interest costs beyond the year 2002. In other words, every dollar of that part of their stimulus package would be coming out of the Social Security trust fund surplus.

In essence, they are taking payroll tax dollars from people in this country and giving the money in an income tax cut that goes disproportionately to the wealthiest 1 percent. That stands stimulus on its head. That is taking money from the people who are most likely to spend it and giving it to people who are most likely to save it.

That is not what stimulus is all about. That cannot be the result. I just want to make clear to my colleagues, as chairman of the Budget Committee, I will not accept this kind of result. I will use every device available to me to stop any package similar to what the House passed.

Given the ability of a Senator to stop a package, I can assure my colleagues, this is not going to happen because I am not going to let it happen, and there will be plenty of others who will join me. We are not going to let it happen because it should not happen. This is not a stimulus package; it is a political package.

The Secretary of the Treasury said it very well when asked about the House package. He called it show business. This is no time for show business; this is time for real business. This is time for the business of America. This is the time to have a stimulus package that really does the job and does not abandon fiscal discipline for the long term by putting upward pressure on interest rates that would undo all the good we are trying to accomplish by a package of fiscal stimulus.

When we go to the question of the plan that was released yesterday by Senator GRASSLEY, the ranking member of the Senate Finance Committee, and apparently now adopted by the Senate Republican caucus, we have looked at each of the measures, each of the principles that had earlier been agreed to on a bipartisan basis, and we have graded the Grassley package. Here is what we found.

On the question of temporary—the principle was the stimulus should sunset within 1 year—what we find is that 82 percent of the Grassley package is not temporary; 82 percent is permanent tax cuts. That absolutely fails the test of temporary.

Why do we have that test? We have that test because every economist who has come to us has said: Look, you have to marry fiscal stimulus with long-term fiscal discipline; otherwise, you will put upward pressure on interest rates, and, guess what. You will undo all of the potential good of a fiscal stimulus package. You will put fiscal policy at war with monetary policy, and while you are giving lift to the economy with fiscal stimulus, you will be suppressing the economy by increasing interest rates.

This principle is there for a reason, and the reason is, as Secretary Rubin, who is the former Secretary of the Treasury who did such a brilliant job in the Clinton administration, made clear to us, you have to be careful while you are providing fiscal stimulus to couple it with long-term fiscal discipline.

We all understand, because of the tax cuts that were provided earlier, because of the attacks on our country, because of the need to rebuild, because of the continuing economic weakness, this country is headed into deficits in the fiscal year we have just ended.

We are not talking just about trust fund deficits; we are talking about deficits that mean we are going to be using every penny of the Medicare trust fund surplus this year to pay for other items.

We are going to be using every penny of the Social Security trust fund surplus this year to pay for other items, and we are going to be spending beyond that. We are not only taking all of the trust fund surpluses, but we are taking billions of dollars beyond that.

That may be acceptable at a time of war, at a time of economic slowdown, but we cannot permit that to continue. We cannot allow a circumstance to develop in which we are raiding and looting every trust fund in sight, even when the economy is forecasted to be in recovery. That will devastate this country's position when the baby-boomers start to retire in 10 years.

Please, I say to my colleagues, let us not get stampeded to do things that make our long-term fiscal condition far worse. That would be a disaster for this country.

On the question of rapid impact, looking at the Grassley package, again we had the principle of the money should go out, the vast majority of it in 6 months. Why? Because in looking at past results, what we have found is every time there was an attempt to use fiscal policy to stimulate the economy, we have been too late—not just some of the time, every time. Every time there has been an economic slowdown and we tried to use fiscal policy to give stimulus, each and every time we have been too late.

So this time we are saying if we are going to stimulate the economy, get the money out in time to make a difference. That is why we have this principle. Yet if one looks at the Grassley plan, nearly half of it, 48 percent of the 10-year cost, occurs after the first year. That is not a stimulus package. That is a tax cut package—I will grant that—but it is not a stimulus package.

It is going to be too late. It is going to be like all the other times when we tried to use fiscal stimulus, and every time it has been too late. Let us not make that same mistake again. On a bipartisan basis we said: Let us not do that again. If we are going to have stimulus, let us get it out there to be effective.

The Grassley plan does not do it. Half of it comes after the year 2002.

On the size, we said $60 billion. The cost of the Grassley plan is $175 billion over 10 years. That does not count the interest cost.

On targeting, we said stimulus dollars should go to those most likely to spend them. Well, the Grassley package flunks that big time. Forty-four percent of the value of the tax cuts in the Grassley plan goes to the wealthiest 1 percent. Eighteen percent goes to the bottom 60 percent. Talk about taking a principle and standing it on its head. That is what the Grassley proposal does. It does not funnel the money to those who receive the lowest income, who are the ones most likely to spend it. It gives the disproportionate share to the wealthiest 1 percent who are the ones most likely to save it, not spend it.

Again, however meritorious saving is—and I believe in it and applaud those who save—every economist has said to us you have to put this money in the hands of companies and people who will spend it and spend it now; not 2 years from now, not 3 years from now but now. The Grassley plan absolutely flunks that test.

Finally, the package should not worsen our long-term fiscal condition. The Grassley plan costs over $200 billion, counting the interest. It costs over $200 billion after fiscal year 2002.

That is digging the hole deeper. That is taking every penny of it from the Social Security trust fund surpluses.

When one thinks about it, here is what he is doing: He is taking money from payroll taxes—and over 70 percent of the people in this country pay more in payroll taxes than they do in income taxes—he is taking payroll tax money and using it to fund an income-tax cut that disproportionately goes to the wealthiest 1 percent. Think about that. He is taking money, over $200 billion, after this economic slowdown is over—according to the administration's projections, he is taking $200 billion of people's payroll tax money and going over and giving half of it to the wealthiest 1 percent in an income-tax cut when every economist has told us we ought to give the money in tax cuts to the lower income people who are most likely to spend it.

Instead, what he is doing is taking it from the low-income people, the 60 or 70 percent of the people who pay more in payroll taxes than they pay in income taxes, and giving it to the wealthiest 1 percent, who are the ones most likely to save it and not spend it. That is not a stimulus package. That is a tax cut package for the most privileged and the wealthiest among us. It is certainly not a stimulus package. It flunks every test, every principle that we agreed to on a bipartisan basis.

I hope our colleagues are thinking very carefully about this matter of a stimulus package. It is needed. It is needed soon. We have an economy that is in decline. We were in trouble before September 11. That circumstance has gotten seriously worse after the events of September 11, after the sneak attack on this country. We have an obligation to develop a stimulus package that is really stimulus, not a political plan, not a partisan plan but a plan that is going to help lift this economy. To do that it is critically important that while we are giving a short-term lift, a lift that will take effect in a way that is timely, that we also couple that with long-term fiscal discipline so we do not push up interest rates, so we do not undo all of the good we are attempting with a stimulus package.

I feel very strongly about this issue because I have seen in the 15 years I have been in the Senate the difference between healthy fiscal policy and fiscal policy that is built on debt and deficits and decline. The last thing we should do in this country is put our Nation back on the course of massive fiscal deficits, draining every trust fund in sight in order to cover other costs.

That is especially important in the decade before the baby-boomers retire.

I am going to be ferocious on the question of not digging the fiscal hole deeper beyond the time of economic weakness. That would be a profound and tragic mistake to this country.

The distinguished occupant of the chair is the Senator from New York. New York has been devastated by the attacks on September 11. I think all of us are proud of the reaction of the people of New York. They have stood tall. They have responded with courage, and they deserve our help. Every time in our Nation's history when one of our States has been hit by natural disaster or some tragedy, all of the other States have rushed to help.

I remember when my own State was devastated in the 1990s by floods, the worst floods in 500 years. Colleagues from all across this country reacted in a generous way to help the people of my State who were so badly hurt. I remember when California was devastated by fires and earthquakes how all of us rallied around to help the State of California because it was the right thing to do and because we also recognized we are the United States of America and we are united at a time of difficulty for many of our people.

The people of New York have suffered not a natural disaster; it is a manmade disaster, a disaster made by fanatics who took innocent lives by the thousands and devastated tens of millions of dollars worth of property and put New York's economy on a course that is going down. It is our obligation to help. We will help. We will fashion a stimulus package that will help all of our country recover.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORZINE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORZINE. Madam President, I say to my colleague from North Dakota, as always, his analysis is spot on. He is addressing one of the fundamental needs of our Nation to have a responsible stimulus program, one that happens soon, one that has real impact and is not an ideological platform or program, but one that is designed to truly stimulate our economy. The more we hear the Senator from North Dakota articulate this, the better our country will be and the sooner our economy will be moving forward.

Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. CORZINE. I thank the Chair.

(The remarks of Mr. CORZINE pertaining to the introduction of S. 1602 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CORZINE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAYTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

AMENDMENTS NOS. 2048 THROUGH 2053

Mr. HARKIN. Mr. President, I am going to ask consent to set aside the pending amendment only for the purpose of adopting six amendments that have been cleared on both sides as managers' amendments.

Mr. President, I ask unanimous consent that we set aside the pending amendment and that six amendments that have been cleared by the managers on both sides be considered and adopted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 2048 through 2053) were agreed to, as follows:

AMENDMENT NO. 2048

On page 33, line 22, strike all after the word ''Center'' through the word ''vivarium'' on line 23.

On page 33, line 25, strike all after the word ''related'' through the word ''project'' on page 34, line 2, and insert, in lieu thereof, ''contracts, which collectively include the full scope of the project, may be employed for the development and construction of the first and second phases of the John Edward Porter Neuroscience Research Center''.

AMENDMENT NO. 2049

(Purpose: To establish certain requirements relating to maintenance of effort for State expenditures on public education)

At the appropriate place, insert the following:

SEC. 515. Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note) is amended by adding at the end the following:

''(f) STATE CONTRIBUTIONS.—

''(1) SUPPLEMENT, NOT SUPPLANT.—

''(A) IN GENERAL.—Effective October 1, 2002, the portion of the funds made available to a State to carry out this section for a fiscal year that exceeds the baseline funding for the State shall be used to supplement and not supplant State (including local) public funds expended to provide free public education.

''(B) DEFINITIONS.—In this paragraph:

''(i) BASELINE FUNDING.—The term 'baseline funding', used with respect to a State, means the funds made available to the State to carry out this section for fiscal year 2000, increased or decreased by the same percentage as the percentage by which the Consumer Price Index for All Urban Consumers (United States city average), published by the Secretary of Labor, has increased or decreased by June of the preceding fiscal year from such Index for June 2000.

''(ii) FREE PUBLIC EDUCATION.—The term 'free public education' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(2) MAINTENANCE OF EFFORT.—

''(A) IN GENERAL.—Effective October 1, 2002, a State may receive funds under this section for a fiscal year only if the Secretary of Education finds that the aggregate expenditure of the State with respect to the provision of free public education by such State for the preceding fiscal year was not less than 100 percent of the baseline expenditure for the State.

''(B) USE OF FUNDS.—If a State fails to receive funds under this section for a fiscal year in accordance with subparagraph (A), the Secretary of the Treasury shall use the funds to make payments to the other States, in proportion to the amounts already received by the other States under this section for the fiscal year.

''(C) WAIVER.—The Secretary of the Treasury may waive the requirements of this paragraph if the Secretary determines that such a waiver would be equitable due to—

''(i) exceptional or uncontrollable circumstances such as a natural disaster; or

''(ii) a precipitous decline in the financial resources of the State.

''(D) DEFINITIONS.—In this paragraph:

''(i) AGGREGATE EXPENDITURE.—The term 'aggregate expenditure', used with respect to a State, shall not include any funds received by the State under this Act.

''(ii) BASELINE EXPENDITURE.—The term 'baseline expenditure', used with respect to a State, means the aggregate expenditure of the State with respect to the provision of free public education by such State for fiscal year 2000, increased or decreased by the same percentage as the percentage by which the Consumer Price Index for All Urban Consumers (United States city average), published by the Secretary of Labor, has increased or decreased by June of the preceding fiscal year from such Index for June 2000.

''(iii) FREE PUBLIC EDUCATION.—The term 'free public education' has the meaning given the term in paragraph (1).''.

AMENDMENT NO. 2050

(Purpose: To express the sense of the Senate regarding the release of fiscal year 2001 emergency funding for the Low-Income Home Energy Assistance Program)

At the appropriate place, add the following:

SEC. 516. (a) FINDINGS.—The Senate finds the following:

(1) The Low-Income Home Energy Assistance Program (referred to in this section as ''LIHEAP'') is the primary Federal program available to help low-income households, the elderly, and individuals with disabilities pay their home energy bills.

(2) Congress provided $300,000,000 in emergency funding for LIHEAP in the Supplemental Appropriations Act, 2001 because regular appropriations were insufficient to help States offset the increase in high utility bills during the winter of 2000–2001.

(3) Congress expected that half of the emergency funding would be made available for

targeted assistance to States with the most critical needs, and half would be given to help States address unmet energy assistance needs resulting from the extraordinary price increases in home heating fuels and residential natural gas, experienced during the winter of 2000–2001.

(4) In the winter of 2000–2001, there was a 30 percent increase in households receiving LIHEAP assistance in large part due to the high price of home energy and severe weather.

(5) In the winter of 2000–2001, the LIHEAP program was only able to serve 17 percent of the 29,000,000 households eligible for LIHEAP assistance.

(6) In the winter of 2000–2001—

(A) heating oil prices were 36 percent higher than in the winter of 1999–2000, and residential natural gas cost 42 percent more per cubic foot than in the winter of 1999–2000; and

(B) the weather was 10 percent colder than in the winter of 1999–2000.

(7) In the winter of 2000–2001, record cold weather and high home energy bills took a financial toll on low-income families and the elderly who spend, on average, 19.5 percent of their annual income on energy bills, as compared to 3.7 percent for all other households.

(8) Families in the United States need emergency LIHEAP funding to pay home energy bills from the winter of 2000–2001 and restore heat as the succeeding winter approaches.

(9) More citizens will need LIHEAP assistance in fiscal year 2002 due to the recent increase in unemployment and the slowing economy.

(10) States are being forced to draw down fiscal year 2002 LIHEAP funds in order to address unmet needs from fiscal year 2001 and help low-income households pay overdue home energy bills.

(11) Emergency LIHEAP funding will provide States with critical resources to help provide assistance to residents.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should immediately release the $300,000,000 in emergency funding for LIHEAP provided by the Supplemental Appropriations Act, 2001.

AMENDMENT NO. 2051

(Purpose: To express the sense of the Senate that the Department of Health and Human Services produce a Notice, and for other purposes)

On page 54, after the period on line 15, add the following:

SEC. 218. Of the funds provided to the Office of the General Counsel, not less than $500,000 shall be used to provide legal support for enforcement of the labeling provisions of the Dietary Supplement Health and Education Act of 1994.

SEC. 219. Expressing the sense of the Senate that the Department of Health and Human Services publish a Notice regarding Good Manufacturing Practices for dietary supplements.

Whereas over 100,000,000 Americans regularly use dietary supplements to maintain and improve their health status;

Whereas Congress has established a strong regulatory framework to ensure that consumers have access to safe dietary supplement products and information about those products;

Whereas Good Manufacturing Practice (GMP) regulations are the primary enforcement tool whereby government inspectors ensure that all food products (including dietary supplements) are manufactured according to rigorous quality control standards, including appropriate labeling, sanitation, purity and records-keeping;

Whereas the Dietary Supplement Health and Education Act of 1994 authorized development of Good Manufacturing Practice guidelines for dietary supplements;

Whereas the Good Manufacturing practice guidelines will be instrumental in assuring the American public that dietary supplements are properly manufactured and labeled; and

Whereas those guidelines have been in development by the Department of Health and Human Services, its operating divisions, and the Office of Management and Budget, for over 5 years: Now, therefore, be it

Resolved, That the Senate expresses a sense of the Senate that the Department of Health and Human Services or its operating divisions publish a Notice of Proposed Rulemaking with respect to Good Manufacturing Practices for dietary supplements within 15 days of enactment of this Act.

AMENDMENT NO. 2052

At the appropriate place, on page 93, after line 12, insert the following:

SEC. 517. (a) Section 10 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11709) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Kamehameha School/Bishop Estate'' and inserting ''Papa Ola Lokahi''; and

(2) in subsection (b)(1)(C), by striking ''Kamehameha School/Bishop Estate'' and inserting ''Papa Ola Lokahi''.

(b) Section 338K(a) of the Public Health Service Act (42 U.S.C. 254s(a)) is amended by striking ''Kamehameha School/Bishop Estate'' and inserting ''Papa Ola Lokahi''.

AMENDMENT NO. 2053

(Purpose: To require the Comptroller General of the United States to report on the State and local impacts of the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996)

On page 93, after line 12, insert the following:

SEC. 518. (a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate and to the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives on the matters described in subsection (b) with respect to the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2021) and programs administered by State and local units of government.

(b) MATTERS STUDIES.—For purposes of subsection (a), the matters described in this subsection include the following:

(1) An assessment of Federal programs administered by State and local units of government, including local educational agencies, explicitly required to implement the administrative simplification requirements under provisions of the Health Insurance Portability and Accountability Act of 1996.

(2) An assessment of other Federal and non-Federal programs administered by State and local units of government, including local educational agencies, that will be required to implement the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in order to exchange electronic health data with private sector providers and insurers.

(3) An analysis of the costs that will be incurred by State and local units of government, including local educational agencies, to implement the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in programs described in paragraph (1) or (2).

(4) An analysis of Federal resources available to units of State and local government, including local educational agencies, for implementing the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in programs described in paragraph (1) or (2).

(5) An assessment of guidance provided to State and local units of government, including local educational agencies, by the Centers for Medicare and Medicaid Services and the Department of Health and Human Services on the implementation of the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in programs described in paragraph (1) or (2).

(6) An assessment of the coordination between the Centers for Medicare and Medicaid Services, the Department of Health and Human Services, and other Federal agencies on the implementation of the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in Federal programs administered by State and local units of government, including local educational agencies, in programs described in paragraph (1) or (2).

(c) DEFINITION.—In this section, the term ''administrative simplification requirements'' means all standards for transactions, data elements for such transactions, unique health identifiers, code sets, security, and privacy issued pursuant to sections 262 and 264 of the Health Insurance Portability and Accountability Act of 1996.

Mr. HARKIN. Mr. President, 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. SESSIONS. 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.

AMENDMENT NO. 2054

Mr. SESSIONS. Mr. President, I previously spoke on an amendment to provide for a study and report regarding Federal student loan disbursements to students attending foreign schools. I offer that amendment at this time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 2054.

Mr. SESSIONS. 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 provide for a study and report regarding Federal student loan disbursements to students attending foreign schools)

At the end, add the following:

SEC. ___. STUDY AND REPORT.

(a) FINDINGS.—Congress makes the following findings:

(1) The number of students applying for loans and claiming to attend foreign institutions has risen from 4,594 students in 1993 to over 12,000 students in the 1998–1999 school year.

(2) Since 1995 there have been at least 25 convictions of students who fraudulently claimed they were attending a foreign institution, then cashed the check issued directly to them, and did not attend the foreign institution.

(3) Tighter disbursement controls are necessary to reduce the number of students fraudulently applying for loans under title IV of the Higher Education Act of 1965 and claiming they are going to attend foreign institutions. Funds should not be disbursed for attendance at a foreign institution unless the foreign institution can verify that the student is attending the institution.

(b) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General shall conduct a study regarding—

(A) Federal student loan disbursements to students attending foreign schools; and

(B) fraud, waste, and abuse in the Federal Family Education Loan Program as the fraud, waste, and abuse relates to students receiving funding in order to attend a foreign school.

(2) REPORT.—The Comptroller General shall report to Congress regarding the results of the study.

(3) REPORT CONTENTS.—The report described in paragraph (2) shall—

(A) include information on whether or not there are standards that a foreign school must meet for an American student to attend and receive a federally guaranteed student loan;

(B) compare the oversight controls for loans dispensed to students attending foreign schools and domestic institutions;

(C) examine the default rates at foreign schools that enroll American students receiving federally guaranteed student loans and determine the number of students that are receiving loans in multiple years; and

(D) make recommendations for legislative changes that are required to ensure the integrity of the Federal Family Education Loan Program.

Mr. SESSIONS. Mr. President, for the record, I made reference to this amendment earlier, but I inadvertently submitted another amendment. This is the amendment to which I spoke previously. I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. Mr. President, I have been consulting with the distinguished assistant Democratic leader. He reports to me there are a number of procedural agreements that have been entered into. I appreciate Senators' cooperation in reaching these agreements.

As I understand it, we have also adopted by voice vote a couple of amendments. There are a number of amendments pending. It is my hope that we can proceed with votes on those at some point early in the day tomorrow. It would be my expectation that we could finish this bill by tomorrow night, and I would be inclined then not to have votes scheduled on Friday. We would want to lay down the appropriations bill on the District of Columbia, but I think we could probably work through that bill and make arrangements for further consideration of the bill early next week.

We have to get this bill done. If we are not finished with it by tomorrow night, clearly we will work on it throughout the day on Friday. My hope is we could finish our work on it sometime tomorrow night, and then Senators would have the opportunity to schedule their day on Friday knowing there would not be votes, although there will be Senate business.

I also have been asked by a number of our colleagues if we could accommodate them and their families tonight. We will do so. In keeping with that understanding, there will be no more rollcall votes this afternoon.

Having said that, it means we have a very full day tomorrow with a lot of votes on amendments tomorrow. I hope Senators will come to the Chamber, offer their amendments, agree to time limits, and allow us to work through them. We are leaving a lot of work for 1 day, but it would be my hope we could complete our work on that day.

I see the chairman is in the Chamber. I know he will work with Senators if they have amendments. Let us offer them tonight. Let us deal with them tomorrow if rollcalls are required, but let us get this bill done. I hope we can do so relatively early in the day. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 2044

Mr. GRAMM. Mr. President, we are in the midst of debating and amending an appropriations bill. Earlier in the day, the distinguished majority leader offered an amendment relating to labor rights of public safety employees. I have been told that because there was a reference to collective bargaining in some area related to agriculture in the bill, this made it possible for this extraneous amendment, having to do with collective bargaining and unionism among public safety employees, to be offered and considered germane to the pending bill.

If we are really trying to finish the Labor-HHS appropriations bill—which I would like to do, because certainly it is in my interest, and it is in the interest of all 100 Members of the Senate, but, more importantly, I think it is in the interest of the working men and women of America that we finish our legislative activities prior to Thanksgiving and put our permanent appropriations process into place, hopefully adopt a stimulus package that is worthy of the name to help the economy and do the work we have to do and complete our business prior to Thanksgiving—Then I do not think the pending amendment related to unionism of public safety workers contributes to that desired goal of finishing our work. In fact, I think exactly the opposite is true.

AMENDMENT NO. 2055 TO AMENDMENT NO. 2044

Mr. GRAMM. I have come to amend a pending Daschle amendment. So I call for regular order with respect to the Daschle amendment, and I send a second-degree amendment to the pending amendment to the desk, and I would like it read.

The PRESIDING OFFICER. The Senator has called for regular order. The clerk will report the second degree amendment.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. GRAMM] proposes an amendment numbered 2055 to amendment No. 2044:

After line 7 on page 9, insert the following:

''(6) Protecting the constitutional right of all firefighters, law enforcement officers and public safety employees who risk their lives on a daily basis to protect our property, freedoms and loved ones in exercising their right to follow their conscience in whether or not to join a labor organization in connection with their decision to pursue a career dedicated to service and sacrifice in defense of the innocent in order to provide for their own families.''

Mr. GRAMM. Mr. President, this is a right-to-work amendment for public safety employees. It is interesting to me that in listing the things we want to do in the pending amendment, we have before us an amendment which overrides State law, which overrides county ordinances, and which would literally set in place a structure to unionize the sheriff's department in Brazoria County in Texas. I think it would come as a shock to people that we are in the process of doing that in the name of appropriating for the Department of Health and Human Services.

I am not in favor of doing this. I think this is a decision that States have to make. My State has decided Americans have a right to join or not join a union. My State is a right-to-work State, as 22 other States are. In fact, Oklahoma just joined the ranks of States that give people the right to decide to join or not join unions.

The idea that we are going to override State law and county ordinances and city ordinances to establish this Federal system of unionism comes as somewhat of a surprise to me.

As I read the rights that we are guaranteeing, it struck me that a right was missing. In fact, a real right was missing. Basically, in the Daschle amendment, we guarantee public safety officers the right to form and join a labor organization but, interestingly enough, nowhere do we give them a right not to join a labor organization. I do not understand rights where you have the right to do something but you do not have the right not to do it. I thought rights had to do with freedom to choose.

Under section 4 of the amendment, No. 2 on page 8, has to do with public safety employers recognizing employees' labor organizations.

No. 3 has to do with collectively bargaining over hours and wages and terms and conditions of employment.

No. 4 has to do with a requirement of dispute resolution.

No. 5 has to do with requirements enforcement through State courts.

It suddenly struck me that if this is really about rights, if we are going to try to reward those who have recently, through their actions, reaffirmed the affection and love that we have for them, should not one of those rights be freedom? In many States in the Union, people who are police officers or emergency workers do have the freedom to say, boy, I really appreciate you all giving me a chance to give you part of my wages and to join your union; I am really grateful for having a chance, but I do not want to do it, and I live in America. So since I live in America and you all have offered me this chance to be part of your union, but I would rather spend the money sending my child to college or buying a new refrigerator or fixing my truck, I am just going to say thank you but no thank you.

Now we have before us a proposal that would basically override State law in every State in the Union, override county ordinances in every county in America, and override the policies of every city in this country and establish a Federal standard for unionism for public safety workers. Yet in all of these rights we are giving public safety workers, never, ever do we mention freedom.

So we override State law. We set up a structure for unionism and we never give workers the right to say thanks but no thanks, I do not want to join a union; I appreciate it, but I think I could spend that money better than that union could spend it on my behalf. No harm meant, no disrespect. I just would rather spend it myself.

So I sent to the desk a second-degree amendment that adds a No. 6. You have five other rights that basically override State law and set up a structure for unionism with regard to public safety and emergency employees. I add a sixth right, and that would be a right to not join a union.

If we are going to override State authority and State law in setting up a structure for unionism, should not we override State law with regard to allowing people to say thank you but I do not want to join a union? I thought this was America.

In fact, a public safety employee might say I put on this badge this morning to protect freedom and yet I find I do not have the freedom to not give my money to a union of which I do not want to be a member.

So it struck me that if, in fact, we really want to get into the business of writing county ordinances—I did not run for the county commission because I did not want to make county ordinances, and I did not run for the state legislature because I did not want to make law at the State level. My State, my county do a great job. They did not need my help. I was needed in Washington, at least I thought. So I came to Washington to write Federal law, but now today I have found the majority leader has decided he wants to get in the county commission business and the city council business and the State legislature business.

So as long as we are going to get into it, it seems to me that protecting freedom is something that we have to do. If we are going to have a Federal labor standard that protects people's right to join a union is a wonderful thing, is it less wonderful to protect their rights not to join a union? Is it really the American way to say you have a right to join a union—in fact, in over half the States in the Union, over half the States in the country, not to use the same word with a very different meaning, but in over half the States in America you have to join a union to be a police officer, you have to join a union to be a firefighter, you have to join a union to be an emergency worker because those States require that you join a union if that area is organized, and in those States it is.

So as long as we are writing Federal statute, I wanted to add the simple provision that said you had a right to join or not to join as it would suit your individual conscience or as it would suit your own preferences and the well-being of your family. I hope this amendment will be adopted if we are going to adopt the Daschle amendment. I offered it in all seriousness because I think it ought to be included.

If we really want to finish our work, I don't think this is an issue. I think the underlying Daschle amendment, while it is certainly germane—and the Parliamentarian has ruled it is germane—it doesn't promote our objectives to finish our business. I personally believe it should be dropped. If we are going to get into the business of overriding State law, county ordinances, and city ordinances, and mandate a structure of unionism, we ought to guarantee the right of people not to join a union.

I have offered such an amendment. If people want to put it into a pigeonhole, they can put it in the pigeonhole of a national right-to-work provision within a national union structure amendment that would simply say, with all the rights for unions the distinguished majority leader would provide, I add a right for an individual. The right is to say, yes, I want to join a union, or, no, I don't want to join a union.

That is what my amendment does. I hope my colleagues will look at it. It is simple. It is five lines long. It is flowery; and quite frankly, so is the amendment I am amending. I didn't want my part to be less flowery than the rest of it. If you read it, you will understand exactly what I am talking about. I hope my colleagues will support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, there are a few things I want to do on the floor. I thank Senator DASCHLE for his amendment. I have not looked at the amendment of the Senator from Texas. Looking at the language of the Daschle amendment, there is the operative language that the role of the Federal labor relations authority, to the extent provided in this title, in accordance with regulations prescribed in the authority, shall protect the right of each employee to join, form, or assist any union organization, or to refrain, freely and without fear of reprisal, and protect each employee in the exercise of such right.

I think it ought to be clear that protection is already in the Daschle amendment.

The second point is, there is absolutely nothing in this legislation that undercuts State laws. I personally think the right-to-work laws can be debated at some other time.

Finally, I point out if they are interested in supporting the second-degree amendment and undercutting the amendment Senator DASCHLE has introduced—and I ask unanimous consent to be a cosponsor of the Daschle amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. That amendment basically is saying: Give the firefighters, the police, and other public safety workers the right to join a union and bargain collectively for decent wages and civilized working conditions, the right to be able to have a good wage to support their family. That is what this amendment says.

I originally introduced this bill, or a version of this bill several years ago. Now we can get it to the floor of the Senate introduced by the Senate majority leader. We can give all the speeches in the world about how much we appreciate the first responders, those who came to the World Trade Center building and tried to save people and lost their lives—firefighters, police, and other rescue workers. We can give speeches about it, we can give concerts, we can pass resolutions, but the best way we can say thank you in this Chamber is to give these workers, these men and women, the right to join a union if they want to and to be able to bargain collectively.

That is what the vote is about. The second-degree amendment undercuts the amendment that Senator Dashcle and others, myself included, have introduced.

We will get back to this later. That is my initial quick response.

Mr. HATCH. Madam President, last week during consideration of the Agriculture Appropriations bill, the Senate adopted an amendment Chairman TOM HARKIN and I authored which will provide $1 million to the Food and Drug Administration for enforcement of three important consumer protection provisions of the Dietary Supplement Health and Education Act of 1994, DSHEA. Those provisions relate to the requirement that the dietary supplements be adequately labeled as to their ingredients and the proportion of each ingredient contained within, that statements of nutritional support (so-called ''structure/function'' claims) must be truthful and non-misleading, and that manufacturers be able to substantiate the claims they make.

These are very important protections we included in DSHEA so that consumers have the assurance that the products they buy are accurately labeled. In the seven years since the Congress passed this law unanimously, there have been sporadic reports that products are being sold that are not properly labeled. Indeed, the Senate Aging Committee held a hearing last month during which it was shown that there have been problems with appropriate enforcement of DSHEA.

It is my strong contention that the law is completely adequate to deal with these problems, as FDA Commissioner Jane Henney advised the Congress on more than one occasion. However, it is obvious to me that enforcement has not been the priority it should be at HHS and FDA.

Accordingly, I rise to offer an amendment which will provide the General Counsel with an additional $500,000 for legal support for enforcement of the labeling provisions of DSHEA. I am pleased to be joined in this effort by Chairman HARKIN. This is part of our on-going initiative to make certain that consumers have access to safe dietary supplements and information about those products. This amendment we offer today will complement the amendment we adopted last week. The increased funding for the FDA's Center for Food Safety and Nutrition will be used for investigations and compliance activities in the field. The funds contained within the amendment we are offering today will be used to support any legal activities which might arise from field enforcement.

Let me emphasize my strong belief that the majority of dietary supplements are of great benefit to consumers who wish to maintain or improve their healthy lives. However, consumers need the assurance that the products they buy are safe and accurately labeled, and it is time for the FDA to place a greater priority on enforcement against the few bad actors that are casting a large shadow over the industry. Our amendment will help the government place a renewed emphasis on removing illegal products from the marketplace. This will be a great benefit to American consumers.

Before I close, let me mention one other provision of our amendment. The 1994 law called upon the FDA to develop Good Manufacturing Practice, GMP, guidelines for dietary supplements. GMPs are the primary enforcement tool whereby government inspectors ensure that all food products, including dietary supplements, are manufactured according to rigorous quality control standards, including appropriate labeling, sanitation, purity and records-keeping.

Although HHS published an Advanced Notice of Proposed Rule-Making in early 1997, to date the agency has not published the Notice of Proposed Rule-Making which is necessary to being finalization of the GMPs. Senator HARKIN and I have called, written and implored the Office of Management and Budget, HHS, and FDA to issue these regulations. To date, we have not been successful, although it is our understanding that the NPRM was about to be published in the final days of the Clinton Administration.

I am not aware of what the NPRM will contain. Perhaps it will be a good document. Perhaps I will disagree with it vehemently. I cannot say.

What I can say is that the NPRM must be published and available for comment before we can move to finalize the GMPs for dietary supplements. For that reason, the amendment we are offering today expresses the sense of the Senate that the Administration release this regulation within 15 days after the bill is enacted. It should not require an act of Congress for this regulation to be issued, and I still remain hopeful that the NPRM will be published in the next few days so that we may continue the long-delayed process of finalizing the regulation.

I urge adoption of this amendment.

Mr. REED. Mr. President, I rise to discuss the Labor, Health and Human Services, and Education appropriations bill.

First, I want to commend Chairman BYRD and Senator STEVENS, as well as Chairman HARKIN and Senator SPECTER, and their staff, for their work on this bill. Given the budget realities, I know it wasn't an easy task to put this bill together, and I know they would agree we should have even more robust numbers for many programs.

That is why it is important to recognize the increased investments contained in this bill, like dislocated workers; NIH; CDC; SAMHSA; LIHEAP; Head Start; Title I; teacher quality; and Pell grants.

I am particularly pleased that the bill significantly enhances the childhood immunization program under CDC, providing $84.5 million more than last year and $62.5 million more than the administration's budget request.

This additional funding is critical to the continued success of the program, which has faced dramatic increases in vaccine purchase costs, as well as new challenges in program outreach and in vaccine delivery infrastructure development.

In addition to its work in preventing and tracking diseases, the CDC also plays a critical role in our effort to maintain and control the onset of chronic disease among Americans. Seven of every 10 deaths in this country each year can be attributed to chronic diseases such as heart disease, stroke and cancer.

CDC's work to improve our understanding of risk factors, such as tobacco use, poor nutrition and lack of physical activity, through applied research is the cornerstone of our Nation's effort to curb the current epidemic of chronic disease related deaths.

I would also like to commend the chairman and ranking member for preserving funding for the Health Professions Program at HRSA. This program provides vital support to academic institutions and students in an effort to improve the accessibility, quality and racial and ethnic diversity of the health care workforce. The administration's budget proposal would have decimated this program.

During this time of shortages in a variety of health care settings, the health professions and nurse education programs are key to our continued efforts to recruit motivated and qualified individuals for the health care workforce.

I have been particularly interested in the work of the Geriatric Education Centers Program, which provide training for health care professionals who provide care to our Nation's seniors, as well as support for faculty who teach geriatrics. Rhode Island has one of the highest concentrations of people over the age of 65, with persons over the age of 85 being the fastest growing segment of the population. As such, I am deeply concerned about the lack of health professionals specifically trained to address the health care needs of our rapidly aging population. The geriatric programs sponsored by HRSA, including one in my State, play a vital role in enhancing the skill base of health professionals who care for frail and vulnerable seniors.

As a final point with regard to the health related provisions in this legislation, I would simply add that I hope that Senate conferees will be able to work with the House to increase the current funding level for the Community Access Program (CAP) at HRSA.

I also want to thank Senators HARKIN and SPECTER for providing $2 billion in LIHEAP funding. This is an 18-percent increase over funding provided in the fiscal year 2001 appropriation bill.

LIHEAP is an important program for residents of the Northeast and Midwest, and this increased funding is especially important now. The slowing economy and layoffs will make it increasingly more difficult for low-income families to be able to afford to heat their homes this coming winter. If these families cannot pay their heating bills then they will be forced to chose between heat, prescription drugs, housing, and food. This additional funding will help working poor families maintain economic stability during this difficult time.

As for education funding, I am pleased on many fronts. The bill provides an overall increase of $6.3 billion, including a $1.4 billion increase for title I, $925 million to preserve the School Renovation Program, $1 billion for the 21st Century Community Learning Centers (after school) program, $3 billion for teacher quality, and a $250 boost in the maximum Pell grant to $4,000.

I particularly appreciate the $15 million increase for LEAP, bringing funding for this program to $70 million. LEAP is a Federal-State partnership program which helps needy students attend and stay in college. I have worked closely with my colleague from Maine, Senator COLLINS, on this program, and I look forward to continuing to work with her, Chairman HARKIN, and Senator SPECTER to maintain this funding level in conference.

I also want to thank Chairman HARKIN and Senator SPECTER for including funding for a critical national cause I have long championed, along with Senator COCHRAN and others in this body—support for our Nation's school libraries.

The condition of our school libraries is a national disgrace; they either contain mostly bare shelves or are filled with outdated books. Without funding, the goal of the President's Reading First Program to ensure children can read and read well at an early age, will not be met.

While I am pleased that the bill provides a modest downpayment for this program at $25 million, additional funding is certainly needed.

I want to continue to work with Chairman HARKIN and Senator SPECTER to provide increased resources for this critical program, so that it will work hand in hand with Reading First to improve our student's literacy levels and reading scores.

Certainly Chairman HARKIN's ESEA amendment to fully fund IDEA would provide the resources needed for the school library program and countless other programs, while meeting the needs of our children with disabilities and schools.

I strongly support this effort, and will work with the chairman of the subcommittee to press for this amendment to be retained in the ESEA conference. Indeed, we must pass this amendment to ensure that essential initiatives get the funding needed to work.

UNANIMOUS CONSENT REQUEST—S. 739

Mr. WELLSTONE. I ask unanimous consent the Senate proceed to Calendar No. 191, S. 739, the Homeless Veterans Program Improvement Act; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read three times, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I object.

Mr. WELLSTONE. Mr. President, this is the second or the third time I have come to the floor. My colleague from Alabama, though we do not agree on all issues, is a friend, so nothing I am about to say is directed to him. He has to object.

I would like to know which brave Senator has put an anonymous hold on this bill. With all due respect, this piece of legislation, which is called the Heather French Henry Veterans Assistance Act, is named after Heather French Henry, a Miss America who made this her No. 1 priority. Her dad is a disabled Vietnam vet. It passed out of the Veterans' Affairs Committee with bipartisan unanimous support.

It is the same piece of legislation introduced by LANE EVANS. There is nobody better in the whole Congress, House and Senate; he is the best when it comes to being for veterans. He has introduced this, moved through the House, and the VA has supported it. We had the Secretary there. He approves of this legislation—Secretary Principi. The VA reported there were 345,000 homeless veterans in 1999, a 34-percent increase in homeless veterans from 1998 to 1999. I bet a third of the males who are homeless are veterans. That is a scandal. I know my colleague from Alabama agrees with that.

What does this bill do? It increases the $50 million authorization for the Department of Labor Homeless Veterans Reintegration Program. They basically contract out; the nonprofits do the work at the local level. These are effective job training programs for homeless veterans so they can get back on their feet.

The bill authorizes additional funding for community-based organizations which do the best work in providing different transitional services to veterans, whether it be programs that deal with addiction, whether it be programs to help veterans find more affordable housing.

Finally, it talks about more comprehensive homeless centers that will be available in the country's major metropolitan areas; in other words, a place where there can be medical care, where there can be job counseling, and where there can be social services.

My understanding is—and I don't know how many veterans organizations have now sent in letters, but I can safely say there is not a veterans organization in the country that would oppose this legislation. I could travel to any State, any center, and I could go to a homeless shelter. I used to organize with homeless people, visit with homeless veterans, many Vietnam veterans. This legislation provides some support services for them—job training, counseling for veterans struggling with addiction, other social service programs.

There is a Senator who has put a hold on it, and I cannot find out who he or she is. These anonymous holds drive me up the wall. I have never put an anonymous hold on a bill—never. I am putting a hold on just about every single piece of legislation that any Senator on the other side of the aisle wants to put through here until this piece of legislation goes through. I have come out here twice or three times. I can't find out who objects to it. I would love to debate a Senator about why he or she opposes this homeless veterans bill.

So I am going to come to the Chamber every day, every single day, and I am going to ask unanimous consent to pass this bill. I hope that whoever opposes it will tell me why. In the meantime, I am putting a hold on just about every single piece of unanimous consent legislation that is proposed from the other side of the aisle, which I hardly ever do.

This is a great way to proceed in a bipartisan manner, to have some Senator, who has apparently very little courage, put an anonymous hold on a bill which provides more homeless assistance to veterans, who will not come out here to debate it, and basically stops it dead in its tracks. I have been around here 11 years. The only thing I can figure out is I just put a hold on pretty much everything that comes from the other side of the aisle. I will review them one by one, but I will not do it anonymously.

Let me say to my colleagues, many of whom I enjoy and like and rarely am angry with even if I disagree, I am sorry. I apologize. But I am putting a hold on just about every single piece of legislation that comes through here from the other side.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. CANTWELL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THOMAS. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. I ask that I may speak up to 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE PRIORITIES

Mr. THOMAS. Madam President, I rise to reflect a little bit on the issues we have before us and the idea that we have some things to do that are priorities. I think most of us would agree to a certain set of priorities, and that we ought to be dealing with those priorities and moving forward with what we have to do. We have known this for quite a long time, as a matter of fact.

I am sure the folks on the other side of the aisle will get up and say the Republicans are blocking everything; that is not true. We need to put a priority on what we are seeking to do and get those jobs done.

We have three more appropriations, I think, out of the 13 with which to deal. We ought to be doing that and we are working on one now.

Conference reports, which will be coming back—handle those.

Certainly, I think everyone is committed to the idea of doing an economic stimulus package. I understand there are different points of view, and it is understandable because I don't think anybody knows precisely what it is that will have the most and quickest impact on the economy. Nevertheless, we need to do that; we need to do some things that are short term that have an impact. Most of us understand that.

We need to finish up airport security. That has to be done, of course, before we go.

Somewhere along the line, of course, bioterrorism is something that needs to be done.

We had hoped as part of the stimulus package or related to it we could get a date or do something with energy. If there is anything that impacts the economy, certainly it is an energy policy. An energy policy also, of course, is becoming vital to what we are seeking to do in the Middle East.

The idea that here we are in kind of a shutdown, when we are kind of in a press to get things done, and it seems like an opportunity to stick on everything that everybody has ever wanted to do is not a very good way to manage this place. It is not a very good way for us to set the priorities that this country needs, which is our job, and then to get on with doing it.

I have to say it gets a little discouraging sometimes for us to be going along with all this to do and somehow we can't seem to get with it. We have not even voted in the last 2 days in a rollcall vote.

I know it is a difficult thing to do. I am not critical of anyone particularly. But I think collectively we ought to come to the snubbing post and say we have these things to do and here is what we have to do to them and put aside some things that have been hanging around forever and put them on something that is going in, which is always the impact and effect of coming down to the end.

I have to share a certain amount of frustration with what is happening. We are not going to agree on every issue. To not understand that is naive. But we could agree on saying we have to get this job done. Some have to give up this or have to give up that, but we have to do it.

I feel very strongly about the energy issue. I have been part of the group that has worked on that for a very long time. I do believe it has, indeed, always been important to have a policy, to do something more about domestic production. But it is even more important now, and clearly so.

I can't think of anything, as a matter of fact, that probably has more impact on the economy than the availability and cost of oil and we produce that oil and the cost of production.

These are the kinds of things we can do. So I am hopeful that as we work towards adjournment time, which can't be too far off, we will set a list of priorities. We should say: These are the things we need to do. Here are our priorities. Let's do them. Let's get on with it.

Madam President, I yield the floor and suggest the absence of a quorum.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. Does the Senator withhold?

Mr. THOMAS. Yes.

The PRESIDING OFFICER. The Senator from Alabama.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002—Continued

AMENDMENTS NOS. 2042, 2045, AND 2054, WITHDRAWN

Mr. SESSIONS. Madam President, I have offered three amendments today: Amendment No. 2042, a wage index adjustment amendment; amendment No. 2045, calling for a study on AIDS prevention program funding; and amendment No. 2054, an amendment dealing with a study on student loans, with the goal of reducing fraud and abuse in student loan programs.

Having worked with the leadership and the floor managers on these amendments, I withdraw all three amendments at this time, with the understanding that amendments Nos. 2045 and 2054, with modifications, would be made part of the managers' amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I have spoken with the managers of the bill, and what the Senator from Alabama has said is correct. If, for some reason, the managers cannot agree to these amendments—and they have indicated they would—the Senator would have a right to reoffer these amendments.

Mr. SESSIONS. I thank Senator REID for his courtesy, as always.

The PRESIDING OFFICER. Without objection, it is so ordered. The three amendments are withdrawn.

Mr. REED. 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. SESSIONS. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY

Mr. SESSIONS. Madam President, I would just like to share a few remarks at this time concerning the energy bill. We need to improve our production of energy within the United States, and I would like to share a few thoughts about why I think it is a critical part of stimulating the economy.

At this time of economic slowdown, we need to create circumstances that will allow the economy to grow and flower. It has struck me for some time—and I have mentioned this on the floor previously—that our economic slowdown began over a year ago, and it began not long after we saw a tremendous surge in the price of energy. The price of a barrel of oil in the United States was as low as $13 a barrel. It soon leaped to $30 a barrel. And 60 percent of all the oil we utilize in the United States is purchased abroad.

So there was a tremendous transfer of American wealth. We got no more oil—not a single barrel of oil—but we were paying more than twice as much for that oil as we were paying just months before it surged upward.

That drained a great deal of money from this economy. It demonstrated, with great clarity, the dependence we have on foreign oil. And most of the reserves of foreign oil are in the Middle East. It has pointed out the dangers we face if we do not make some changes.

Now we are engaged in hostilities in the Middle East, and we see, once again, just how fragile that supply of oil is to our Nation, and how quickly it can be interrupted.

Our economy needs to improve. I think it is incumbent on us to consider, quite seriously, reforming our energy laws so that we can produce more energy in this country. If we can do that, we will be able to keep more money at home. So when a well is drilled, the question is, Will it be drilled in Saudi Arabia or Iran or Iraq or Kuwait, or will it be drilled somewhere in the United States? When it is

drilled here, not only does the money stay here—the royalties that are paid to the State or the landowner for the oil—but all the people who drill the well, all the people who work at it, process the oil, and move that oil from the wellhead site—all of those people will be paid salaries; and then they will pay taxes. They will help reduce our unemployment, increase tax revenue, and provide income for American workers.

So we need to do a number of things to improve our energy situation so that we reduce the drain on our economy from the constant purchase of oil abroad.

Conservation is a critical part of that. The more we can reduce the use of oil and gas in America, then the less demand we have to transfer wealth abroad to purchase it. At the same time, the more we can produce in the United States, the greater our chance will be to churn that money again within the United States, creating jobs, salaries, retirements, and health care benefits, as well as taxes for our States and our governments, our local school systems, and the Federal Government. It will strengthen our economy in a number of ways.

I think improving our energy production would be a critical step in revitalizing our economy. I do not think it is coincidental that we began to sink not long after we saw a tripling of the price of oil on the world market.

I am delighted to see the ranking member of the Energy Committee, Senator MURKOWSKI, in this Chamber. I know he wants to speak on this issue. He has been a constant, steady advocate for America: What is good for American workers, what is good for this country, what we need to do to remain economically strong.

If we do not remain economically strong, we cannot do the good things in this country, and around the world, we want to do.

He has been a great champion of that. As I said, I see he is in this Chamber. I suspect he would like to talk on the energy issue in more detail.

I thank him for his leadership and yield the floor to him.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Madam President, let me acknowledge the comments of my good friend. He and I have shared stands on many issues; and one that I think is prominent at this time, as indicated, is on the issue relative to the request by our President that we have and pass an energy policy, and that we do it with dispatch.

Our President has spoken out four times in the last 2 weeks, indicating the general observation that, indeed, we need an energy bill.

Quoting from a late October release, the statement is made that:

> Tax relief is only part of the job. We need an energy plan for America. Under the leadership of the Vice President, we have drafted a comprehensive, common sense plan for the future of our country.

It further states that:

> It has passed the House of Representatives in H.R. 4. It needs a vote in the U.S. Senate. We need to be more self-reliant and more self-sufficient.

On October 17, he indicated:

> I ask Congress to now act on an energy bill. The House of Representatives passed its bill in August. This is an issue of special importance to California, the State of Washington [which the Presiding Officer represents]. Too much of our energy comes from the Mideast. The plan I sent up to Congress promotes conservation, expands energy supplies, and improves the efficiency of our energy network. Our country needs greater energy independence.

On October 4:

> There are two other aspects to a good, strong economic stimulus.

I note that the President uses the words ''economic stimulus.''

> One is trade promotion authority, and the other is an energy bill. I urge the Senate to listen to the will of the Senators and move forward on a bill that will help Americans find work and also make it easier for all of us around the table to protect the security of the country.

We have spent a lot of time talking about homeland security. An integral piece of homeland security is energy independence. I ask the Senate to respond to the call to get an energy bill moving.''

The President made another comment to a group today asking again that this body move on an energy bill. It would be derelict if we are to conclude this session without addressing an energy bill.

We are not alone. I have letters here from the American Legion, Vietnam Veterans Institute, Veterans of Foreign Wars, AMVETS, Gold Star Wives of America, Catholic War Veterans, Survivors of Pearl Harbor, all who participated in a press conference yesterday here in Washington.

I ask unanimous consent that the following letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
Washington, DC, October 25, 2001.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: We write today out of a sense of urgency concerning our national security, as it relates to our need for energy independence. The development of America's domestic energy resources is vital to our national security. We respectfully urge you to adopt the provisions contained in H.R. 4, the ''Securing America's Future Energy Act of 2001.''

War and international terrorism have again brought into sharp focus the heavy reliance of the United States on imported oil. During times of crises, such reliance threatens our national security and economic well being. The import of more than 50 percent of our petroleum from the Persian Gulf further compounds our foreign trade balance at a time when our energy demands continue unabated. It is important that we develop domestic sources of oil, contained within our public lands—such as the supplies within the Arctic National Wildlife Refuge.

Working for a comprehensive energy policy and achieving responsible energy independence are critical national security and economic goals. H.R. 4, as passed by the House of Representatives, is a major step forward to achieving these imperative goals. We strongly urge your support.

Sincerely,

RICHARD J. SANTOS,
National Commander.

VIETNAM VETERANS INSTITUTE,
October 30, 2001.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
The Capitol, Washington, DC.

DEAR SENATOR DASCHLE: We write today out of a sense of urgency concerning our national security as it relates to our energy supply. The development of America's domestic energy resources is vital to our national security. We respectfully urge you to immediately pass H.R. 4, the comprehensive energy legislation.

We are pleased the House of Representatives, acting with bipartisan support, addressed our energy vulnerability by passing H.R. 4, the 'Securing America's Future Energy Act of 2001' or the 'SAFE Act of 2001.' It is imperative the Senate do the same. Following the horrific events of September 11, 2001, failure to pass this bill would pose a threat to our people, our economy, and our national security, that we all wore the uniform to maintain.

All Americans, as well as our military troops, need this legislation enacted into law. If we intend to rebuild our economy and continue the campaign against international terrorism and those who attacked us, we must develop domestic sources of oil contained within our public lands—such as the supplies within the Arctic National Wildlife Refuge. We must be able to rely to the fullest extent possible on our own resources to provide for the maintenance of our economy at home and our prolonged war effort abroad.

By passing H.R. 4, the comprehensive energy legislation now, the Senate will be supporting our troops in the field and all working Americans, including those displaced by this heartless act of aggression. We, as Veterans, stand united and cannot overstate the importance of this legislation, and respectfully request you lead the Senate by voting on and passing H.R. 4 so our nation can move forward in defense of freedom around the world.

We know that when the chips are down, America can and will stand and fight, using all its resources and all its might to defend our nation and the cause of freedom around the world. Join us in this cause. Pass the comprehensive energy bill and help us rebuild America!

With the support of our members,

J. ELDON YATES,
Chairman and Founder.

AMVETS,
Lanham, MD, October 26, 2001.

Hon. TOM DASCHLE,
Majority Leader, U.S. Senate,
The Capitol, Washington, DC

DEAR SENATOR DASCHLE: On behalf of AMVETS, I am writing to encourage you to bring H.R. 4, the Securing America's Future

Energy Act of 2001, before the full Senate for consideration at the earliest possible moment prior to the close of the 1st Session of the 107th Congress.

As you know, our current reliance on foreign oil leaves the United States vulnerable to the whim of individual oil-exporting countries, many existing in the unpredictable and highly dangerous Persian Gulf. And it cannot be overstated that energy supplies touch nearly every aspect of our lives from our economy to our national security.

Passage of H.R. 4, would greatly assist in our ability to secure a more dependable and diversified domestic supply of energy. And, I would note that since the Persian Gulf War our security has become more threatened with our dependence on foreign sources of oil growing from 35 percent of domestic supply to nearly 60 percent.

AMVETS firmly believes that we cannot wait for the next crisis before we act. H.R. 4, as approved by the House, is a critical part of an overall policy America requires to promote dependable, affordable, and environmentally sound production and distribution of energy for the future. We urge your expedited approval of this legislation.

Dedicated to service,

JOSEPH W. LIPOWSKI,
National Commander.

STATEMENT OF OUR NATION'S VETERANS GROUP ''OUR DOMESTIC ENERGY SECURITY IS OUR NATIONAL SECURITY'', OCTOBER 30, 2001

We, the undersigned, representing our nation's veterans, strongly believe that the development of America's domestic energy resources is a vital national security priority. The horrific events of September 11, 2001, constitute a threat to our people, our economy, and our nation's security. With U.S. troops actively engaged in combat overseas, we firmly believe that America can and will win this prolonged war against terrorism, using all its resources to defend our nation and the cause of freedom around the world.

Because of these beliefs, we applaud the House of Representatives for its bipartisan work in addressing our energy vulnerability by passing H.R. 4, the ''Securing America's Future Energy Act of 2001'' or the ''SAFE Act of 2001.'' It is imperative that the Senate pass the House version of H.R. 4 so that our nation can move forward in establishing our energy security, as well as our defense of freedom at home and abroad. It is essential for us to develop all domestic energy resources including the supplies within the Arctic National Wildlife Refuge.

By passing H.R. 4, the comprehensive energy legislation, the Senate will be supporting our troops in the field, all Americans, their families, and our nation. We, as Veterans, stand united and respectfully request that the Senate vote on and pass H.R. 4.

J. ELDON YATES,
Chairman and Founder,
Vietnam Veterans Institute.

Mr. MURKOWSKI. These letters indicate their support for energy legislation to be passed out of the U.S. Senate. From October 25:

DEAR SENATOR DASCHLE: We write today out of a sense of urgency concerning our national security as it relates to our need for energy independence. The development of America's energy resources is vital to our national security. We respectfully urge you to adopt the provisions contained in H.R. 4, the ''Securing America's Future Energy Act of 2001.''

The House has acted. This letter was signed by the American Legion.

Here is a quote from the AMVETS letter:

On behalf of AMVETS, I am writing to encourage you to bring H.R. 4, the Securing America's Future Energy Act of 2001, to the full Senate for consideration.

The Vietnam Veterans Institute:

We write today out of a sense of urgency concerning our national security as it relates to our energy supply.

The important point is that each one of these organizations reflect on our energy supply in conjunction with our national security.

They further state:

If we intend to rebuild our economy and continue the campaign against international terrorism and those who attacked us, we must develop domestic sources of oil contained within our public lands—such as supplies within the Arctic National Wildlife Refuge. We must be able to rely, to the fullest extent possible, on our own resources. . .

That is signed by J. Eldon Yates, chairman and founder of the Vietnam Veterans Institute. We have our Nation's veterans groups also signing on as well. These represent a pretty significant voice of those who gave so much for America, for the freedoms we enjoy and the realization that we can never properly repay the contribution made by our veterans.

I note in the letter from the American Legion:

War and international terrorism have again brought into sharp focus the heavy reliance of the United States on imported oil. During these times of crisis, such reliance threatens again our national security and economic well-being. The importation of more than 50 percent of our petroleum from the Persian Gulf further compounds our foreign trade deficit at a time when our energy demands continue unabated. It is important that we develop domestic sources of oil contained within our public lands, such as the supplies within the Arctic National Wildlife Refuge.

We have a pretty good representation of what America's veterans think about the necessity of this body passing an energy bill. It is important to note that one member of this body, the junior Senator from Massachusetts, is quoted as saying, with regard to his comments on patriotism vis-a-vis ANWR:

This is not the moment to falsely cloak in the mantle of patriotism a choice as clear and as critical as the choice about the Arctic National Wildlife Refuge.

I will let the Senator speak for himself relative to an explanation. It is in deep contrast to the attitude prevailing among America's veterans organizations.

If we look at reality associated with what is happening in the world today, we can reflect on just how we have compromised ourselves into a position of vulnerability. There is a gentleman who was a Member of this body for many years, Mark Hatfield of Oregon. Mark Hatfield was a pacifist. I think I can liberally use that general terminology. His position on opening up this area of public lands in my State of Alaska was very clear. He said: I will support opening up ANWR any day rather than send another American man or woman into harm's way to fight a war on foreign soil. Make no mistake about it, that is just what we are doing today; we are fighting a war on foreign soil.

What is the last war we fought over oil? We have to go back to the Persian Gulf conflict. We have to go back to what Saddam Hussein of Iraq was basically up to, what his objective was. His objective was to go into Kuwait, invade Kuwait and go into Saudi Arabia. He knew that he could control the world's supply of oil, and the power and influence that would come as a consequence of that would certainly put him in the driver's seat relative to policies in the Mideast.

What are we doing today? We are importing somewhere between 700,000 and a million barrels of oil from Iraq, from our friend Saddam Hussein. What do we do with that oil? We enforce an aerial blockade to a large degree because we fly our planes over enforcing the no-fly zone. It might be compared to a blockade at sea, only this is one in the air. We are putting in danger our men and women as they enforce this. They take out targets, radar targets, from time to time. He attempts to shoot us down. He shot down a couple of drones. He has almost shot down one of our interceptor aircraft. As a consequence, as we continue this policy, our vulnerability is evident.

In so doing, he takes our money, pays his Republican Guards for protection, develops a missile capability, develops, for all practical purposes, activities associated with fostering terrorism, he develops a biological weapons capability. Who does he aim it at? He aims at our ally Israel.

That is a consequence of the United States losing its leverage relative to its continued dependence on Mideast oil.

We see the latest press release dated October 25, AP, ''Qatar Calls For Oil Production Cuts.'' We all know what this means. This means the OPEC nations are coming together to reduce the supply so that the price of oil can be increased in that range of $22 to $25.

We see another headline, from Washington Post, October 26, ''Iraq Caught Smuggling Oil, U.N. Official Says.''

As we all know, Iraq is under economic sanctions regime. The U.N. has control, up to a point, over monitoring the sale of oil from Iraq. But what Iraq has been doing is they have been cheating. What they do is they bring a tanker into their port. There is a certification on a bill of lading for so many barrels of oil. The U.N. inspectors sign off on it. And then after they leave, they fill up the rest of the tanker with

illegal oil, and, obviously, the profits go to Saddam Hussein.

I ask unanimous consent that the Washington Post article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 26, 2001]

IRAQ CAUGHT SMUGGLING OIL, U.N. OFFICIAL SAYS

(By Colum Lynch)

UNITED NATIONS, OCT. 25.—Iraq was caught smuggling $10 million worth of oil through an Athens-based shipping company in violation of U.N. sanctions, the United Nations said today. U.S. and U.N. officials have long suspected Iraq of siphoning between $1 billion to $2 billion in oil revenue each year. But this is the first time that the United Nations has obtained hard evidence to support those suspicions. Under the terms of a U.N. oil-for-food program begun in 1996, Iraq is allowed to sell oil to buy humanitarian goods, pay restitution to the victims of the Persian Gulf War and fund improvements in the country's infrastructure. Iraq exported more than $18 billion worth of oil last year.

Benon Sevan, the executive director of the program, provided the U.N. Security Council on Wednesday with a letter from a Greek captain who has admitted illegally exporting 500,000 barrels of Iraqi crude during two trips to the Persian Gulf port of Mina Al-Bakr in May and August. Chiladakis Theofanis, captain of the oil tanker Essex, wrote to the United Nations and the United States in September that Iraq loaded 1.8 million barrels into his vessel on May 16 while a team of U.N. inspectors looked on.

When the U.N. officials left the site, the Iraqis pumped an additional 230,000 barrels of crude into the tanker and provided a bill of lading for the additional oil to a company called Roundhead Inc., Sevan said. A similar scheme was repeated on Aug. 27.

''The ships involved first loaded the quantities of oil which were authorized under the program,'' Sevan said in a letter to the Security Council committee that oversees Iraq's oil exports. ''After United Nations inspection agents had finalized their activities on board of the ships, the load pumps on the platform were allegedly restarted in order to load additional volumes of oil on the vessels.'' Iraq's ambassador to the United Nations, Mohammed Douri, denied the charges.

The Security Council has been attempting to stop the Iraqi smuggling but has encountered resistance from Russia, which has contended there is little proof. Russia has blocked a U.S.-British proposal to revise the sanctions policy against Iraq.

The proposal aims to ease civilian imports while tightening the controls on oil smuggling and the purchase or prohibited weapons. Moscow favors steps aimed at lifting the sanctions entirely. The oil-for-food program will be up for renewal on Nov. 30.

Mr. MURKOWSKI. It indicates that when the U.N. officials left the site, the Iraqis pumped an additional 230,000 barrels of crude oil into the tanker and provided a bill of lading for the additional oil to a company called Roundhead Incorporated. This was repeated again on the 27th. The estimated revenue that has come into Iraq is indicated to be between $1 and $2 billion in additional revenue as a consequence of these activities.

We know this cheating is going on. We are about to face the reality that the price of oil is going to be increasing as OPEC recognizes the vulnerability of the United States.

I want to share one more thing with the Senate. This is the foreboding reality of the future. Some of us around here remember what happened in Iran a little over a decade ago. The fall of the Shah. The Shah fell. How did he fall? He fell in a revolution that occurred as a consequence of the unrest in that country at that time.

I would suggest that the record would note that the same set of circumstances are very much in evidence in Saudi Arabia today.

You may recall the Greek myth about Cassandra, who had the ability to predict the future, combined with the curse that nobody would believe her. When it comes to energy, I am beginning to feel somewhat like Cassandra.

I have come to this floor week after week pointing out the peril of our current energy situation and the looming disaster that is our energy future if we simply maintain our current course. I have come before this Senate week after week calling for a balanced and responsive energy policy to the crisis ahead, a policy that stresses production and conservation, which promotes the development of alternative energies, as well as prudent development of traditional resources.

Earlier this year, Senator BREAUX and I submitted a bipartisan energy bill that had over 300 pages. The bill had extensive proposals for conservation and alternatives. But the only thing most of the colleagues focused on was the 2 pages covering a small sliver of the Arctic in my State of Alaska known as ANWR. That is where the lightning rod was, Madam President.

As we know, we are living in a new era today, after September 11. Our country and our way of life were attacked on that date, and we are in the midst of the anthrax scare. It is, in all likelihood, closely connected with the attacks in New York and Washington. What do September 11 and the subsequent events have to do with energy? I say, everything.

At the risk of sounding like a Cassandra again, I want to set out the facts as they are known now and invite this body to look into the future.

Fact No. 1: Every reputable scientific study of our future energy consumption suggests that, even with dramatic conservation and rapid development of economical alternatives, our dependence on oil as a percentage of overall energy use will increase for the next 20 years. Whether we like it or not, a stable source of oil is key to our economic viability for the foreseeable future.

Fact No. 2: Absent new discoveries, the major source for new energy imports will be the Persian Gulf, the location of a majority of the world's known reserves. We are already dependent for about 25 percent of our total oil use on the Persian Gulf, and that number will only increase. This Nation today is importing 57 percent of the crude oil we consume, with half of that coming from the Persian Gulf.

Fact No. 3: Our relationship with the Persian Gulf countries is uneasy, to say the least. Of the major oil-producing countries in the Persian Gulf, we apply some form of economic sanction to all of them. Think of that. We have economic sanctions on virtually all of those countries in the Persian Gulf from which we import oil. We have a moratorium on imports from Iran. We import, as I indicated, somewhere between 700,000 and a million barrels a day from Iraq, which we have been bombing for 10 years. Our relations with the remainder are complicated by a number of factors, not the least of which is our alliance with Israel, a country which is the sworn enemy of most of those nations in the Mideast.

Fact No. 4: The stability of the Persian Gulf is in grave doubt. We have spent billions to have troops stationed in Saudi Arabia to contain Iraq in the name of the Persian Gulf Stability Accord. Radical Islamic movements are a serious political force in many other countries. Even Saudi Arabia, our traditional bulwark of stability in the region, is now a cause for grave concern.

Mr. Hersh's article, written after extensive consultations with the National Security Agency and others, paints a grave picture of Saudi Arabia's political future, the corruption of the country's regime, its alienation from the country's religious rank and file, and its vulnerability to Islamic fundamentalism.

Detailed in the article is an eerie reminder of the situation in Iran in the late 1970s under the Shah. Iran was, of course, at that time the United States' stable anchor in the gulf. We all remember too clearly what happened in Iran.

Mr. Hersh also points out the level of complicity between those we rely on for energy in Saudi Arabia and those who seek to attack the United States and our citizens.

Saudi Arabia is the largest single source of funding for radical fundamentalism and its organs of terror. The Taliban would not exist but for Saudi Arabian money. That has been identified. Al-Qaida and Osama bin Laden would not exist but for Saudi money. I need not remind you that Saudi money would not exist at all but for oil. It all comes back to oil.

On October 22, the two largest newspapers in New York and Washington, DC—the sites of the attacks on September 11—issued editorial opinions urging that we resist linkage between the events of the 11th and energy policy—totally in contrast to the position,

I might add, of organized labor and veterans in this country.

Let me confront those opinions with another set of basic facts about the September 11 attacks. Osama bin Laden and other radical Islamic groups have three major issues with our Nation. First, the United States alliance with Israel—our traditional alliance with Israel is being put to the test by energy dependence in the gulf. The Bush administration, which has been as good or a better friend to Israel than any other administration in recent memory, is now somewhat at odds with Israel in an attempt to appeal to more moderate elements in the Gulf. What is this all about? It is about oil.

Secondly, bin Laden wants United States troops out of Saudi Arabia. Why are we there? To prevent Iraq from threatening the stability of the gulf. The issue is oil.

Thirdly, bin Laden believes that the value of Persian Gulf oil should be seven times its current price—that is, $144 a barrel. He has written in his extensive writings that he wants to seize control of what he calls the ''Islamic wealth'' in order to end what he calls the ''greatest theft in human history''—the U.S. purchase of cheap oil.''

It is all about oil, oil, oil. To suggest there is no linkage between energy policies and the events of September 11, in my opinion, is ludicrous. It doesn't take Cassandra to see where our energy future is headed. It will, however, require action by this Senate in order to reverse our present course. The House has done its job. The President has asked the Senate to act. I urge my colleagues to pass energy legislation as soon as possible.

I think we have continually communicated, as a minority, with the Democratic leadership urging the scheduling of an energy bill that we can take up and debate prior to going out on recess. There seems to be a reluctance in the Democratic leadership. There is an energy task force report in the energy bill that we have outlined. It is very unrealistic, in my opinion, to address the arguments, one of which, of course, continues to be the issue of ANWR.

One of the fascinating things about the contribution of oil that comes down the west coast to the States of Washington, California, and ultimately Oregon—although Oregon does not have a refinery—is the reality that nearly two-thirds of that oil comes from Alaska. If Alaska doesn't replace that oil, that oil is going to come into these States, and it is going to come from the Mideast, come in foreign tankers that are built in U.S. shipyards, with U.S. crews.

The States of Washington, Oregon, and California should recognize their secure supply from Alaska is much more valuable than the unknown risks associated with bringing oil in from the Mideast.

As Congress looks at the current exposure to terrorism, where a terrorist act in Saudi Arabia can overthrow the royal family in Saudi Arabia, or there could be a terrorist attack on ships going through the Straits of Hormuz—all of that leads to the question: Should we have an energy bill that balances conservation and production?

I will close with the argument relative to those who seem to have a little difficulty with the issue of opening up the Coastal Plain. I will give some idea of the vastness of the area.

Many people in this body have not chosen to take advantage of opportunities to visit the area for themselves. ANWR happens to be about the size of the State of South Carolina. It is about 19 million acres. The House bill allows 2,000 acres to be utilized for development and exploration; 2,000 acres is not much bigger than a small farm, if one can somehow recognize we are talking about 2,000 acres out of 19 million acres.

What is the rest of ANWR? Madam President, 8.5 million acres have been put in wilderness in perpetuity, 9 million acres in refuge, and there is only 1.5 million acres left that only Congress has the authority to open.

In the House bill, only 2,000 acres can have the footprint of development only. Is that responsible? We think it is. Can it be opened safely? We have had 30 years experience in Prudhoe Bay. Prudhoe Bay has developed 13 billion barrels of oil. It was only supposed to develop 10 billion barrels of oil. It has provided the Nation with 25 percent of its total crude oil supply for the last 27 years.

People say ANWR contains a 6-month supply. That is assuming there is no other oil produced in this country and no other oil imported. If, indeed, ANWR is in the range of estimates of 5.6 billion to 16 billion barrels, it would replace what we would import from Saudi Arabia in 30 years or Iraq in 50 years. It would be very substantial.

The merits of whether we can do this safely, the merits of the arguments of some of America's extreme environmental communities that have used this issue, very frankly, as a cash cow—and they have milked it for all they can and will continue to do so until we eventually authorize the opening of it and they can move on to something else—because this issue is so far away, the American people cannot see the reality of ANWR for themselves. That, indeed, we have the technology to open the area safely.

Recognize the experience we have had in the Arctic over the last 30 years. We built ice roads. We do not develop when the migratory path of the caribou are involved. The potential of the area is very large. If there isn't the oil we expect there to be, we can make a park out of it.

For us not to have knowledge of what is in there at a time when we are increasing our dependence on the Mideast is unconscionable to me.

There are other issues that enter into this, such as our relationship with Canada. Canada considers us a competitor, and there is nothing wrong with competition. Nevertheless, their view of the world is we should not develop any more resources out of Alaska because it competes with theirs in the Canadian Arctic. I can understand that.

As to the growth of the caribou herds in the Prudhoe Bay field, there were 3,000 to 4,000 animals, and now they have close to 26,000 animals in the Prudhoe Bay area. You cannot shoot them.

The Washington Post ran articles depicting polar bears. It is interesting because the pictures—and this is yesterday's Washington Post article—shows a couple of polar bears. When one reads this, one assumes this is in the 1002 area. This is a little east of Barrow. It is not in the 1002 area. We have certification from the photographer who took these pictures that it is not in the 1002 area. But it is a warm, cuddly issue, and people look at polar bears.

The article does not tell you that these polar bears are protected. They are marine mammals. If one wants to take a trophy polar bear, one can go to Canada and shoot it, or one can go to Russia and shoot it, but one cannot in the United States, in Alaska, shoot a polar bear.

I do not know a better way to protect the polar bear than protecting them from traditional trophy hunting. We have taken steps to try and be responsible relative to development in this fragile area. We have the technology to do it right.

Some people say: That is academic, Senator MURKOWSKI, because we are looking at 7 to 10 years before development is complete. If we built the Pentagon in 18 months and the Empire State Building in a little over a year, and this body expedited the permitting process—we already have a pipeline halfway from the trans-Alaska 800-mile pipeline over to the 1002 area. It ends in a field called Badami. We only have another 40 to 50 miles to go. We can have oil flowing in 18 months. There is absolutely no question about it.

The arguments being used are the same arguments that were used in the late sixties opposing the opening of Prudhoe Bay. They are exactly the same. Only then they said: You are going to run an 800-mile pipeline from the Arctic to southern ports of Alaska, and it is going to be like a fence. The caribou and moose are not going to be able to cross, it is going to break and notwithstanding earthquakes. It is one of the engineering wonders of the world, and it has provided jobs in this country.

I am going to finish with one point, and that is the stimulus. We are talking about a stimulus in this Nation.

What does a stimulus mean? It means different things to different people. To some it means jobs; to others it means tax relief. I defy any Member of this body to tell me a stimulus that is more meaningful than authorizing the opening of ANWR because what it would do is it would provide hundreds of thousands of jobs. Not government jobs, private sector jobs in shipbuilding, in developing pipes and valves. It would start immediately. This would come from the private sector in exploration, and those ships would be U.S. ships built in U.S. yards.

What else would it do, Madam President? It would result in the Federal Government getting probably $1.6 billion in revenue immediately in lease sales because it is Federal land. The Federal Government puts it up for lease, competitive bids. The estimate of the Federal share is roughly in that area. That is a pretty good return to the Federal Government to start out.

The last thing, as we look at this stimulus package, you are not going to find anything in it except potentially ANWR which is not going to cost the Federal Government one red cent. I challenge my colleagues to find another project which would provide such a major economic stimulus without costing the taxpayers money, and indeed bringing significant revenue into the treasury.

I rest my case. I thank the Chair for her attention and wish her and all a happy Halloween.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, will the Senator from Alaska yield for a question? I want to get this straight. Right now when we buy oil from foreign countries, the royalties, the labor, the pipes, and all the construction and drilling, all the economic investment is in those foreign countries; is that correct?

Mr. MURKOWSKI. Absolutely.

Mr. SESSIONS. But if we were to open ANWR, the Federal Government, just from the sale of the leases, would receive $1.6 billion?

Mr. MURKOWSKI. It is estimated the lease sale would bring the Federal Government about $1.6 billion in revenue. It may be more. Nobody knows because industry would competitively bid it.

Mr. SESSIONS. Would there be royalties paid each year after that during production?

Mr. MURKOWSKI. Yes.

Mr. SESSIONS. If there is production, the Federal Government would receive additional royalties?

Mr. MURKOWSKI. That is correct.

Mr. SESSIONS. Would the State of Alaska benefit from that?

Mr. MURKOWSKI. Yes, obviously. I also want to point out that a sizable percentage of our deficit balance of payments, as the Senator knows, is the cost of imported oil.

Mr. SESSIONS. And the workers even in Alaska are supposed to pay Federal income tax.

Mr. MURKOWSKI. They do pay Federal income tax. They are all American citizens, and they are subject to the same laws as the Senator from Alabama and I.

Mr. SESSIONS. Instead of having workers in Saudi Arabia paying taxes to Saudi Arabia, Iraq, or Iran, they would be paying taxes to the U.S. Government.

Mr. MURKOWSKI. Absolutely. This would be all U.S. labor. There would be a prohibition on any of the oil that comes from ANWR being exported out of the United States.

Mr. SESSIONS. I know there are people who have become emotionally committed to this ANWR issue. I hope people will rethink it. As the Senator from Alaska has explained repeatedly, we have such a small area that needs to be produced, and wells are so much more sophisticated today. One well can drain a much larger area than ever before. There is a virtual pipeline there. That is important. The Senator mentioned a threat from foreign dependence.

Was it not just a few years ago the price of oil per barrel on the world market was around $13 and the cartel, since they had so much of the oil, fixed the price and drove it up to as high as $30 a barrel?

Mr. MURKOWSKI. It was a little over $30. As a matter of fact, they basically came together and set a floor and a ceiling. The floor was $22 and the ceiling was $25. If it goes up above that, that is fine for awhile. Then they increase production and bring it down.

Of course, what has happened with this terrorist activity is less jet fuel is used, less automobile gasoline. So we temporarily have a surplus and we are seeing that, but now OPEC is reducing their supply.

Mr. SESSIONS. I guess the point is, these are supposedly our friends who triple the price we have to pay for oil. We have to pay three times as much money to foreign sources, and we get no more oil than we did the day before they drove it up?

Mr. MURKOWSKI. That is true.

Mr. SESSIONS. If they can do that, if they are friends, if we were to have some turnover in government or a war were to break out that could deny some of this, we could see prices even higher than that on the world market?

Mr. MURKOWSKI. Absolutely. There is one other point that is obvious to the Senator and to me, but it is overlooked by some, and that is we have other sources of energy. We have natural gas. We have coal. We have biomass. We have wind power, solar power. But because of our technology, America and the world moves on oil. It is put in airplanes. It is put in boats. It is put in trains, automobiles. For the foreseeable future, we are evidently unlikely to find any significant replacement for oil. So that is why we have become so dependent and our vulnerability, to the extent of our national security, is at risk, as our veterans are pointing out.

Mr. SESSIONS. Of course, the Senator is not overlooking conservation. That is another way to reduce dependence on foreign oil.

Mr. MURKOWSKI. Absolutely.

Mr. SESSIONS. That is a big part of this bill that the Senator proposed.

I again want to express my appreciation to the Senator. I came to the Senate 5 years ago and heard the Senator delineate this problem and tell us over and over again what we were going to be facing in the future. I think the events in recent weeks have validated the Senator's warnings, the Senator's caution to America, the Senator's call for us to do the smart thing.

I also believe if we can produce more oil at home, it would reduce our deficit and help this economy recovery.

Mr. MURKOWSKI. As the Senate knows, symbolism is so significant. If we were to make a decision to allow the opening of this particular area, we would send a signal to OPEC that we mean business, that we are serious about reducing our dependence. We are not going to replace dependence, but we can reduce it dramatically by a conscientious effort to keep these jobs at home, and, as we both know, the economic forecast suggests there could be significant growing concern over loss of jobs and this is the most significant single identifiable project to create jobs that anybody has been able to pinpoint that does not cost the Government any money or the taxpayer.

Mr. SESSIONS. I will ask one more question. The Senator has challenged us now to name one more project anywhere in this country that will produce as much stimulus as increasing our domestic oil supply as this bill will do, and I think it is a challenge that ought to stay out there and we ought to see if somebody can meet it. Not only will it help us, it will actually produce income and not cost us any money.

Mr. MURKOWSKI. I certainly would challenge any Member to come up with a stimulus that would provide jobs, not cost the American taxpayer anything, and indeed bring revenue into the coffers. I thank my good friend and wish him a good day.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there be a period for morning business with Senators allowed to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIRLINE SAFETY

Mr. HOLLINGS. Madam President, we are fiddling while Rome burns. The

headline in this morning's Washington Post, ''Airport Security Crackdown Ordered,'' particularly galls this Senator. I have been with the FAA since its creation. I have been on the Commerce Committee for right on 35 years. I worked with the old Civil Aeronautics Board. We tried our best to get this entity in ship shape over many years.

It was only the year before last that we finally got the monies that should have gone to airport safety and improvement to go to airport safety and improvement.

We had, in 1988, Pan Am 103. We had extensive hearings. And what did we come up with? What we came up with is exactly what they write in the editorial here, that what we really need is more training and more supervision—''help wanted.'' And then we had further hijackings.

We had the TWA Flight 800 in 1996, and we had further hearings. We had the Gore commission. What did they recommend? The same old, same old of more training and more supervision, more oversight. Got to get stern about this. Crackdowns.

Last year, we passed the FAA authorization bill. And what did we call for? We called for more supervision, more training, and then 5,000 people were killed. And we have folks over on the House side, most respectfully, who do not understand that we have lost these 5,000. Terrorists came along with cardboard knives and committed mass murder, and everything else like that, but they say don't worry about what happened on 9–11.

What happened just this last week? Last week, a man boarded a plane with a pistol down in New Orleans. The individual remembered he had the gun and said: Oh, my heavens. Then he turned it over to the airline crew, or otherwise. And the same airline security firm that was fined last year in Philadelphia for hiring criminals is still hiring criminals.

The Senate reacted. We got together. We had hearings. We had the airline pilots, the airline crews, the assistants, the airline executives—everyone connected—and they endorsed the approach of federalization; that this was a public safety role, need and responsibility. This coalition determined resolutely that we could not toy with this anymore after that tremendous loss on 9–11 and continue to play games with more oversight and more supervision and more training.

And ordering crackdowns: Can you imagine that, ordering a crackdown 7 weeks afterwards? Why not that afternoon, that night, or the next morning? A crackdown? Oh, no, they had to think of the airlines first, while the airlines themselves are begging for safety because they realize that ensuring passenger safety is essential to reviving the industry. The Senate passed our bill 100-zip; every Republican, every Democrat voted for it. Our measure is, more than anything, an airline stimulus bill.

Americans are not going to get on these planes as long as there is fear, and we have the insecurity that we have. They are not going to get on the planes as long as they have U.S. Air Force planes flying over them ready to shoot them down.

With our bill that stops immediately. Once you secure that cockpit door, not to be opened in flight, there is no reason for hijackings because you can't.

All you can do is start a fight in the cabin, knowing that the order to the pilot is to land at the nearest airport where law enforcement is going to be there and you are going to prison. That is the Israeli El Al approach. We outlined it. We provided the diagram for the El Al plan that I still have. If I had time this morning, I would show it. It is a perimeter defense. In 30 years El Al has not had a hijacking.

Don't talk to me about European private airport security. Sure, European security personnel is better paid because all the European folks are supported for retirement and health care. These minimum wage folks have no retirement, no health care, no security, no anything. And the security firms are worried that they may quit. They all are quitting. That has been the experience at the Hartsfield airport in Atlanta. There has been over 400-percent turnover there. They don't stay there longer than 3 months.

Yet the opposition to real airport security has stories going around. The reason I came to the floor is to again bring attention to the commonsensical, thorough, and bipartisan fashion with which the Senate approached airline security. They are still talking about the Democratic bill on the House side. You can't get it any more bipartisan unless we are going to let the pages vote. Maybe we ought to do that. I mean, can't we get the truth to the American people that we are ready, willing, able, and glad to pay for it, $2.50 per flight? The polls show people would be willing to pay $25 added to a ticket, glad to do it. But we can take care of it with $2.50 so there is no question about being paid for.

The fundamentals of safety have to be hammered home to our colleagues on the House side. We are not playing games anymore. None wants to contract out the FBI. I wonder what the President wants? We were told a month ago that the President would go along with our bill. We felt absolutely secure. But they have some political machinations going on over there with Mr. ARMEY and Mr. DELAY. And Mr. ARMEY says: I don't want them all to join a union. Well, they all can join the unions under the private contractor. In fact, a third of them have. The reason the other two-thirds have not, is they can't read the application in order to join. They are refugees and immigrants. The application is in English. Go ahead to the airports. I go through there regularly, almost every week. They just cannot speak the language. That is no fault of their own. They are getting what jobs they can. But we can't do this with Americans' and the airline travelers' safety at risk.

We would not contract out the Capitol Police or the Border Patrol or the Secret Service or the FBI or defense. What is the matter with the Government? You just heard about a bill—all the defense workers at the Charleston naval shipyard, all the ''navalees'' belong to a union. You just heard the majority leader talk about laying down to conservative interests. I am not talking pro-union or anti-union. I am saying federal public safety officers cannot strike and they can be fired. This particular Senator supported President Reagan when he had to take that approach with the airline pilots. But we fiddle while Rome burns.

Would we ever not just contract out? Would we ever give our safety to foreign corporations? Can you imagine taking the defense and contracting it out, or the FBI, to the Swedish company or the Secret Service to the Netherlands company? These are the firms responsible for airline security now. The airlines get the lowest bidder, and they couldn't care less.

That English company, they were fined for hiring criminals and falsifying their background checks. And since the time of the court fines, they have continued to hire criminals and not give the background checks. Yet they say: Well, let's see what they want. Let's get flexibility. You aren't going to have flexibility with the FBI or Secret Service or the Capitol Police. There is not flexibility. It is safety. That is what they have to understand over there, that we are not going to give it to the foreign companies.

We are not going to have the momentary safety checks or the European system. We are going to have the El Al, the Israeli system that has worked, proof positive, for 30 years. Once you secure that cockpit and they know there can't be a hijacking, you can take all these F–15s and F–16s and National Guard reserves that are flying all night long over Washington and New York and wherever and say: Save the money and save the time. Let them go back to their work. There is not going to be a hijacking. There is not going to be a plane shot down. If there is an attempted hijacking, it is down to the first landing and on to jail. That is where they are headed. They know that. So our terrorist adversaries will find some other way, like the mail and anthrax, but not the airlines.

Security has to be comprehensive. Under El Al, they check thoroughly and rotate the screeners from the boarding gates, to the tarmac and to cleaning out the aisles.

I flew out of Dulles last week. And what do you do? You get seat 9A. So I can call out to my friend who has been working on the tarmac for the last 2 years who is in cahoots with me as a terrorist. I say: Paste a pistol underneath seat 9A, loaded. I get on. I got through all the screeners and everything else. And afterwards, they wonder why, because you have to have the same kind of security on the tarmac. You have to have the same security for the people who cater. You have to have the same security with the people who clean. This is a safety/security responsibility and not a game of playing around on whether they are going to join a union or not.

A third of airline security workers join unions now and have the right to strike. Yes, they can join our union, but they can't strike and they can be fired.

On contracting out, 669,000 civilian personnel work in our defense forces and at the Pentagon. Some of them were lost on September 11. Give us a Senate bill or something very similar to it because that is the overwhelming sentiment. The captain of the airline pilots appeared with us again yesterday and said: Please pass the Senate version so we can get on and move with it and get the cockpit doors secured, get thorough background checks, and then be ready, willing, and able to give the watch list to the screeners so they will know what to look for.

At the present time, you wouldn't give the watch list to these foreign companies, agents at minimum wage. You wouldn't give it to them. You would try to keep that security knowledge to yourself and send somebody out. If I had a watch list and was trying, I would have an FBI agent at the likely airports where they may board, but I wouldn't give it to the present screeners. We have to clean that out entirely and come down to the reality that this is totally bipartisan. It is not in the sense of trying to be pro-labor or anti-union, pro-Democrat or pro-Republican, or anything else like that.

We have finally learned at least one lesson from 9–11—that we can't play around any longer with airline security. We have to get on with it and not fiddle here some 7 weeks as ''Rome'' burns, and we wonder what to do and put all this political pressure on to change the folks around and not bring it up and not allow them to vote common sense.

I yield the floor.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 6, 2001, in Monmouth County, NJ. Seven people were sentenced on multiple counts, including aggravated assault and harassment by bias intimidation under the state law, for assaulting a 23-year-old learning-disabled man with hearing and speech impediments. The victim was lured to a party, bound, and physically and verbally assaulted for three hours. Later, he was taken to a wooded area where the torture continued until he was able to escape.

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 of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

CBO COST ESTIMATE

Mr. KENNEDY. Madam President, on October 11, 2001, I filed Report No. 107–83 to accompany S. 1533, a bill to amend the Public Health Service Act to reauthorize and strengthen the health centers program and the National Health Service Corps, and to establish the Healthy Communities Access Program, which will help coordinate services for the uninsured and underinsured, and for other purposes. At the time the report was filed, the estimate by the Congressional Budget Office was not available. I ask unanimous consent that a copy of the CBO estimate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 1533.—HEALTH CARE SAFETY NET AMENDMENTS OF 2001

Summary: S. 1533 would extend expiring provisions and authorizations for appropriations in title III of the Public Health Service Act (PHSA). The bill would reauthorize and expand the Health Centers and National Health Service Corps programs, and establish the Community Access Program in statute. It also would create several new grant programs and demonstrations. The provisions in this bill would be administered by the Health Resources and Services Administration (HRSA).

Assuming the appropriation of the necessary amounts, CBO estimates that implementing S. 1533 would cost about $1 billion in 2002 and between $8 billion and $9 billion over the 2002–2006 period.

The bill would increase spending by the Medicare program for rural health clinic services, and reduce Medicaid spending for certain beneficiaries who use those clinics. In total, direct spending would increase by $146 million over the 2002–2011 period. Because enacting S. 1533 would affect direct spending, pay-as-you-go procedures would apply.

S. 1533 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the mandate would not affect the budgets of state, local, or tribal governments. Those governments may also benefit either directly or indirectly from some of the grant programs authorized in the bill, but their participation in those programs would be voluntary. S. 1533 contains no private-sector mandates as defined in UMRA.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 1533 is shown in the following table. For the purposes of this estimate, CBO assumes that the bill will be enacted this fall and that the necessary appropriations will be provided for each fiscal year. The table summarizes the budgetary impact on discretionary spending of the legislation under two different sets of assumptions. In cases where the bill would authorize the appropriation of such sums as may be necessary, the first set of figures provides the estimated levels of authorizations assuming annual adjustments for anticipated inflation after fiscal year 2002. The second set of assumptions does not include any such inflation adjustments. The costs of this legislation would fall within budget functions 550 (health) and 570 (Medicare).

	By fiscal year, in millions of dollars					
	2001	2002	2003	2004	2005	2006
SPENDING SUBJECT TO APPROPRIATION						
With Adjustments for Inflation						
Spending Under Current Law:						
Budget Authority [a]	1,513	0	0	0	0	0
Estimated Outlays	1,368	662	60	7	0	0
Proposed Changes:						
Estimated Authorization Level	0	1,887	1,878	1,914	1,953	1,989
Estimated Outlays	0	1,004	1,776	1,886	1,923	1,961
Spending Under S. 1533:						
Estimated Authorization Level	1,513	1,887	1,878	1,914	1,953	1,989
Estimated Outlays	1,368	1,665	1,835	1,893	1,923	1,961
Without Adjustments for Inflation						
Spending Under Current Law:						
Budget Authority [a]	1,513	0	0	0	0	0
Estimated Outlays	1,368	662	60	7	0	0

	By fiscal year, in millions of dollars					
	2001	2002	2003	2004	2005	2006
Proposed Changes:						
Estimated Authorization Level	0	1,887	1,836	1,834	1,833	1,833
Estimated Outlays	0	1,003	1,753	1,826	1,824	1,825
Spending Under S. 1533:						
Estimated Authorization Level	1,513	1,887	1,836	1,834	1,833	1,833
Estimated Outlays	1,368	1,665	1,813	1,832	1,824	1,825
CHANGES IN DIRECT SPENDING						
Estimated Budget Authority [a]	0	9	15	15	15	15
Estimated Outlays	0	9	15	15	15	15

[a] The 2001 level includes the amount appropriated for that year for the programs.

Basis of Estimate:

SPENDING SUBJECT TO APPROPRIATIONS

Title I: Consolidated Health Center Program

S. 1533 would reauthorize and expand the scope of the consolidated health centers program, which provides grants to entities that provide health care and other services to uninsured and underinsured populations. S. 1533 contains two new provisions: It would authorize the use of up to 5 percent of authorized funds for grants to health centers or networks for the construction and modernization of buildings, and it would permit HRSA to guarantee the refinancing of nonfederal loans by health centers. The costs of these additional activities would be subsumed in the general authorization of appropriations for the health center program, which is $1,379 million in 2002 and such sums as necessary for 2003–2006. The bill also would establish a linguistic grant program, which would award grants to health centers for the provision of translation and interpretation services for clients for whom English is a second language. The bill would authorize the appropriation of $10 million for that grant program in 2002, and then such sums as necessary each year until 2006. CBO estimates that outlays for these programs would be $745 million in 2002 and $6.4 billion during the 2002–2006 period, assuming appropriation of the necessary funds.

Title II: Rural health

Rural Health Grants. S. 1533 would reauthorize several grant programs administered through the Office of Rural Health Policy within HRSA: health care services outreach, health network development, and small provider quality improvement grants. The bill would not substantially change the activities of the existing program. The bill would authorize $40 million in 2002 and such sums as necessary in subsequent years through 2006. (The 2002 authorization level is less than the 2001 appropriation level, which included a one-time appropriation of $18 million for a special project.) Based on past spending for these activities, CBO estimates that this provision would cost $12 million in 2002 and $164 million during the 2002–2006 period.

Telehealth Grant Consolidation. S. 1533 would create a new section in the Public Health Service Act for this established program. The bill would authorize appropriations for telehealth network grants as well as for telehealth resource centers grants. Telehealth refers to health information and services that are communicated via telecommunications technologies. Telehealth network grants are provided to entities to expand access to services, to train providers, and to improve access to health care information. Grants to telehealth centers may fund projects that demonstrate the uses of telehealth technologies. The bill stipulates that not less than 50 percent of funds for grants for networks shall be awarded to entities in rural areas, and that the total funds awarded for network grants in 2002 may not be less than the total awarded for such grants in fiscal year 2001. S. 1533 would authorize the appropriation of $60 million in 2002 (compared to the $36 million appropriated in 2001) and then such sums as necessary through 2006. CBO estimates that outlays for this program would be $19 million in 2002 and $245 million over the 2002–2006 period, assuming appropriation of the necessary funds.

TABLE 2.—APPROPRIATIONS FOR FISCAL YEAR 2001 AND AMOUNTS AUTHORIZED IN S. 1533 ASSUMING ADJUSTMENTS FOR INFLATION

	By fiscal year, in millions of dollars					
	2001 [a]	2002	2003	2004	2005	2006
Title I: Health Centers	1,164	1,379	1,410	1,440	1,469	1,496
Title II:						
Rural Health Grants	58	40	41	42	43	43
Telehealth Grants	36	60	61	63	64	65
Telehomecare Demonstration	0	4	2	b	b	b
Emergency Medical Services Grants	0	1	1	1	1	1
Mental Health Services Demonstration	0	20	20	21	21	22
School-Based Health Networks	0	5	5	5	5	5
Title III:						
National Health Service Corps	130	202	207	211	216	220
Chiropractor and Pharmacist Demonstration	0	1	1	1	0	0
Title IV:						
Community Access Program	125	125	128	130	133	136
Primary Dental Programs	0	50	0	0	0	0
Title [b]	1,513	1,887	1,878	1,914	1,953	1,989

[a] The 2001 level includes the amount appropriated for that year for the programs.
[b] Total includes Title VI study, with budget authority estimated at less than $500,000.

Telehomecare Demonstration Project. S. 1533 would authorize a demonstration project for the provision of telehomecare services for residents of rural areas. Telehomecare means the provision of health services by providers at a distant site to patients in the home via telemedicine technology. The bill would limit the number of grants to five entities and would fund grantees for no more than three years. The Office for the Advancement of Telehealth within HRSA currently funds a dozen grants to home health agencies, so this demonstration would not represent a substantially new activity for the administration. The bill also would require HRSA to submit an interim and final report to the Congress describing the results of the demonstration. Based on historical patterns of spending for similar activities, CBO estimates the cost of this demonstration would be $4 million in 2002 and $7 million over the 2002–2006 period.

Rural Emergency Medical Services Program. S. 1533 would establish a program of grants, primarily to state and local entities, to pay up to 75 percent of the cost of recruiting and training emergency medical service (EMS) personnel in rural areas. It would authorize the appropriation of such sums as may be necessary for 2002 through 2006. The bill also would authorize grants for the acquisition of emergency medical equipment and for EMS training programs for the public. Based on information from HRSA staff about participation in similar programs, CBO assumes that about 20 states would participate in any given year. CBO estimates the cost of implementing this program would be about $1 million in 2002 and $6 million during the 2002–2006 period, assuming appropriation of the necessary funds.

Mental Health Services via Telehealth Grants. The bill would create a demonstration program to award grants to entities for the development of telehealth networks for the provision of mental health education and services in areas designated as mental health underserved areas. The grants would be directed to nursing homes and schools, with grants to be used for education about mental health issues, for the provision of mental health services, and for collaborative and other purposes. HRSA currently oversees more than 25 such grants. Appropriations at the authorized levels, which are $20 million in 2002 and such sums as necessary through 2006, would allow for 50 to 60 grants of similar size. Assuming appropriation of the authorized amounts, CBO estimates that outlays for this demonstration project would be about $7 million in 2002 and $93 million over the 2002–2006 period.

School-based Health Center Networks. S. 1523 would establish a new program to award grants to nonprofit organizations for the creation of state-wide technical assistance centers and for other purposes. The bill would authorize the appropriation of $5 million in 2002 and such sums as may be necessary for 2003–2006. Based on historical spending patterns for similar activities, CBO estimates this program would cost $2 million in 2002 and $23 million over the 2002–2006 period.

Title III: National Health Service Corps

S. 1533 would reauthorize the National Health Service Corps (NHSC) field, recruitment, and state loan repayment programs. The field and recruitment programs support activities to identify the health professional needs of underserved communities and to recruit and support providers in those communities. The state loan repayment program provides federal matching funds to state programs that repay the educational debts of health care providers practicing in underserved communities.

The bill would add new authority to the field program to establish a demonstration project to create a program of part-time corps members. The bill would allow the Secretary to change both the methodology and process of designating health professional shortage areas (HPSAs) and would instruct the Secretary to develop a plan to increase participation by dental health providers in the scholarship and loan repayment programs.

S. 1533 would authorize such sums as necessary for 2002–2006 for the field program, $146 million in 2002 and such sums as necessary through 2006 for the recruitment program, and $12 million in 2002 and such sums as may be necessary through 2006 for the state loan repayment program. While the authorization of appropriations for the recruitment program is substantially larger than the appropriation for fiscal year 2001, the demand for corps members in the community is strong. CBO assumes that the NHSC will be able to spend the proposed appropriations at current rates. The authorizations for the field and state loan repayment programs are not substantially larger than 2001 appropriation levels, and we therefore assume that the programs will spend funds at current rates. CBO estimates spending to implement all three programs would total $109 million in 2002 and $941 million during the 2002–2006 period, assuming appropriation of the necessary funds.

The bill would also establish a demonstration project that would allow chiropractors and pharmacists to participate in the NHSC loan repayment program. The determination of a HPSA would not be affected by the inclusion of these providers. The demonstration would be authorized for three years at such sums as may be necessary. Based on information from experts at HRSA and spending for similar activities within the NHSC loan repayment program, CBO estimates the demonstration would cost less than $500,000 in 2002 and about $3 million over the 2002–2004 period.

Title IV: Healthy Communities Access Program

Community Access Program. S. 1533 would establish in statute the community access program (CAP), which has been funded since 1999. The program awards grants to consortiums to improve the efficiency, effectiveness, and the coordination of health services to uninsured and underinsured in their community. The bill would authorize the appropriation of $125 million for fiscal year 2002, and such sums as may be necessary for the subsequent four years. CBO estimates this provision would result in outlays of $94 million in 2002 and $613 million over the 2002–2006 period, assuming appropriation of the necessary funds.

Primary Dental Programs. S. 1533 would authorize the appropriation of $50 million in 2002 to be available for five years, for the development of a grant program to be administered by HRSA to respond to states' dental workforce needs. The grants would provide federal matching funds to state programs for loan forgiveness, recruitment, practice expansion, dental residency programs, and for other purposes. The estimated cost of implementing this program is $10 million in 2002 and $50 million over the 2002–2006 period.

Title VI: Study

S. 1533 would require the Secretary of Health and Human Services to conduct a study to determine the ability of the department to provide for solvency for managed care networks whose member organizations are health centers receiving funds from the Consolidated Health Centers Program. The bill would direct the Secretary to submit a report to the Congress detailing the results of the study. CBO estimates the cost of implementing this provision would be less than $500,000 in 2002 and 2003.

DIRECT SPENDING EFFECTS—RURAL HEALTH CLINICS

Under current law, Medicare beneficiaries must pay for the first $100 of the Part B services before the Medicare program will begin paying for such services. The bill would exempt certain low-income beneficiaries from the requirement that they satisfy that deductible before Medicare will pay for services furnished by a rural health clinic (RHC) at which a NHSC member is assigned. The proposal would affect Medicare spending for eligible patients of rural health clinics who receive nearly all of their Part B services from those clinics. (Medicare spending would not be affected for those beneficiaries who also receive at least $100 in Part B services from other providers.) CBO estimates that this provision would eliminate the deductible in calendar year 2002 for about 200,000 low-income beneficiaries who receive nearly all of their Part B services from qualifying RHCs.

Increasing Medicare spending to pay for the deductible for those beneficiaries would also have other effects on spending by the Medicare and Medicaid programs. Annual increases in payment rates for Medicare+Choice plans are tied to increases in per-capita spending in the fee-for-service sector, so this provision would increase payments to Medicare+Choice plans. Part B premiums would also rise, so about one-quarter of the increase in Medicare spending would be offset by higher premium receipts. Medicaid spending would be reduced because Medicaid would not have to pay the Medicare deductible for some patients at RHCs who are enrolled in both programs, although some of those savings would be offset by higher Medicaid spending for Part B premiums. Taking all those interactions into account, CBO estimates the provision would increase federal direct spending by $9 million in 2011 and by $146 million over the 2002–2011 period.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The following table displays CBO's estimate of the direct spending effects of S. 1533. For the purposes of enforcing pay-as-you-go procedures, only the effects in the budget year and the succeeding four years are counted.

	By fiscal year, in millions of dollars									
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Change in Outlays	9	15	15	15	15	15	15	15	16	16
Change in Revenues	Not applicable									

Estimated impact on State, local, and tribal governments: S. 1533 would preempt state laws governing statutes of limitations for cases against individuals who have breeched their contracts under the National Health Services Corps program. This preemption would be an intergovernmental mandate as defined in UMRA. However, CBO estimates that the preemption would not affect the budgets of state, local, or tribal governments because, while it would limit the application of state law, it would impose no duty on states that would result in additional spending.

The bill also would authorize a number of grant programs that could either directly or indirectly benefit state, local, or tribal governments through increased assistance for a variety of community and rural health programs. In some cases, those governments may be required to provide matching funds for the federal assistance, but their participation in the programs would be voluntary.

Estimated impact on the private sector: The bill contains no private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Alexis Ahlstrom (226–9010). Impact on State, Local, and Tribal Governments: Leo Lex (225–3220).

Estimate approved by: Robert A. Sunshine, Assistant Director for Budget Analysis.

OCTOBER 17, 2001.

Hon. EDWARD M. KENNEDY;
Chairman, Committee on Health, Education, Labor, and Pensions, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1533, the Health Care Safety Net Amendments of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Alexis Ahlstorm, who can be reached at 226–9010.

Sincerely,

DAN L. CRIPPEN.

Enclosure.

PRESIDENT BUSH'S STATEMENT ON NATIONAL ARTS AND HUMANITIES MONTH

Mr. KENNEDY. Madam President, it is a privilege to take this opportunity to commend the efforts of artists and cultural organizations across the country during this difficult time. October

has been National Arts and Humanities Month, and this year, in communities across the country, artists have participated in numerous public programs and performances to help families cope with the concerns they have.

In Boston, musicians from the Boston Symphony joined in a poignant tribute to the victims of the World Trade Center attack. Here in Washington, the Kennedy Center hosted the ''Concert for America.'' So, too, in other cities across the country, performing artists have donated their time and their talent to raise funds to support those who have suffered the most because of the terrorist attacks, and to help with the healing process for all Americans who share their sense of grief and loss.

The arts represent the highest levels of human achievement. They give expression to the deepest human emotions, and they are an indispensable part of the Nation's recovery and future strength.

Last week, President Bush issued a strong statement commemorating National Arts and Humanities Month and acknowledging the special role of the arts in these challenging times. I commend the President for his eloquent statement, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, October 25, 2001.

I am pleased to join my fellow Americans in observing National Arts and Humanities Month in October.

The arts and humanities enrich our lives, inspire our hearts and minds, and help us to view the world from a different perspective. Capturing the diversity and richness of human experience, they allow us to explore ideas and emotions and to better understand our history, culture, and beliefs. The study and appreciation of the arts and humanities serve as both a unifying force in society and as a vehicle for individual expression.

During these extraordinary times, the arts and humanities have provided means for coping and healing in the face of tragedy. Since the September 11 attacks, individuals and groups throughout our country have joined together to celebrate their patriotism by proudly singing ''The Star-Spangled Banner'' and ''God Bless America.'' Others have expressed their grief by creating visual or written tributes to those who lost their lives. People of all ages have documented their personal experiences, firsthand knowledge, and impressions of recent events to create a lasting historical record for future generations.

These varied activities point to the vital importance of the arts and humanities in maintaining a vibrant society and a strong democracy. During National Arts and Humanities Month, I encourage all Americans to reflect on the contributions of these creative and intellectual traditions to our quality of life, and to participate in activities that celebrate the spirit of our Nation and our love for freedom, justice, and peace.

Best wishes on this special occasion.

GEORGE W. BUSH.

ADDITIONAL STATEMENTS

TRIBUTE TO SERGEANT MAJOR BENCESLADO RAEL UPON HIS RETIREMENT

• Mr. DOMENICI. Mr. President, I rise today to pay tribute to a fellow New Mexican who is retiring after 32 years of dedicated service with the United States Air Force and the New Mexico Army National Guard. Sergeant Major Benceslado ''Ben'' Rael has made duty, honor and service the hallmarks of his career and is a shining example of a true American patriot.

Ben was born in Truchas, NM in 1941 and graduated from St. Michael's High School in 1960; he also received his A.A. from Wilber Wright College in 1973. Upon joining the Air Force, he immediately made an impact as a recruiting and retention specialist where he helped countless young people find a confidence and self-esteem building career in the United States Armed Forces.

Ben's skills in recruiting did not go unnoticed. Upon joining the New Mexico Army National Guard, Ben was assigned the position of Vice Chairman of the Guard's National Recruiting and Retention advisory Council. Again, Ben showed himself to be a tremendous asset in keeping the National Guard vibrant in New Mexico.

Ben has made all of New Mexico proud, and in tribute, Governor Johnson has proclaimed October 31, 2001 as ''Sergeant Major Benceslado Rael Day.'' I want to take this opportunity to join with the Governor, and indeed with all New Mexicans, in saluting Ben on a job well done and in wishing him many years of happiness in his retirement.•

IN RECOGNITION OF THE EXPANSION OF YOUNG ISRAEL OF OAK PARK, MI

• Mr. LEVIN. Mr. President, I ask that the Senate join me today in congratulating the Young Israel congregation of Oak Park, MI, on completion of recent expansion of the synagogue's facilities. Since 1954, Young Israel has been serving the spiritual needs of its congregation as well as the community at large.

From its humble beginnings, Young Israel of Oak Park has grown to become the largest Orthodox Jewish congregation in the State of Michigan. Originally founded as Young Israel of Oak-Woods, the temple served the communities of Oak Park and Huntington Woods. Six years later, Young Israel of Greenfield opened its doors in the adjoining community. For over a quarter century, the two temples offered a sanctuary where the respective congregations could meet.

Then in 1997, in response to changing demographics and a desire to better serve their neighborhoods, the temples merged to create Young Israel of Oak Park. Soon after the merger, they embarked on an ambitious expansion project to provide more opportunity for communal celebration and prayer. In June of this year, the synagogue's stunning new sanctuary and social hall were completed.

Today's congregation is not only a center of Torah study, but also a forum where young and old, rich and poor, come together to share their beliefs, desires, and fears. At the same time, the temple plays a central role in maintaining the stability and vitality of the Orthodox Jewish population of South East Michigan.

For nearly 50 years, the Young Israel congregation has been a spiritual and social home for many in Michigan's Orthodox Jewish community. I trust that my Senate colleagues will join me in congratulating Young Israel of Oak Park on nearly a half century of growth and wish them the best in the coming years.•

UNITED STEELWORKERS OF AMERICA OPPOSITION TO ANWR DRILLING

• Mr. WELLSTONE. Mr. President, I ask that a statement by David Foster of the United Steelworkers of America be printed in the RECORD.

The statement follows:

OPPOSITION TO DRILLING IN THE ARCTIC NATIONAL WILDLIFE REFUGE

Intelligent approaches to energy development are needed at a time when energy security, economic development, and environmental protection are more important than ever.

USWA District #11 represents thousands of workers in the Pacific Northwest's energy-intensive aluminum industry where 40% of the nation's aluminum capacity is located. The recent West Coast energy crisis that resulted in the shutdown of all ten of that region's aluminum smelters awakened our union to the need for a comprehensive energy policy based on sound environmental principles. We are currently working to help transition the industry to a cleaner, safer, and more dependable mix of energy sources that will help preserve industrial jobs in the United States and lead the industry toward energy self-sufficiency.

I believe that the best long-term solution to retaining aluminum jobs in the Northwest is 1) by reducing demand through energy efficiency and conservation, and 2) by increasing the supply of diversified energy sources including clean, renewable energy generated by wind, solar, and geothermal power. This combination would minimize the environmental impacts related to energy extraction and use, create good, family-wage jobs, and protect consumers from supply disruptions and price fluctuations.

Consequently, I am convinced that drilling for oil in the Arctic National Wildlife Refuge is not a sensible option. Rather, it is a short-sighted remedy that is unreliable, environmentally unsound, and fraught with economic shortcomings. As a better alternative, I would encourage the building of a new natural gas pipeline where existing supplies of natural gas can be captured.

In particular, I would recommend that the infrastructure for a gas pipeline be developed on the North Slope to bring to market gas currently being shunted back into the ground or flared off. A new Environmental Impact Statement must be completed prior to construction, and North American, rather than imported, steel should be utilized for the construction of the pipeline. This natural gas project would produce many times more jobs and be safer for workers than drilling in the Refuge, and would increase the supply of a cleaner and more valuable energy source, without posing severe threats to sensitive wildlife and tundra.●

WORLD POPULATION AWARENESS WEEK

● Mr. HOLLINGS. Mr. President, rapid population growth and urbanization place substantial pressure on the transportation, sanitation, health care, and education infrastructure in our country and throughout the world. It is important to recognize the impact that these forces have on our natural resources and our quality of life. I applaud Governor Hodges for proclaiming the week of October 21 to October 27 of this year as World Population Awareness Week in the great State of South Carolina.

I ask that his proclamation be printed in the RECORD.

The proclamation follows:

PROCLAMATION BY GOVERNOR JIM HODGES

Whereas, world population today exceeds 6.1 billion and is estimated to continue to increase by 1 billion every 13 years; and

Whereas, rapid population growth can have negative environmental, economic, and social consequences; and

Whereas, working to sustain an equitable balance between the world's population, environment, and resources contributes to combating poverty, improving maternal and child health, and ensuring the continued prosperity of our state and nation.

Now, therefore, I, Jim Hodges, Governor of the Great State of South Carolina, do hereby proclaim October 21–27, 2001, as World Population Awareness Week throughout the state and encourage all South Carolinians to work together to raise awareness of voluntary and responsible solutions to rapid population growth.●

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.)

MESSAGES FROM THE HOUSE

At 2:59 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 483. An act regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon.

H.R. 1776. An act to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas.

H.R. 1840. An act to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees.

H.R. 2362. An act to establish the Benjamin Franklin Tercentenary Commission.

H.R. 2559. An act to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.

H.R. 2585. An act to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon.

H.R. 2910. An act to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building.''

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 233. Concurrent resolution expressing the profound sorrow of the Congress for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001.

H. Con. Res. 243. Concurrent resolution expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House: Mr. ROGERS of Kentucky, Mr. WOLF, Mr. DELAY, Mr. CALLAHAN, Mr. TIAHRT, Mr. ADERHOLT, Ms. GRANGER, Mrs. EMERSON, Mr. SWEENEY, Mr. YOUNG of Florida, Mr. SABO, Mr. OLVER, Mr. PASTOR, Ms. KILPATRICK, Mr. SERRANO, Mr. CLYBURN, and Mr. OBEY.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House: Mr. BONILLA, Mr. WALSH, Mr. KINGSTON, Mr. NETHERCUTT, Mr. LATHAM, Mrs. EMERSON, Mr. GOODE, Mr. LAHOOD, Mr. YOUNG of Florida, Ms. KAPTUR, Ms. DELAURO, Mr. HINCHEY, Mr. FARR of California, Mr. BOYD, and Mr. OBEY.

At 5:48 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 report of the committee on conference of the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes.

MEASURES REFERRED

The following bills and joint resolution were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 483. An act regarding the use of the trust land and resources of the Confederated Tribes of the Warm Springs Reservation of Oregon; to the Committee on the Indian Affairs.

H.R. 1776. An act to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas; to the Committee on Energy and Natural Resources.

H.R. 1840. An act to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees; to the Committee on the Judiciary.

H.R. 2559. An act to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance; to the Committee on Governmental Affairs.

H.R. 2585. An act to authorize the Secretary of the Interior to conduct a study of the feasibility of providing adequate upstream and downstream passage for fish at the Chiloquin Dam on the Sprague River, Oregon; to the Committee on Energy and Natural Resources.

H.R. 2910. An act to designate the facility of the United States Postal Service located at 3131 South Crater Road in Petersburg, Virginia, as the ''Norman Sisisky Post Office Building''; to the Committee on Governmental Affairs.

H.J. Res. 71. Joint resolution amending title 36, United States Code, to designate September 11 as Patriot Day; to the Committee on the Judiciary.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 233. Concurrent resolution expressing the profound sorrow of the Congress

for the death and injuries suffered by first responders as they endeavored to save innocent people in the aftermath of the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001; to the Committee on the Judiciary.

H. Con. Res. 243. Concurrent resolution expressing the sense of the Congress that the Public Safety Officer Medal of Valor should be presented to the public safety officers who have perished and select other public safety officers who deserve special recognition for outstanding valor above and beyond the call of duty in the aftermath of the terrorist attacks in the United States on September 11, 2001; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first time:

S. 1601. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 951: A bill to authorize appropriations for the Coast Guard, and for other purposes. (Rept. No. 107–89).

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

H.R. 1042: A bill to prevent the elimination of certain reports. (Rept. No. 107–90).

By Mr. BYRD, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2002.'' (Rept. No. 107–91).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 1140: A bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness, in the arbitration process relating to motor vehicle franchise contracts.

S.J. Res. 12: A joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

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. FEINGOLD (for himself and Mr. KOHL):

S. 1595. A bill to authorize the Secretary of Agriculture to establish a program to control bovine Johne's disease; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REID:

S. 1596. A bill to authorize the Secretary of the Interior to acquire certain land located in Nye County, Nevada; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself, Mr. JEFFORDS, Mr. DASCHLE, Mrs. HUTCHISON, Mr. KENNEDY, Mr. HARKIN, Mr. REED, Mrs. MURRAY, Mr. WELLSTONE, Mrs. CLINTON, and Ms. MIKULSKI):

S. 1597. A bill to amend the Public Health Service Act to establish programs to alleviate the nursing profession shortage, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 1598. To amend section 1706 of title 38, United States Code, to enhance the management of the provision by the Department of Veterans Affairs of specialized treatment and rehabilitation for disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VOINOVICH:

S. 1599. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of unemployment compensation; to the Committee on Finance.

By Mr. DAYTON:

S. 1600. A bill to amend the Internal Revenue Code of 1986 to allow medicare beneficiaries a refundable credit against income tax for the purchase of outpatient prescription drugs; to the Committee on Finance.

By Mr. REID (for himself and Mr. ENSIGN):

S. 1601. A bill to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range; read the first time.

By Mr. CORZINE (for himself, Mr. JEFFORDS, Mrs. BOXER, and Mrs. CLINTON):

S. 1602. A bill to help protect the public against the threat of chemical attack; to the Committee on Environment and Public Works.

By Mr. VOINOVICH (for himself and Mr. THOMPSON):

S. 1603. A bill to provide for reform relating to Federal employment, and for other purposes; to the Committee on Governmental Affairs.

By Mr. JEFFORDS:

S. 1604. A bill to establish a national historic barn preservation program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CONRAD (for himself and Mr. FRIST):

S. 1605. A bill to amend title XVIII of the Social Security Act to provide for payment under the Medicare Program for four hemodialysis treatments per week for certain patients, to provide for an increased update in the composite payment rate for dialysis treatments, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida (for himself, Mr. DURBIN, and Mr. EDWARDS):

S. 1606. A bill to amend title XI of the Social Security Act to prohibit Federal funds from being used to provide payments under a Federal health care program to any health care provider who charges a membership of any other extraneous or incidental fee to a patient as a prerequisite for the provision of an item or service to the patient; to the Committee on Finance.

By Mr. ROCKEFELLER (for himself and Ms. SNOWE):

S. 1607. A bill to amend title XVIII of the Social Security Act to provide coverage of remote monitoring services under the medicare program; to the Committee on Finance.

By Mr. SMITH of New Hampshire (for himself, Mr. JEFFORDS, Mr. GRAHAM, and Mr. CRAPO):

S. 1608. A bill to establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs; to the Committee on Environment and Public Works.

By Mr. HELMS (for himself, Mr. DEWINE, and Mr. GRAHAM):

S.J. Res. 27. A joint resolution relating to the political, economic, and military relations of the United States with Nicaragua; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 207

At the request of Mr. SMITH of New Hampshire, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 207, a bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings.

S. 540

At the request of Mr. DEWINE, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 540, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income the deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 556

At the request of Mr. JEFFORDS, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 556, a bill to amend the Clean Air Act to reduce emissions from electric powerplants, and for other purposes.

S. 721

At the request of Mr. HUTCHINSON, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 721, a bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 724

At the request of Mr. BOND, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 724, a bill to amend title XXI of the Social Security Act to provide for coverage of pregnancy-related assistance for targeted low-income pregnant women.

S. 952

At the request of Mr. KENNEDY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 952, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1140

At the request of Mr. HATCH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1140, a bill to amend chapter

1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1303

At the request of Mr. KERRY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1303, a bill to amend title XVIII of the Social Security Act to provide for payment under the medicare program for more frequent hemodialysis treatments.

S. 1499

At the request of Mr. KERRY, the names of the Senator from Florida (Mr. GRAHAM) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 1499, a bill to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

S. 1571

At the request of Mr. LUGAR, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1571, a bill to provide for the continuation of agricultural programs through fiscal year 2006.

S. 1578

At the request of Mr. DORGAN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 1578, a bill to preserve the continued viability of the United States travel industry.

AMENDMENT NO. 2026

At the request of Ms. COLLINS, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 2026 intended to be proposed to H.R. 3061, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

AMENDMENT NO. 2039

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of amendment No. 2039 intended to be proposed to H.R. 3061, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

STATEMENTS ON SUBMITTED RESOLUTIONS

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 1595. A bill to authorize the Secretary of Agriculture to establish a program to control bovine Johne's disease; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FEINGOLD. Madam President, I rise today to introduce the Johne's Disease Elimination Act, which would provide incentives to encourage dairy producers to voluntarily begin testing for Johne's disease and to remove infected and exposed animals from their dairy herds.

Johne's disease is a devastating infection that has adversely impacted dairy herds across the country for many years.

Johne's disease was identified more than a century ago, yet remains a common and costly infectious disease of dairy cattle.

Johne's disease starts as an infection in calves, though indications do not appear until 2 to 5 years later. Over 20 percent of all dairy herds may be infected with an animal pathogen that causes Johne's disease, which causes losses in milk production and an eventual wasting away of the animal. And if not detected and eliminated, the disease can spread throughout the herd.

This animal disease, for which there is no cure, is projected to cost U.S. diary producers in excess of $200 million annually.

Let me repeat, $200 million. The average cost to producers is about $245 per cow. In other words, the cost for a 100 cow dairy with an infected herd would be about $24,000.

One of the biggest challenge to eradicate Johne's disease is the lack of a consistent national or industry-wide education or control program. One of the more prominent recent efforts involves the Johne's Committee of the U.S. Animal Health Association, which formed the National Johne's Working Group to begin more cohesive education, research, and control efforts to deal with the disease.

The legislation I am introducing today is based on the work of the National Johne's Working Group. My legislation would authorize the creation of a program to encourage dairy herd owners to be practically free of Johne's disease in 7 years.

This program would be absolutely voluntary and confidential, as the working group recommended.

This program would provide incentives to encourage dairy producers to voluntarily begin testing for Johne's disease and to remove infected and exposed animals from their dairy herds.

The incentives provided will also help farmers to perform herd risk assessments and utilize best management practices to develop appropriate Johne's Herd Management Plans to prevent further introduction and spread of the disease.

We need to listen to America's dairy industry and follow their common sense suggestions to eradicate a disease that hurts dairy farmers across the United States. I urge my colleagues to join me in cosponsoring this legislation.

By Mr. ROCKEFELLER:

S. 1598. To amend section 1706 of title 38, United States Code, to enhance the management of the provision by the Department of Veterans Affairs of specialized treatment and rehabilitation for disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. Madam President, I am proud today to introduce legislation that would improve upon the current requirement that the Department of Veterans Affairs maintain specialized health care services. It is my hope that the ''Veterans Specialized Treatment Act'' will finally settle the issue and that high quality, specialized health care services will be readily available to our veterans at each and every VA hospital.

From its inception, the Department of Veterans' Affairs' health care system has been challenged to meet the special needs of its veteran patients, such as spinal cord injuries, amputations, blindness, post-traumatic stress disorder, substance abuse, and homelessness. Over the years, VA has developed widely recognized expertise in providing specialized services to meet these needs. We have all been proud of VA's expertise, some of which is unparalleled in the larger health care community.

Unfortunately, in recent years, VA's specialized programs have come under stress due to budget constraints, reorganizational changes, and the introduction of a new resource allocation system. Budgetary pressures, in particular, raised concerns back in 1996 that VA's costly specialized programs may be particularly vulnerable and disproportionately subject to reductions. As a result, Congress recognized the need to include protections for the specialized services programs. Public Law 104–262 specifically required the Secretary of Veterans Affairs to maintain capacity to provide for the specialized treatment needs of disabled veterans at the level in existence at the time the bill was passed, October 9, 1996 and to report annually to Congress on the status of its efforts.

While each of the VA's required reports have proclaimed success in maintaining capacity, some remain skeptical. The General Accounting Office found that ''much more information and analyses are needed to support VA's, 1998, conclusion, that capacity was up to par.'' The VA Federal Advisory Committee on Prosthetics and Special Disability Programs has in the past called VA's data ''flawed'' and has not endorsed all of VA's report. In 1999, my own staff on the Committee on Veterans' Affairs also examined VA's implementation of the law and found that certain key programs, such as Post-Traumatic Stress Disorder and substance abuse disorder programs, were not meeting the mandated capacity levels.

The most recent report shows, again, that there is concern about whether VA is adhering to the law. The VA Federal Committee on Care of Severely Chronically Mentally Ill Veterans stated in an official response that the 2000 report on capacity ''once again, documents the Department's decline in maintaining specialized services for . . . high priority patients, without explicitly acknowledging it.'' Committee members also emphasized that based on the results of the report, it did not appear that high-quality, system-wide access to specialized services is being provided by VA.

I am disappointed that VA has still been unable to properly demonstrate that adequate levels of care for those veterans with specialized health care needs are being maintained. The legislation I introduce today seeks to remedy this problem by closing loopholes in the original law to ensure VA's compliance. Congress has spoken quite clearly in the past: VA does not have the discretion about whether or not to maintain capacity for specialized services.

My proposed legislation would modify the existing report and require that VA submit information on the number of full-time staff providing treatment and the number of dedicated staffed beds; the number of veterans served by each such distinct program and facility; the number of units of service provided to veterans by such program, including the number of inpatient and residential days of care as well as the number of outpatient visits; and the amount of money spent for the care of veterans using these specialized services. Having this information for each of the distinct specialized services will allow Congress to fully understand how the specialized services are fairing. While I applaud VA's use of outcome measures, I believe it is imperative that the report contain hard data on the number of staffed beds and other information.

VA would also be required to maintain capacity of the Department at each and every medical center. Current law only requires that ''overall'' capacity be maintained.

Another key element of the legislation is that the Inspector General of VA would conduct an annual audit to ensure that the requirements of the capacity law are carried out every year. The IG would also be required to review the VA's yearly report and provide their assessment, on that report, to Congress. Finally, in an effort to encourage VA managers to comply with the legislation, VA would be required to look at the status of the specialized services programs whenever job performance is reviewed.

My colleagues, I ask for your support of this bill, as it would help ensure that specialized services, a crucial segment of the health care VA provides to veterans, are maintained at the necessary level.

By Mr. DAYTON:

S. 1600. A bill to amend the Internal Revenue Code of 1986 to allow Medicare beneficiaries a refundable credit against income tax for the purchase of outpatient prescription drugs; to the Committee on Finance.

Mr. DAYTON. Madam President, one of the groups consistently left out of most current economic stimulus proposals are America's senior citizens. Prescription drug prices continue to escalate, putting enormous financial strains on seniors in Minnesota and throughout the Nation. That is why I am introducing today The Rx Relief for Seniors Act. It would give America's hard-pressed senior citizens a one-time, refundable tax credit of up to $500 per individual and up to $1,000 per married couple, to offset their payments for prescription drugs during the year 2001.

Millions of senior citizens in my home state of Minnesota and throughout this country have had their limited personal incomes ravaged by the rising costs of prescription medicines. These escalating prices force the elderly to reduce their expenditures for other essential needs such as food, clothing, and utilities. They also prevent seniors from spending money on additional discretionary items such as recreation, travel, and other needed goods and services.

The assurance of this $500 refundable tax credit, either as a credit on Federal taxes due next April 15, or as a cash refund from the Internal Revenue Service shortly thereafter, would permit budget-conscious senior citizens to increase immediately their purchases of additional consumer goods and services. Seniors, especially the majority who live on limited and fixed incomes, would be among the people most likely to spend quickly any new tax relief and thus help stimulate the economy. For this reason, the bill directs the Secretary of Health and Human Services to notify all Medicare beneficiaries that they are eligible for this refundable tax credit for their 2001 prescription drug purchases.

Since my election to the Senate a year ago, I have been urging my colleagues to adopt some form of prescription drug coverage for America's senior citizens. Regrettably, such permanent, comprehensive coverage has been once again delayed by differences over the design of such a program. Yet, for millions of elderly citizens, the financial strains caused by escalating drug costs are urgent and acute. The Rx Relief for Seniors Act would provide them with a one-time dose of immediate relief. Hopefully, it would also provide a transition to permanent, comprehensive prescription drug coverage legislation next year.

By Mr. CORZINE (for himself, Mr. JEFFORDS, Mrs. BOXER, and Mrs. CLINTON):

S. 1602. A bill to help protect the public against the threat of chemical attack; to the Committee on Environment and Public Works.

Mr. CORZINE. Madam President, today I am introducing a bill, the Chemical Security Act of 2001, that will reduce the vulnerability of our communities to releases of hazardous chemicals.

In the past, concern about chemical facilities has largely focused on accidental releases. Unfortunately, recent events have shown that the potential for catastrophic accidents is still with us. As recently as September 21, an accident at a chemical plant in France caused 300 tons of nitrates to explode, killing 29, injuring thousands, and damaging 10,000 houses.

We need to ensure that we are taking all appropriate measures to prevent such catastrophes from occurring accidentally. But today, in the world of post 9/11, perhaps more importantly, we need to ensure that we do what we can to prevent such catastrophes from being caused intentionally by terrorists.

In the wake of the attacks in New York and Washington, it is clear that wee need to look at all of our nation's assets and people as potential terrorist targets. We need to get ahead of the curve as quickly as we can. I believe that one of the places that we need to look first is at our nation's chemical production, processing, transportation and disposal infrastructure. Vulnerability of these sectors to either terrorist attack or the theft of dangerous chemicals can pose a serious threat to public health, safety and the environment.

This is not just my opinion, Madam President. The Department of Justice studied this matter last year and concluded that there is a ''real and credible threat'' that terrorists would try to cause an industrial chemical release in the foreseeable future. The Department noted that attacking an existing chemical facility, for example, presents an easier and more attractive alternative for terrorists than constructing a weapon of mass destruction. In addition, the Department concluded that many plants that contain hazardous chemicals would be attractive targets for terrorists because of the plants' proximity to densely populated areas. This is certainly the case in my home state of New Jersey—the most densely populated State in the Nation.

Other studies also have shown that our nation's chemical facilities are indeed vulnerable. For example, the Agency for Toxic Substances and Disease Registry studied over 60 chemical plants in West Virginia, Georgia, and Nevada. The Agency found that security at those plants ranged from fair to very poor.

As I noted earlier, beyond the new threat of terrorism is the existing problem of chemical accidents. According to the National Response Center of the United States Coast Guard, which is the sole point of registry for reporting oil and chemical spills, there were 28,822 accidental industrial chemical releases in 1998. Those releases caused 2,193 injuries and 170 deaths.

Remarkably, Madam President, despite this risk, the federal government lacks mandatory security standards for any chemical facilities. Even those in densely populated areas. Even those with extremely hazardous chemicals. Now we do require owners and operators of such facilities to prepare risk management plans that analyze the potential off-site consequences of a release of regulated substances. These reports must include plans to prevent an unintended release and to mitigate the effects of such a release, should it occur. However, no federal requirements are in place that require specific steps to prevent releases caused by criminal or terrorist activity.

Madam President, the Chemical Security Act of 2001 would fill this gap in current law by requiring common sense steps to address the highest priority threats from accidents and attacks involving hazardous chemicals.

To enable the federal government to take immediate action upon enactment to address the most serious risks on a case-by-case basis, the bill provides EPA and the Attorney General the authority to issue administrative orders and secure relief through the courts to abate an imminent and substantial endangerment from a potential accidental or criminal release.

The bill directs the EPA Administrator to consult with the Attorney General, states and localities to identify ''high priority'' categories within our chemical production, processing, transportation and disposal infrastructure. In designating these ''high priority'' categories, the Administrator is to consider a set of factors, including the severity of potential harm from a release, proximity to population centers, threats to critical infrastructure and national security, and other factors the Administrator considers appropriate.

The bill also directs the Administrator to consider threshold quantities of chemicals in establishing high priority categories. This is to ensure that small businesses like gas stations and photo shops are not swept up in the regulations.

Those businesses that are designated as high priorities are subject to two other provisions of the bill designed to reduce the threat of chemical attacks.

First, a general duty is placed on any owner or operator of a facility that falls within a high priority category to identify hazards, take measures to prevent a criminal release, and minimize the consequences of any criminal release that occurs.

Second, the EPA is directed to develop regulations for the high priority categories that will require them to take adequate actions to prevent, control, and minimize the potential consequences of an accident or attack.

The bill includes other provisions to enable the EPA and the Attorney General to carry out and enforce the act, such as the authority to obtain information that may be needed, while providing for protection of trades secrets and national security information.

Madam President, the legislation is not overly prescriptive, and this is intentional. I believe that in the wake of September 11, it is self-evident that we need to do a better job safeguarding our communities from terrorism. And I believe that the possibility of chemical attacks is something we need to look at. So the heart of the bill is a requirement that EPA and DOJ work with state and local agencies to ensure that the highest priority threats from chemical facilities are being addressed. But I don't want to tie the hands of the executive branch. I think that they should have wide latitude in determining what types of chemicals and facilities need to implement better security measures. But this latitude should not be misconstrued as a mandate to regulate gas stations, photo shops, and everyone under the sun who uses hazardous chemicals. Rather, the latitude is there to give EPA and DOJ broad enough authority so that they are able to address the most pressing threats, wherever they may be.

Madam President, strengthening security at high priority chemical sources is an immediate and necessary step to safeguard our communities. Over the longer, term, however, I believe that our desire to protect our communities and our environment will be best served by reducing the use of hazardous chemicals. That's why this bill includes provisions to require high priority chemical sources to reduce risks where practicable by using inherently safer technology, well-maintained secondary control equipment, robust security measures, and buffer zones.

We have seen this type of approach work in New Jersey, where the legislature enacted a law requiring facilities to implement alternate processes that would reduce the risk of a release of extremely hazardous substances. After the enactment of this law, the number of water treatment plants using levels of chlorine at a level considered extremely hazardous decreased from 575 in 1988 to 22 in September of 2001. Chlorine, which can cause a number of problems include burning of the skin and eyes, nosebleeds, chest pain, and death, was replaced by sodium hypochlorite or other much less hazardous chemicals or processes. Although I believe this New Jersey law has afforded my constituents a high level of safety with regard to accidents, the current federal and state security requirements in New Jersey do not address the threat of terrorist attacks. I suspect that this is most if not all of our states, Madam President. That's why it's critical for Congress to act.

I am glad to note, Madam President, that the chemical industry has indicated a willingness to engage the federal government on the issue of security. On October 4, 2001, the American Chemistry Council sent a letter to President Bush, requesting that the federal government immediately begin a comprehensive assessment of security at chemical plants. On October 10, a representative of the American Chemistry Council who testified before the House Transportation and Infrastructure Subcommittee on Water and the Environment reiterated this message, stating that ''Our industry believes it will benefit from a comprehensive assessment conducted by appropriate federal law enforcement, national security and safety experts. While we are taking aggressive steps to make our operations more secure, we recognize that we cannot achieve this objective by ourselves.'' Madam President, I agree with the American Chemistry Council's on this point, and I look forward to working with industry to ensure that the federal government has the tools that it needs to play its proper role.

In conclusion, Madam President, reducing the threat of a terrorist attack against a chemical facility, or an accidental release of hazardous substances, is critically important to ensure the safety of all Americans. We should not wait any longer before beginning to address this problem, and I urge my colleagues to support this legislation.

By Mr. JEFFORDS:

S. 1604. A bill to establish a national historic barn preservation program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. JEFFORDS. Madam President, I rise today to introduce the National Historic Barn Preservation Act of 2001.

As I am sure my colleagues agree, historic barns are some of America's greatest national treasures symbolizing the agriculture foundations upon which our Nation was founded. Unfortunately, many are in danger of falling beyond repair. These symbols of the American spirit are a vital component of our cultural heritage and must be preserved.

From our agricultural beginnings in Colonial times to the frontiersmen' expansion to the West, barns have been a fixture of the rural American landscape. Unfortunately, Agriculture and farm production has weathered many painful changes over the past decades. These changes have been particularly

difficult for small and medium sized farms where most of our nation's historic barns reside. According to a survey conducted by Successful Farming, 65 percent of the farmers surveyed had barns over 50 years old on their property.

Our legislation allows these farmers to receive funds administered through States and non-profit organizations to bring their barns into productive use. Preserving these barns will not only ensure their survival for generations to come, it will also provide many practical benefits to the communities and economies that surround them.

Specifically, this bill will allow small and medium-sized farms to make necessary investments in their production facilities to keep their farms working by providing direct grants. In hard times, small and medium-sized farms have had to choose between making improvements on a historic structure on their property or investing in machinery to keep their existing operations running. Between 1982 and 1997, our nation saw a 15 percent decline in the number of farms in use, averaging a loss of 22,000 farms per year. This bill will ensure the economic viability of these farms by helping farmers preserve their historic structures and maintain essential investments. Given our current economic outlook, this bill will be particularly beneficial.

Also, preserving historic barns helps ensure that farmers keep their land in agricultural use. This has a tremendous effect in preventing sprawl from encroaching on rural communities. It is estimated that 3.6 million acres of farmland is removed from agricultural use each year.

This is a sensible bill that ensures the preservation of historic barns in ways individual farmers want. The National Trust for Historic Preservation recently conducted a survey asking farmers how they could preserve historic barns on their property. The number one response from these farmers was to create a national grant program, exactly what this legislation does.

This bill enjoys wide support and has been endorsed by the National Trust for Historic Preservation. I invite my colleagues to join me in my efforts to preserve our Nation's historic barns for the prosperity of future generations and the well-being of our rural communities. I ask that a summary of the legislation be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

BILL SUMMARY

The bill would instruct the Secretary of Agriculture to act through the Undersecretary of Rural Development to: Assist states in developing a listing of historic barns; collect and disseminate information concerning historic barns; foster educational programs relating to historic barns and their preservation; sponsor and conduct research on the history of barns; and sponsor or conduct research, and study techniques, on protecting historic barns.

The bill would authorize the Office of Rural Development of USDA to award $25 million in grants over FY 2002 through 2006 for barn preservation projects to the following agencies: State Departments of Agriculture, National or State Non-profits that have been determined by the Secretary of Agriculture to have experience in historic barn preservation, and a State Historic Preservation Office.

While most of the $25 million authorized would be awarded for grants used to rehabilitate or repair historic barns, the bill would allow some of the funds to be used to: Install fire detection systems and/or sprinklers; install systems to prevent vandalism; and identify, document and conduct research on historic barns to develop and evaluate appropriate techniques or best practices for protecting historic barns.

By Mr. ROCKEFELLER (for himself, and Ms. SNOWE):

S. 1607. A bill to amend title XVIII of the Social Security Act to provide coverage of remote monitoring services under the Medicare Program; to the Committee on Finance.

Mr. ROCKEFELLER. Madam President, I rise today to introduce a small bill, but one with important consequences. My measure, the ''Medicare Remote Monitoring Services Act of 2001,'' seeks to increase access to remote management technologies by providing equal payment for these services under Medicare. I am pleased to be joined by Senator SNOWE in introducing this measure.

As my colleagues know, many new technologies that collect, analyze, and transmit clinical health information are in development or have recently been introduced to the market. These remote management technologies hold clear promise: Better information on the patient's condition, collected and stored electronically, analyzed for clinical value, and transmitted to the physician or the patient, should improve patient care and access. Instead of a time-consuming 20-mile trips to the doctor's office, it takes the patient 10 minutes to transmit the data by computer. This is not going to replace hands-on medicine, but when it's not possible for the physician to be there, this can be a tool. It's a more aggressive way to be with the patient and help avoid a crisis.

Despite these innovations, many new clinical information and remote management technologies have failed to diffuse rapidly. A significant barrier to wider adoption and evolution of the technologies is the relative lack of payment mechanisms under Medicare for services provided by a physician related to these technologies.

The June 2001 ''MedPAC report to Congress on Medicare in Rural America'' raises concerns about access to health care in rural areas. The report states that if policymakers are interested in expanding the use of telemedicine approaches to improve access to care, one avenue that could be explored is the coverage of technology that enables a diagnostic test to be performed on a patient remotely and then be sent electronically to the consulting physician for review at a later time.

In addition, in its March 2001 report, ''Crossing the Quality Chasm,'' the Institute of Medicine stated that the automation of clinical and other health transactions was an essential factor for improving quality, preventing errors, enhancing consumer confidence, and improving efficiency, yet ''health care delivery has been relatively untouched by the revolution in information technology that has been transforming nearly every other aspect of society.''

Under this legislation remote monitoring services that are found to be comparable to face to face, encounter-based, monitoring services will be given the same coverage and level of Medicare payment as the comparable encounter-based physician service. The provision will be implemented in a budget-neutral manner. I urge my colleagues to cosponsor this legislation that will improve patient access, care, and management, as well as spur the development of new technologies that will improve services further.

Ms. SNOWE. Madam President, today I am joining with Senator ROCKEFELLER in introducing the Medicare Remote Monitoring Service Coverage Act of 2001. This bill is designed to place Medicare on the cutting edge of technology and ensure that our Nation's seniors have access to the best treatment options available.

Ever since the first stethoscope was developed in Paris in 1816, medical technology has had a dramatic impact on health care. Over the past twenty-five years, the technology of medical devices has improved dramatically. The resulting changes in the practice of medicine and the improvements in the quality of patient care of have been dramatic and this trend will continue as we move into the future.

Once such important improvement is in the ability of new cutting-edge medical devices to electronically monitor a patient's response to treatment. The new devices will collect, analyze and transmit clinical health information to the patient's physician. As a result, the physician will have access to better information on the patient's condition, which will improve patient care. These innovative devices will also monitor their own internal performance and transmit this information in real-time to the physician's office. Physicians can use this data to assess a patient's response to treatment and determine if new interventions are required.

One such device that is under development is an advanced version of the internal cardiac defibrillator or ICD similar to the one used by Vice President CHENEY. These devices monitor

the heart and respond automatically when indicated. When the heart's rhythm triggers certain interventions, the patient is required to immediately contact their physician and must travel to the emergency room to determine if a more serious problem has developed. It is also crucial at these times to determine that the device is working properly. Access to care in these circumstances is imperative.

With these new devices, this important information can be transmitted electronically to the physician. The physician can then analyze this clinical data and determine if further intervention is required. As a result of this innovation, costly emergency room visits are avoided and patients can receive their physician's assessment more quickly. This reduces the cost of the health care intervention by avoiding the emergency room visit and provides piece of mind to the patient that the life-saving device is working properly. One can easily see that this is of greatest value to patients in rural areas who would otherwise have to travel great distances to the emergency room for evaluation, many times in the middle of the night.

While these new technologies hold great promise, Medicare reimbursement policies are an unfortunate barrier to their use. Under current Medicare payment policy, most physician billing codes are limited to face-to-face interactions between physician and patient. The physician payment system does not provide reimbursement for time spent on a clinical evaluation when a face-to-face encounter is not needed. As a result, Medicare payment rules will inhibit the adoption of this promising technology. This is unfortunate when one considers that, in many cases, costly emergency room visits can be avoided while the identical clinical analysis and interpretation takes place using data that is transmitted electronically to the physician.

This legislation, which we are introducing today, would create reimbursement parity between physician visits on a face-to-face basis and equivalent interventions resulting from remote patient management made possible by these devices. The legislation would provide the same Medicare coverage and level of reimbursement for remote monitoring services that are found to be comparable to face-to-face, encounter-based, services specifically for data collection and analysis. This new reimbursement policy will be implemented in a budget-neutral manner and simply designed to pay for remote monitoring when a face-to-face physician encounter would be reimbursed for the same services under the same set of circumstances.

This proposal will improve patient care and promote the adoption of this innovative new technology. Moreover, it will provide better access and improved quality of care for patients who rely on these devices, particularly in rural areas. This is especially true in cases when an immediate evaluation is required. We believe this is a sensible proposal that will reduce costs in the long-run and will ensure that seniors have access to cutting edge, life-saving technologies. We are hopeful that this legislation can be adopted quickly to assure that Medicare beneficiaries are not prevented from accessing this technology.

By Mr. SMITH of New Hampshire (for himself, Mr. JEFFORDS, Mr. GRAHAM, and Mr. CRAPO):

S. 1608. A bill to establish a program to provide grants to drinking water and wastewater facilities to meet immediate security needs; to the Committee on Environment and Public Works.

Mr. SMITH of New Hampshire. Madam President, 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. 1608

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

SECTION 1. WATER SECURITY GRANTS.

(a) DEFINITIONS.—In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means a publicly- or privately-owned drinking water or wastewater facility.

(3) ELIGIBLE PROJECT OR ACTIVITY.—

(A) IN GENERAL.—The term ''eligible project or activity'' means a project or activity carried out by an eligible entity to address an immediate physical security need.

(B) INCLUSIONS.—The term ''eligible project or activity'' includes a project or activity relating to—

(i) security staffing;

(ii) detection of intruders;

(iii) installation and maintenance of fencing, gating, or lighting;

(iv) installation of and monitoring on closed-circuit television;

(v) rekeying of doors and locks;

(vi) site maintenance, such as maintenance to increase visibility around facilities, windows, and doorways;

(vii) development, acquisition, or use of guidance manuals, educational videos, or training programs; and

(viii) a program established by a State to provide technical assistance or training to water and wastewater facility managers, especially such a program that emphasizes small or rural eligible entities.

(C) EXCLUSIONS.—The term ''eligible project or activity'' does not include any large-scale or system-wide project that includes a large capital improvement or vulnerability assessment.

(b) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish a program to allocate to States, in accordance with paragraph (2), funds for use in awarding grants to eligible entities under subsection (c).

(2) ALLOCATION TO STATES.—Not later than 30 days after the date on which funds are made available to carry out this section, the Administrator shall allocate the funds to States in accordance with the formula for the distribution of funds described in section 1452(a)(1)(D) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(1)(D)).

(3) NOTICE.—Not later than 30 days after the date described in paragraph (2), each State shall provide to each eligible entity in the State a notice that funds are available to assist the eligible entity in addressing immediate physical security needs.

(c) AWARD OF GRANTS.—

(1) APPLICATION.—An eligible entity that seeks to receive a grant under this section shall submit to the State in which the eligible entity is located an application for the grant in such form and containing such information as the State may prescribe.

(2) CONDITION FOR RECEIPT OF GRANT.—An eligible entity that receives a grant under this section shall agree to expend all funds provided by the grant not later than September 30, 2002.

(3) DISADVANTAGED, SMALL, AND RURAL ELIGIBLE ENTITIES.—A State that awards a grant under this section shall ensure, to the maximum extent practicable in accordance with the income and population distribution of the State, that a sufficient percentage of the funds allocated to the State under subsection (b)(2) are available for disadvantaged, small, and rural eligible entities in the State.

(d) ELIGIBLE PROJECTS AND ACTIVITIES.—

(1) IN GENERAL.—A grant awarded by a State under subsection (c) shall be used by an eligible entity to carry out 1 or more eligible projects or activities.

(2) COORDINATION WITH EXISTING TRAINING PROGRAMS.—In awarding a grant for an eligible project or activity described in subsection (a)(3)(B)(vii), a State shall, to the maximum extent practicable, coordinate with training programs of rural water associations of the State that are in effect as of the date on which the grant is awarded.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for fiscal year 2002.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2040. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

SA 2041. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3061, supra; which was ordered to lie on the table.

SA 2042. Mr. SESSIONS proposed an amendment to the bill H.R. 3061, supra.

SA 2043. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3061, supra; which was ordered to lie on the table.

SA 2044. Mr. DASCHLE (for himself, Mr. KENNEDY, Mr. TORRICELLI, Mr. CORZINE, Mrs. CLINTON, and Mr. WELLSTONE) proposed an amendment to the bill H.R. 3061, supra.

SA 2045. Mr. SESSIONS proposed an amendment to the bill H.R. 3061, supra.

SA 2046. Mr. SESSIONS (for himself and Mr. HELMS) submitted an amendment intended to be proposed by him to the bill H.R. 3061, supra; which was ordered to lie on the table.

SA 2047. Mr. HATCH (for himself and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill H.R. 3061, supra; which was ordered to lie on the table.

SA 2048. Mr. HARKIN proposed an amendment to the bill H.R. 3061, supra.

SA 2049. Mr. HARKIN (for Mr. WYDEN) proposed an amendment to the bill H.R. 3061, supra.

SA 2050. Mr. HARKIN (for Ms. COLLINS (for himself and Mr. REED)) proposed an amendment to the bill H.R. 3061, supra.

SA 2051. Mr. HARKIN (for Mr. HATCH) proposed an amendment to the bill H.R. 3061, supra.

SA 2052. Mr. HARKIN (for Mr. INOUYE) proposed an amendment to the bill H.R. 3061, supra.

SA 2053. Mr. HARKIN (for Mr. BAYH) proposed an amendment to the bill H.R. 3061, supra.

SA 2054. Mr. SESSIONS proposed an amendment to the bill H.R. 3061, supra.

SA 2055. Mr. GRAMM proposed an amendment to amendment SA 2044 proposed by Mr. DASCHLE to the bill (H.R. 3061) supra.

TEXT OF AMENDMENTS

SA 2040. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, line 7, strike ''$361,524,000'' and insert ''$291,524,000''.

On page 43, line 23, strike ''$305,000,000'' and insert ''$375,000,000''.

SA 2041. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 43, line 23, strike ''$305,000,000'' and insert ''$375,000,000, except that the amounts appropriated in this Act for administrative expenditures shall be reduced on a pro rata basis by $70,000,000''.

SA 2042. Mr. SESSIONS proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, between lines 15 and 16, insert the following:

SEC. ____. (a) FLOOR ON AREA WAGE ADJUSTMENT FACTORS USED UNDER MEDICARE PPS FOR INPATIENT HOSPITAL SERVICES.—Section 1886(d)(3)(E) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)) is amended—

(1) by inserting ''(i) IN GENERAL.—'' before ''The Secretary'', and adjusting the margin two ems to the right;

(2) by striking ''The Secretary'' and inserting ''Subject to clause (ii), the Secretary''; and

(3) by adding at the end the following new clause:

''(ii) FLOOR ON AREA WAGE ADJUSTMENT FACTOR.—Notwithstanding clause (i), in determining payments under this subsection for discharges occurring on or after October 1, 2001, the Secretary shall substitute a factor of .925 for any factor that would otherwise apply under such clause that is less than .925. Nothing in this clause shall be construed as authorizing—

''(I) the application of the last sentence of clause (i) to any substitution made pursuant to this clause, or

''(II) the application of the preceding sentence of this clause to adjustments for area wage levels made under other payment systems established under this title (other than the payment system under section 1833(t)) to which the factors established under clause (i) apply.''.

(b) FLOOR ON AREA WAGE ADJUSTMENT FACTORS USED UNDER MEDICARE PPS FOR OUTPATIENT HOSPITAL SERVICES.—Section 1833(t)(2) of the Social Security Act (42 U.S.C. 1395l(t)(2)) is amended by adding at the end the following: ''For purposes of subparagraph (D) for items and services furnished on or after October 1, 2001, if the factors established under clause (i) of section 1886(d)(3)(E) are used to adjust for relative differences in labor and labor-related costs under the payment system established under this subsection, the provisions of clause (ii) of such section (relating to a floor on area wage adjustment factor) shall apply to such factors, as used in this subsection, in the same manner and to the same extent (including waiving the applicability of the requirement for such floor to be applied in a budget neutral manner) as they apply to factors under section 1886.''.

SA 2043. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON MIXING HUMAN AND ANIMAL GAMETES.

(a) DEFINITIONS.—In this section:

(1) GAMETE.—The term ''gamete'' means a haploid germ cell that is an egg or a sperm.

(2) SOMATIC CELL.—The term ''somatic cell'' means a diploid cell whose nucleus contains the full set of chromosomes of a human or an animal.

(b) PROHIBITION.—It shall be unlawful for any person to knowingly attempt to create a human-animal hybrid by—

(1) combine a human gamete and an animal gamete; or

(2) conducting nuclear transfer cloning using a human egg or a human somatic cell nucleus.

(c) SANCTIONS.—

(1) IN GENERAL.—Any person who violates subsection (b) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 10 years, or both.

(2) CIVIL PENALTIES.—The Secretary of Health and Human Services shall promulgate regulations providing for the application of civil penalties to persons who violate subsection (b).

SA 2044. Mr. DASCHLE (for himself, Mr. KENNEDY, Mr. TORRICELLI, Mr. CORZINE, Mrs. CLINTON, and Mr. WELLSTONE) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE ____—PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Public Safety Employer-Employee Cooperation Act of 2001''.

SEC. ___02. DECLARATION OF PURPOSE AND POLICY.

The Congress declares that the following is the policy of the United States:

(1) Labor-management relationships and partnerships are based on trust, mutual respect, open communication, bilateral consensual problem solving, and shared accountability. Labor-management cooperation fully utilizes the strengths of both parties to best serve the interests of the public, operating as a team, to carry out the public safety mission in a quality work environment. In many public safety agencies it is the union that provides the institutional stability as elected leaders and appointees come and go.

(2) The Federal Government needs to encourage conciliation, mediation, and voluntary arbitration to aid and encourage employers and their employees to reach and maintain agreements concerning rates of pay, hours, and working conditions, and to make all reasonable efforts through negotiations to settle their differences by mutual agreement reached through collective bargaining or by such methods as may be provided for in any applicable agreement for the settlement of disputes.

(3) The absence of adequate cooperation between public safety employers and employees has implications for the security of employees and can affect interstate and intrastate commerce. The lack of such labor-management cooperation can detrimentally impact the upgrading of police and fire services of local communities, the health and well-being of public safety officers, and the morale of the fire and police departments. Additionally, these factors could have significant commercial repercussions. Moreover, providing minimal standards for collective bargaining negotiations in the public safety sector can prevent work stoppages and industrial strife between labor and management that interferes with the normal flow of commerce.

SEC. ___03. DEFINITIONS.

In this title:

(1) AUTHORITY.—The term ''Authority'' means the Federal Labor Relations Authority.

(2) EMERGENCY MEDICAL SERVICES PERSONNEL.—The term ''emergency medical services personnel'' means an individual who provides out-of-hospital emergency medical care, including an emergency medical technician, paramedic, or first responder.

(3) EMPLOYER; PUBLIC SAFETY AGENCY.—The terms ''employer'' and ''public safety agency'' mean any State, political subdivision of a State, the District of Columbia, or any territory or possession of the United States that employs public safety officers.

(4) FIREFIGHTER.—The term ''firefighter'' has the meaning given the term ''employee engaged in fire protection activities'' in section 3(y) of the Fair Labor Standards Act (29 U.S.C. 203(y)).

(5) LABOR ORGANIZATION.—The term ''labor organization'' means an organization composed in whole or in part of employees, in which employees participate, and which represents such employees before public safety agencies concerning grievances, conditions of employment and related matters.

(6) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' has the meaning given such term in section 1204(5) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(5)).

(7) MANAGEMENT EMPLOYEE.—The term ''management employee'' has the meaning given such term under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual employed by a public safety employer in a position that requires or authorizes the individual to formulate or determine the policies of the employer.

(8) PUBLIC SAFETY OFFICER.—The term ''public safety officer''—

(A) means an employee of a public safety agency who is a law enforcement officer, a firefighter, or an emergency medical services personnel;

(B) includes an individual who is temporarily transferred to a supervisory or management position; and

(C) does not include a permanent supervisory or management employee.

(9) SUBSTANTIALLY PROVIDES.—The term ''substantially provides'' means that the State provides rights and responsibilities that are comparable to or greater than the essential requirements of this title, specifically, the right to form and join a labor organization, the right to bargain over wages, hours, and conditions of employment, the right to sign an enforceable contract, and availability of some form of mechanism to break an impasse, such as arbitration, mediation, or fact finding.

(10) SUPERVISORY EMPLOYEE.—The term ''supervisory employee'' has the meaning given such term under applicable State law in effect on the date of enactment of this Act. If no such State law is in effect, the term means an individual, employed by a public safety employer, who—

(A) has the authority in the interest of the employer to hire, direct, assign, promote, reward, transfer, furlough, lay off, recall, suspend, discipline, or remove public safety officers, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment; and

(B) devotes a majority of time at work exercising such authority.

SEC. ___04. DETERMINATION OF RIGHTS AND RESPONSIBILITIES.

(a) DETERMINATION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Authority shall make a determination as to whether a State substantially provides for the rights and responsibilities described in subsection (b). In making such determinations, the Authority shall consider and give weight, to the maximum extent practicable, to the opinion of affected parties.

(2) SUBSEQUENT DETERMINATIONS.—

(A) IN GENERAL.—A determination made pursuant to paragraph (1) shall remain in effect unless and until the Authority issues a subsequent determination, in accordance with the procedures set forth in subparagraph (B).

(B) PROCEDURES FOR SUBSEQUENT DETERMINATIONS.—Upon establishing that a material change in State law or its interpretation has occurred, an employer or a labor organization may submit a written request for a subsequent determination. If satisfied that a material change in State law or its interpretation has occurred, the Director shall issue a subsequent determination not later than 30 days after receipt of such request.

(3) JUDICIAL REVIEW.—Any State, political subdivision of a State, or person aggrieved by a determination of the Authority under this section may, during the 60 day period beginning on the date on which the determination was made, petition any United States Court of Appeals in the circuit in which the person resides or transacts business or in the District of Columbia circuit, for judicial review. In any judicial review of a determination by the Authority, the procedures contained in subsections (c) and (d) of section 7123 of title 5, United States Code, shall be followed.

(b) RIGHTS AND RESPONSIBILITIES.—In making a determination described in subsection (a), the Authority shall consider whether State law provides rights and responsibilities comparable to or greater than the following:

(1) Granting public safety officers the right to form and join a labor organization, which may exclude management and supervisory employees, that is, or seeks to be, recognized as the exclusive bargaining representative of such employees.

(2) Requiring public safety employers to recognize the employees' labor organization (freely chosen by a majority of the employees), to agree to bargain with the labor organization, and to commit any agreements to writing in a contract or memorandum of understanding.

(3) Permitting bargaining over hours, wages, and terms and conditions of employment.

(4) Requiring an interest impasse resolution mechanism, such as fact-finding, mediation, arbitration or comparable procedures.

(5) Requiring enforcement through State courts of—

(A) all rights, responsibilities, and protections provided by State law and enumerated in this section; and

(B) any written contract or memorandum of understanding.

(c) FAILURE TO MEET REQUIREMENTS.—

(1) IN GENERAL.—If the Authority determines, acting pursuant to its authority under subsection (a), that a State does not substantially provide for the rights and responsibilities described in subsection (b), such State shall be subject to the regulations and procedures described in section ___05.

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date that is 2 years after the date of enactment of this Act.

SEC. ___05. ROLE OF FEDERAL LABOR RELATIONS AUTHORITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Authority shall issue regulations in accordance with the rights and responsibilities described in section ___04(b) establishing collective bargaining procedures for public safety employers and officers in States which the Authority has determined, acting pursuant to its authority under section ___04(a), do not substantially provide for such rights and responsibilities.

(b) ROLE OF THE FEDERAL LABOR RELATIONS AUTHORITY.—The Authority, to the extent provided in this title and in accordance with regulations prescribed by the Authority, shall—

(1) determine the appropriateness of units for labor organization representation;

(2) supervise or conduct elections to determine whether a labor organization has been selected as an exclusive representative by a majority of the employees in an appropriate unit;

(3) resolve issues relating to the duty to bargain in good faith;

(4) conduct hearings and resolve complaints of unfair labor practices;

(5) resolve exceptions to the awards of arbitrators;

(6) protect the right of each employee to form, join, or assist any labor organization, or to refrain from any such activity, freely and without fear of penalty or reprisal, and protect each employee in the exercise of such right; and

(7) take such other actions as are necessary and appropriate to effectively administer this title, including issuing subpoenas requiring the attendance and testimony of witnesses and the production of documentary or other evidence from any place in the United States, and administering oaths, taking or ordering the taking of depositions, ordering responses to written interrogatories, and receiving and examining witnesses.

(c) ENFORCEMENT.—

(1) AUTHORITY TO PETITION COURT.—The Authority may petition any United States Court of Appeals with jurisdiction over the parties, or the United States Court of Appeals for the District of Columbia Circuit, to enforce any final orders under this section, and for appropriate temporary relief or a restraining order. Any petition under this section shall be conducted in accordance with subsections (c) and (d) of section 7123 of title 5, United States Code.

(2) PRIVATE RIGHT OF ACTION.—Unless the Authority has filed a petition for enforcement as provided in paragraph (1), any party has the right to file suit in a State court of competent jurisdiction to enforce compliance with the regulations issued by the Authority pursuant to subsection (b), and to enforce compliance with any order issued by the Authority pursuant to this section. The right provided by this subsection to bring a suit to enforce compliance with any order issued by the Authority pursuant to this section shall terminate upon the filing of a petition seeking the same relief by the Authority.

SEC. ___06. STRIKES AND LOCKOUTS PROHIBITED.

A public safety employer, officer, or labor organization may not engage in a lockout, sickout, work slowdown, or strike or engage in any other action that is designed to compel an employer, officer, or labor organization to agree to the terms of a proposed contract and that will measurably disrupt the delivery of emergency services, except that it shall not be a violation of this section for an employer, officer, or labor organization to refuse to provide services not required by the terms and conditions of an existing contract.

SEC. ___07. EXISTING COLLECTIVE BARGAINING UNITS AND AGREEMENTS.

A certification, recognition, election-held, collective bargaining agreement or memorandum of understanding which has been issued, approved, or ratified by any public employee relations board or commission or by any State or political subdivision or its agents (management officials) in effect on the day before the date of enactment of this Act shall not be invalidated by the enactment of this Act.

SEC. ___08. CONSTRUCTION AND COMPLIANCE.

(a) CONSTRUCTION.—Nothing in this title shall be construed—

(1) to invalidate or limit the remedies, rights, and procedures of any law of any

State or political subdivision of any State or jurisdiction that provides collective bargaining rights for public safety officers that are comparable to or greater than the rights provided under this title;

(2) to prevent a State from prohibiting bargaining over issues which are traditional and customary management functions, except as provided in section ___04(b)(3);

(3) to prevent a State from enforcing a right-to-work law which prohibits employers and labor organizations from negotiating provisions in a labor agreement that require union membership or payment of union fees as a condition of employment;

(4) to invalidate any State law in effect on the date of enactment of this Act that substantially provides for the rights and responsibilities described in section 4(b) solely because such State law permits an employee to appear in his or her own behalf with respect to his or her employment relations with the public safety agency involved; or

(5) to prohibit a State from exempting from coverage under this title a political subdivision of the State that has a population of less than 5,000 or that employs less than 25 full time employees.

For purposes of paragraph (5), the term ''employees'' includes each and every individual employed by the political subdivision except any individual elected by popular vote or appointed to serve on a board or commission.

(b) COMPLIANCE.—

(1) ACTIONS OF STATES.—Nothing in this title shall be construed to require a State to rescind or preempt laws or ordinances of any of its political subdivisions if such laws provide collective bargaining rights for public safety officers that are comparable to or greater than the rights provided under this title.

(2) ACTIONS OF THE AUTHORITY.—Nothing in this title shall be construed to required that the Authority preempt the laws or ordinances of any political subdivision of a State if such laws provide collective bargaining rights for public safety officers that are comparable to or greater than the rights provided under this title.

SEC. ___09. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

SA 2045. Mr. SESSIONS proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Heath and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. (a) FINDINGS.—Congress finds that—

(1) according to the Centers for Disease Control and Prevention, over 765,000 people in the United States have been diagnosed with the virus that causes AIDS since 1981, and over 442,000 deaths have occurred in the United States as a result of the disease;

(2) Federal AIDS prevention funds should be used to provide resources, training, technical assistance, and infrastructure to national, regional, and community-based organizations working to educate the public on the virus that causes AIDS and stopping the spread of the disease;

(3) recent reports from the Associated Press highlight the use of Federal AIDS prevention money to conduct sexually explicit workshops for homosexual men and women;

(4) such sexually explicit workshops teach homosexual men and women how to write erotic love stories and how to use sex toys for solo and partner sex; and

(5) Federal AIDS prevention funds should not be used to promote sexual activity and behavior and potentially transmit the disease that such funds were allocated to fight.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Health and Human Services shall conduct an audit of all Federal amounts allocated for AIDS prevention programs and report to Congress concerning programs offering sexually explicit workshops using such dollars.

SA 2046. Mr. SESSIONS (for himself and Mr. HELMS) submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Heath and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. (a) FINDINGS.—Congress finds that—

(1) according to the Centers for Disease Control and Prevention, over 765,000 people in the United States have been diagnosed with the virus that causes AIDS since 1981, and over 442,000 deaths have occurred in the United States as a result of the disease;

(2) Federal AIDS prevention funds should be used to provide resources, training, technical assistance, and infrastructure to national, regional, and community-based organizations working to educate the public on the virus that causes AIDS and stopping the spread of the disease;

(5) Federal AIDS prevention funds should not be used to promote sexual activity that could potentially transmit the disease that such funds were allocated to fight.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Health and Human Services shall conduct an audit of all Federal amounts allocated for AIDS prevention programs and report to Congress concerning the use of all AIDS funds and explicit descriptions of programs and workshops for AIDS prevention purposes.

SA 2047. Mr. HATCH (for himself, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ____. Of the funds provided to the Office of the General Counsel, not less than $500,000 shall be used to provide legal support for enforcement of the labeling provisions of the Dietary Supplement Health and Education Act of 1994.

SEC. ____. Expressing the sense of the Senate that the Department of Health and Human Services publish a Notice regarding Good Manufacturing Practices for dietary supplements.

Whereas over 100,000,000 Americans regularly use dietary supplements to maintain and improve their health status;

Whereas Congress has established a strong regulatory framework to ensure that consumers have access to safe dietary supplement products and information about those products;

Whereas Good Manufacturing Practice (GMP) regulations are the primary enforcement tool whereby government inspectors ensure that all food products (including dietary supplements) are manufactured according to rigorous quality control standards, including appropriate labeling, sanitation, purity and records-keeping;

Whereas the Dietary Supplement Health and Education Act of 1994 authorized development of Good Manufacturing Practice guidelines for dietary supplements;

Whereas the Good Manufacturing practice guidelines will be instrumental in assuring the American public that dietary supplements are properly manufactured and labeled; and

Whereas those guidelines have been in development by the Department of Health and Human Services, its operating divisions, and the Office of Management and Budget, for over 5 years: Now, therefore, be it

Resolved, That the Senate expresses a sense of the Senate that the Department of Health and Human Services or its operating divisions publish a Notice of Proposed Rulemaking with respect to Good Manufacturing Practices for dietary supplements within 15 days of enactment of this Act.

SA 2048. Mr. HARKIN proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 33, line 22, strike all after the word ''Center'' through the word ''vivarium'' on line 23.

On page 33, line 25, strike all after the word ''related'' through the word ''project'' on page 34, line 2, and insert, in lieu thereof, ''contracts, which collectively include the full scope of the project, may be employed for the development and construction of the first and second phases of the John Edward Porter Neuroscience Research Center''.

SA 2049. Mr. HARKIN (for Mr. WYDEN) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 515. Section 102 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note) is amended by adding at the end the following:

''(f) STATE CONTRIBUTIONS.—

''(1) SUPPLEMENT, NOT SUPPLANT.—

''(A) IN GENERAL.—Effective October 1, 2002, the portion of the funds made available to a State to carry out this section for a fiscal year that exceeds the baseline funding for the State shall be used to supplement and not supplant State (including local) public funds expended to provide free public education.

''(B) DEFINITIONS.—In this paragraph:

''(i) BASELINE FUNDING.—The term 'baseline funding', used with respect to a State, means the funds made available to the State to

carry out this section for fiscal year 2000, increased or decreased by the same percentage as the percentage by which the Consumer Price Index for All Urban Consumers (United States city average), published by the Secretary of Labor, has increased or decreased by June of the preceding fiscal year from such Index for June 2000.

''(ii) FREE PUBLIC EDUCATION.—The term 'free public education' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

''(2) MAINTENANCE OF EFFORT.—

''(A) IN GENERAL.—Effective October 1, 2002, a State may receive funds under this section for a fiscal year only if the Secretary of Education finds that the aggregate expenditure of the State with respect to the provision of free public education by such State for the preceding fiscal year was not less than 100 percent of the baseline expenditure for the State.

''(B) USE OF FUNDS.—If a State fails to receive funds under this section for a fiscal year in accordance with subparagraph (A), the Secretary of the Treasury shall use the funds to make payments to the other States, in proportion to the amounts already received by the other States under this section for the fiscal year.

''(C) WAIVER.—The Secretary of the Treasury may waive the requirements of this paragraph if the Secretary determines that such a waiver would be equitable due to—

''(i) exceptional or uncontrollable circumstances such as a natural disaster; or

''(ii) a precipitous decline in the financial resources of the State.

''(D) DEFINITIONS.—In this paragraph:

''(i) AGGREGATE EXPENDITURE.—The term 'aggregate expenditure', used with respect to a State, shall not include any funds received by the State under this Act.

''(ii) BASELINE EXPENDITURE.—The term 'baseline expenditure', used with respect to a State, means the aggregate expenditure of the State with respect to the provision of free public education by such State for fiscal year 2000, increased or decreased by the same percentage as the percentage by which the Consumer Price Index for All Urban Consumers (United States city average), published by the Secretary of Labor, has increased or decreased by June of the preceding fiscal year from such Index for June 2000.

''(iii) FREE PUBLIC EDUCATION.—The term 'free public education' has the meaning given the term in paragraph (1).''.

SA 2050. Mr. HARKIN (for Ms. COLLINS (for herself and Mr. REED)) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. 516. (a) FINDINGS.—The Senate finds the following:

(1) The Low-Income Home Energy Assistance Program (referred to in this section as ''LIHEAP'') is the primary Federal program available to help low-income households, the elderly, and individuals with disabilities pay their home energy bills.

(2) Congress provided $300,000,000 in emergency funding for LIHEAP in the Supplemental Appropriations Act, 2001 because regular appropriations were insufficient to help States offset the increase in high utility bills during the winter of 2000-2001.

(3) Congress expected that half of the emergency funding would be made available for targeted assistance to States with the most critical needs, and half would be given to help States address unmet energy assistance needs resulting from the extraordinary price increases in households receiving fuels and residential natural gas, experienced during the winter of 2000-2001.

(4) In the winter of 2000-2001, there was a 30 percent increase in households receiving LIHEAP assistance in large part due to the high price of home energy and severe weather.

(5) In the winter of 2000-2001, the LIHEAP program was only able to serve 17 percent of the 29,000,000 households eligible for LIHEAP assistance.

(6) In the winter of 2000-2001—

(A) heating oil prices were 36 percent higher than in the winter of 1999-2000, and residential natural gas cost 42 percent more per cubic foot than in the winter of 1999-2000; and

(B) the weather was 10 percent colder than in the winter of 1999-2000.

(7) In the winter of 2000-2001, record cold weather and high home energy bills took a financial toll on low-income families and the elderly who spend, on average, 19.5 percent of their annual income on energy bills, as compared to 3.7 percent for all other households.

(8) Families in the United States need emergency LIHEAP funding to pay home energy bills from the winter of 2000-2001 and restore heat as the succeeding winter approaches.

(9) More citizens will need LIHEAP assistance in fiscal year 2002 due to the recent increase in unemployment and the slowing economy.

(10) States are being forced to draw down fiscal year 2002 LIHEAP funds in order to address unmet needs from fiscal year 2001 and help low-income households pay overdue home energy bills.

(11) Emergency LIHEAP funding will provide States with critical resources to help provide assistance to residents.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should immediately release the $300,000,000 in emergency funding for LIHEAP provided by the Supplemental Appropriations Act, 2001.

SA 2051. Mr. HARKIN (for Mr. HATCH) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 54, after the period on line 15, add the following:

SEC. 218. Of the funds provided to the Office of the General Counsel, not less than $500,000 shall be used to provide legal support for enforcement of the labeling provisions of the Dietary Supplement Health and Education Act of 1994.

SEC. 219. Expressing the sense of the Senate that the Department of Health and Human Services publish a Notice regarding Good Manufacturing Practices for dietary supplements.

Whereas over 100,000,000 Americans regularly use dietary supplements to maintain and improve their health status;

Whereas Congress has established a strong regulatory framework to ensure that consumers have access to safe dietary supplement products and information about those products;

Whereas Good Manufacturing Practice (GMP) regulations are the primary enforcement tool whereby government inspectors ensure that all food products (including dietary supplements) are manufactured according to rigorous quality control standards, including appropriate labeling, sanitation, purity and records-keeping;

Whereas the Dietary Supplement Health and Education Act of 1994 authorized development of Good Manufacturing Practice guidelines for dietary supplements;

Whereas the Good Manufacturing practice guidelines will be instrumental in assuring the American public that dietary supplements are properly manufactured and labeled; and

Whereas those guidelines have been in development by the Department of Health and Human Services, its operating divisions, and the Office of Management and Budget, for over 5 years: Now, therefore, be it

Resolved, That the Senate expresses a sense of the Senate that the Department of Health and Human Services or its operating divisions publish a Notice of Proposed Rulemaking with respect to Good Manufacturing Practices for dietary supplements within 15 days of enactment of this Act.

SA 2052. Mr. HARKIN (for Mr. INOUYE) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, on page 93, after line 12, insert the following:

SEC. 517. (a) Section 10 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11709) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Kamehameha School/Bishop Estate'' and inserting ''Papa Ola Lokahi''; and

(2) in subsection (b)(1)(C), by striking ''Kamehameha School/Bishop Estate'' and inserting ''Papa Ola Lokahi''.

(b) Section 338K(a) of the Public Health Service Act (42 U.S.C. 254s(a)) is amended by striking ''Kamehameha School/Bishop Estate'' and inserting ''Papa Ola Lokahi''.

SA 2053. Mr. HARKIN (for Mr. BAYH) proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 93, after line 12, insert the following:

SEC. 518. (a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Finance and the Committee on Health, Education, Labor, and Pensions of the Senate and to the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives on the matters described in subsection (b) with respect to the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 2021) and programs

administered by State and local units of government.

(b) MATTERS STUDIES.—For purposes of subsection (a), the matters described in this subsection include the following:

(1) An assessment of Federal programs administered by State and local units of government, including local educational agencies, explicitly required to implement the administrative simplification requirements under provisions of the Health Insurance Portability and Accountability Act of 1996.

(2) An assessment of other Federal and non-Federal programs administered by State and local units of government, including local educational agencies, that will be required to implement the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in order to exchange electronic health data with private sector providers and insurers.

(3) An analysis of the costs that will be incurred by State and local units of government, including local educational agencies, to implement the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in programs described in paragraph (1) or (2).

(4) An analysis of Federal resources available to units of State and local government, including local educational agencies, for implementing the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in programs described in paragraph (1) or (2).

(5) An assessment of guidance provided to State and local units of government, including local educational agencies, by the Centers for Medicare and Medicaid Services and the Department of Health and Human Services on the implementation of the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in programs described in paragraph (1) or (2).

(6) An assessment of the coordination between the Centers for Medicare and Medicaid Services, the Department of Health and Human Services, and other Federal agencies on the implementation of the administrative simplification requirements of the Health Insurance Portability and Accountability Act of 1996 in Federal programs administered by State and local units of government, including local educational agencies, in programs described in paragraph (1) or (2).

(c) DEFINITION.—In this section, the term ''administrative simplification requirements'' means all standards for transactions, data elements for such transactions, unique health identifiers, code sets, security, and privacy issued pursuant to sections 262 and 264 of the Health Insurance Portability and Accountability Act of 1996.

SA 2054. Mr. SESSIONS proposed an amendment to the bill H.R. 3061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the end, add the following:

SEC. ____. STUDY AND REPORT.

(a) FINDINGS.—Congress makes the following findings:

(1) The number of students applying for loans and claiming to attend foreign institutions has risen from 4,594 students in 1993 to over 12,000 students in the 1998–1999 school year.

(2) Since 1995 there have been at least 25 convictions of students who fraudulently claimed they were attending a foreign institution, then cashed the check issued directly to them, and did not attend the foreign institution.

(3) Tighter disbursement controls are necessary to reduce the number of students fraudulently applying for loans under title IV of the Higher Education Act of 1965 and claiming they are going to attend foreign institutions. Funds should not be disbursed for attendance at a foreign institution unless the foreign institution can verify that the student is attending the institution.

(b) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General shall conduct a study regarding—

(A) Federal student loan disbursements to students attending foreign schools; and

(B) fraud, waste, and abuse in the Federal Family Education Loan Program as the fraud, waste, and abuse relates to students receiving funding in order to attend a foreign school.

(2) REPORT.—The Comptroller General shall report to Congress regarding the results of the study.

(3) REPORT CONTENTS.—The report described in paragraph (2) shall—

(A) include information on whether or not there are standards that a foreign school must meet for an American student to attend and receive a federally guaranteed student loan;

(B) compare the oversight controls for loans dispensed to students attending foreign schools and domestic institutions;

(C) examine the default rates at foreign schools that enroll American students receiving federally guaranteed student loans and determine the number of students that are receiving loans in multiple years; and

(D) make recommendations for legislative changes that are required to ensure the integrity of the Federal Family Education Loan Program.

SA 2055. Mr. GRAMM proposed an amendment to amendment SA 2044 proposed by Mr. DASCHLE to the bill (H.R. 3061) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

After line 7 on page 9, insert the following:

''(6) Protecting the constitutional right of all firefighters, law enforcement officers and public safety employees who risk their lives on a daily basis to protect our property, freedoms and loved ones in exercising their right to follow their conscience in whether or not to join a labor organization in connection with their decision to pursue a career dedicated to service and sacrifice in defense of the innocent in order to provide for their own families.''

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will conduct a business meeting on October 31, 2001, in SR–328A at 2:30 p.m. The purpose of this business meeting will be to confirm the organization of the Agriculture Committee Subcommittee membership, mark up the credit title of the new Federal farm bill, and consider S. 1519, a bill to amend the Consolidated Farm and Rural Development Act to provide farm credit assistance for activated reservists.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a business meeting during the session of the Senate on Wednesday, October 31, 2001. The purpose of this business meeting will be to confirm the organization of the Agriculture Committee subcommittee membership, mark up the credit title of the new Federal farm bill, and consider S. 1519, a bill to amend the Consolidated Farm and Rural Development Act to provide farm credit assistance for activated reservists.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 31, 2001, at 2 p.m. to hold a nomination hearing.

Agenda

Nominees: Mr. George Argyros, Sr., of California, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra; Mr. Robert Beecroft, of Maryland, for the rank of Ambassador during his tenure of service as Head of Mission, Organization for Security and Cooperation in Europe (OSCE), Bosnia and Herzegovina; and Mr. Lyons Brown, Jr., of Kentucky, to be Ambassador to the Republic of Austria; to be introduced by: the Honorable MITCH MCCONNELL.

Mr. Stephan Minikes, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, to be introduced by: the Honorable ARLEN SPECTER.

Mr. William Montgomery, of Pennsylvania, to be Ambassador to the Federal Republic of Yugoslavia; Mr. Melvin Sembler, of Florida, to be Ambassador to Italy; and Mr. Ronald Weiser, of Michigan, to be Ambassador to the Slovak Republic, to be introduced by: the Honorable CARL LEVIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Senate Select Committee on Intelligence be authorized to hold a closed hearing on intelligence matters on Wednesday, October 31, 2001, at 2:30 p.m., in room S–407 in the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISHERIES, WILDLIFE, AND WATER

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works, Subcommittee on Fisheries, Wildlife, and Water, be authorized to meet on Wednesday, October 31, 2001, at 9:30 a.m. to conduct a hearing on innovative financing mechanisms related to the drinking water and clean water State revolving fund. The hearing will be held in the room SD–406.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION, AND FEDERAL SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs and the Subcommittee on International Security, Proliferation and Federal Services be authorized to meet on Wednesday, October 31, 2001, at 9:30 a.m. to hold a joint hearing entitled ''Terrorism Through the Mail: Protecting Postal Workers and the Public.''

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 3061

Mr. REID. Madam President, I ask unanimous consent that at 10 a.m. tomorrow morning, Thursday, November 1, when the Senate resumes consideration of H.R. 3061, the Labor-HHS Appropriations Act, Senator GREGG be recognized to offer an amendment regarding school construction; that there be 60 minutes for debate prior to a vote in relation to the amendment, with the time equally divided and controlled in the usual form; that upon the use or yielding back of time, the Gregg amendment be laid aside and Senator LANDRIEU be recognized to offer an amendment regarding Title I targeting on which there will be 60 minutes for debate prior to a vote in relation to the amendment, with the time equally divided and controlled in the usual form; that no second-degree amendments be in order to either amendment prior to the vote, nor to the language which may be stricken; that upon the use of time, the Senate resume consideration of the Gregg amendment, and then proceed to vote in relation to the Gregg amendment; that regardless of the outcome of the vote, there be 2 minutes for debate that in relation to the Landrieu amendment; that upon the use of that time, the Senate proceed to vote in relation to the Landrieu amendment, with no further intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, having had that consent agreement entered, I reiterate what the majority leader said a couple of hours ago that we are going to finish this bill this week, hopefully tomorrow. It would be really good if we could. Otherwise, we will have to work until Friday.

The leader is also extremely interested in completing the DC appropriations bill. The manager of that bill, the chairman of the subcommittee, Senator LANDRIEU, has indicated she is in conversations with the Senator on the other side regarding bringing the bill forward. Hopefully, that can be done and disposed of in a relatively short period of time.

Even though there were no recorded votes today, nor were there recorded votes yesterday, significant progress has been made on this bill. The managers have accepted six or eight amendments. A couple have been accepted by voice vote. The staff committee has been working with a number of Senators during the day, making progress on some very significant amendments. Hopefully, when these amendments are completed tomorrow, the Gregg and Landrieu amendments, we will be ready to complete work on this bill tomorrow afternoon.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 504 through 510; that the nominations be confirmed, the motions to reconsider be laid on the table, any statements thereon appear at the appropriate place in the RECORD, the President be immediately notified of the Senate action, and the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General James P. Czekanski, 0000
Brigadier General Hugh H. Forsythe, 0000
Brigadier General Douglas S. Metcalf, 0000
Brigadier General Betty L. Mullis, 0000

To be brigadier general

Colonel Mark W. Anderson, 0000
Colonel John H. Bordelon, Jr., 0000
Colonel Robert L. Corley, 0000
Colonel David L. Frostman, 0000
Colonel Linda S. Hemminger, 0000
Colonel Robert W. Marcott, 0000
Colonel Clay T. McCutchan, 0000
Colonel Harold L. Mitchell, 0000
Colonel James M. Sluder, III, 0000
Colonel Erika C. Steuterman, 0000

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

Gen. Hal M. Hornburg, 0000

IN THE ARMY

The following named officer for appointment to the grade indicated in the United States Army, Army Judge Advocate General's Corps under title 10, U.S.C., section 624:

To be colonel

Donald W. Dawson, III, 0000

The following named officer for appointment to the grade indicated in the United States Army, Army Judge Advocate General's Corps under title 10, U.S.C., section 624:

To be colonel

Daniel M. Macguire, 0000

The following named officer for appointment to the grade indicated in the United States Army. Army Judge Advocate General's Corps under title 10, U.S.C., section 624:

To be lieutenant colonel

Christopher M. Murphy, 0000

The following named officer for appointment to the grade indicated in the United States Army, Army Medical Corps under title 10, U.S.C., section 624:

To be major

Daniel F. Lee, 0000

IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Jose L. Betancourt, 0000
Rear Adm. (lh) Annette E. Brown, 0000
Rear Adm. (lh) Brian M. Calhoun, 0000
Rear Adm. (lh) Kevin J. Cosgriff, 0000
Rear Adm. (lh) Lewis W. Crenshaw, Jr., 0000
Rear Adm. (lh) Terrance T. Etnyre, 0000
Rear Adm. (lh) Mark P. Fitzgerald, 0000
Rear Adm. (lh) Jonathan W. Greenert, 0000
Rear Adm. (lh) Curtis A. Kemp, 0000
Rear Adm. (lh) Walter B. Massenburg, 0000
Rear Adm. (lh) James K. Moran, 0000
Rear Adm. (lh) Charles L. Munns, 0000
Rear Adm. (lh) James A. Robb, 0000
Rear Adm. (lh) Joseph A. Sestak, Jr., 0000
Rear Adm. (lh) Steven J. Tomaszeski, 0000
Rear Adm. (lh) John W. Townes, III, 0000
Rear Adm. (lh) Christopher E. Weaver, 0000
Rear Adm. (lh) Charles B. Young, 0000
Rear Adm. (lh) Thomas E. Zelibor, 0000

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 81–754, as amended by Public Law 93–536 and Public Law 100–365, appoints the Senator from Connecticut (Mr. DODD) to the National Historical Publications and Records Commission, vice the Senator from Vermont (Mr. JEFFORDS).

MEASURE READ THE FIRST TIME—S. 1601

Mr. REID. Madam president, I understand that S. 1601, introduced earlier today by Senators REID and ENSIGN, is at the desk, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 1601) to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

Mr. REID. I now ask for its second reading, and I object to my own request on behalf of the minority.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

ORDERS FOR THURSDAY, NOVEMBER 1, 2001

Mr. REID. I ask unanimous consent when the Senate completes its business today, it adjourn until the hour of 10 a.m., Thursday, November 1; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the Labor-HHS Appropriations Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam 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 5:59 p.m., adjourned until Thursday, November 1, 2001, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate October 31, 2001:

COMMODITY FUTURES TRADING COMMISSION

JAMES E. NEWSOME, OF MISSISSIPPI, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE TERM EXPIRING JUNE 19, 2006. (REAPPOINTMENT)

JAMES E. NEWSOME, OF MISSISSIPPI, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION, VICE WILLIAM J. RAINER, RESIGNED.

DEPARTMENT OF THE TREASURY

RICHARD CLARIDA, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE DAVID W. WILCOX, RESIGNED.

KENNETH LAWSON, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE ELIZABETH BRESEE, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 31, 2001:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL JAMES P. CZEKANSKI, 0000
BRIGADIER GENERAL HUGH H. FORSYTHE, 0000
BRIGADIER GENERAL DOUGLAS S. METCALF, 0000
BRIGADIER GENERAL BETTY L. MULLIS, 0000

To be brigadier general

COLONEL MARK W. ANDERSON, 0000
COLONEL JOHN H. BORDELON JR, 0000
COLONEL ROBERT L. CORLEY, 0000
COLONEL DAVID L. FROSTMAN, 0000
COLONEL LINDA S. HEMMINGER, 0000
COLONEL ROBERT W. MARCOTT, 0000
COLONEL CLAY T. MCCUTCHAN, 0000
COLONEL HAROLD L. MITCHELL, 0000
COLONEL JAMES M. SLUDER III, 0000
COLONEL ERIKA C. STEUTERMAN, 0000

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

GEN. HAL M. HORNBURG, 0000

ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DONALD W. DAWSON III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANIEL M. MACGUIRE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

CHRISTOPHER M. MURPHY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY, ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANIEL F. LEE, 0000.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JOSE L. BETANCOURT, 0000
REAR ADM. (LH) ANNETTE E. BROWN, 0000
REAR ADM. (LH) BRIAN M. CALHOUN, 0000
REAR ADM. (LH) KEVIN J. COSGRIFF, 0000
REAR ADM. (LH) LEWIS W. CRENSHAW JR, 0000
REAR ADM. (LH) TERRANCE T. ETNYRE, 0000
REAR ADM. (LH) MARK P. FITZGERALD, 0000.
REAR ADM. (LH) JONATHAN W. GREENERT, 0000
REAR ADM. (LH) CURTIS A. KEMP, 0000
REAR ADM. (LH) WALTER B. MASSENBURG, 0000.
REAR ADM. (LH) JAMES K. MORAN, 0000
REAR ADM. (LH) CHARLES L. MUNNS, 0000
REAR ADM. (LH) JAMES A. ROBB, 0000
REAR ADM. (LH) JOSEPH A. SESTAK JR, 0000
REAR ADM. (LH) STEVEN J. TOMASZESKI, 0000
REAR ADM. (LH) JOHN W. TOWNES III, 0000
REAR ADM. (LH) CHRISTOPHER E. WEAVER, 0000
REAR ADM. (LH) CHARLES B. YOUNG, 0000
REAR ADM. (LH) THOMAS E. ZELIBOR, 0000

HOUSE OF REPRESENTATIVES—*Wednesday, October 31, 2001*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. COOKSEY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 31, 2001.

I hereby appoint the Honorable JOHN COOKSEY to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Kathleene Card, Associate Pastor, Trinity United Methodist Church, McLean, Virginia, offered the following prayer:

Dear God, You are the Sovereign Lord of our Nation, and we thank You for Your eternal blessings. We are confident that nothing can separate us from You. That even in the face of recent challenges, You are always with us.

So, in humble surrender to Your direction, we come to You from many faith traditions, yet we come united as one truly ecumenical body, aware that we are vulnerable alone.

We need You, God; we need each other. We seek Your direction for the Members of this House of Representatives and those who work with them as they seek to represent all the people of the United States of America. We know that You care personally for each of us.

And so we pause at the beginning of this session to ask You to open our hearts and our minds so we can discern Your will for our Nation in this time of tremendous national grief and loss. Please deepen our ability to love and understand each other. Let us see this remarkable world of Yours without fear.

We come also seeking Your sacred intercession for all the men and women who have been placed in harm's way while serving to defend and protect our Nation.

For those who serve You here in this House, let them be wise leaders, Lord. Let them be led by You.

And may all honor and glory be Yours, our God. 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.

Mr. SCHAFFER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

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

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. RYUN of Kansas 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.

WELCOMING THE REVEREND KATHLEENE CARD, TRINITY UNITED METHODIST CHURCH, McLEAN, VIRGINIA

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I am very pleased today to rise and recognize today's guest chaplain, the Reverend Kathleene Card of Trinity United Methodist Church of McLean, Virginia. Kathy and her family have been longtime friends with my family, and she has distinguished herself as a true community leader with whom I am proud to serve in Northern Virginia.

Kathy and her husband, Andrew Card, the current Chief of Staff of the White House, have a common passion for public service. Kathy's career has spanned the teaching profession, senior government assignments, to now her service as a minister, all while dedicated to her three wonderful children and devoted husband of 33 years.

I have had the pleasure of working with one of Kathy's daughters, Tabatha, as she worked in my various offices as Chairman of the County Board of Supervisors in Fairfax and a Member of Congress, and her other daughter, Rachel, previously served in the Office of Chief Administrative Officer in the House of Representatives.

We are all pleased that Kathy was able to join us, and we want to express our thanks and best wishes to her and her family.

SUPPORT PRESIDENT ON AIRLINE SECURITY MEASURE

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

Mr. FOLEY. Mr. Speaker, the President of the United States has asked us to pass an airline security measure tomorrow on this House floor. What our Commander in Chief and President has asked for is flexibility to hire people at airports to ensure the security of the traveling public.

Plain and simple: President Bush is not going to risk the lives of Americans by buying on the cheap, so let us not get tied up in how or where they are employed or if they are called Federal employees. That seems to be the call from the other side of the aisle, that unless they are given a Federal ID Card, they will not adequately protect the traveling public.

I suggest that we follow the guidelines laid out by President Bush. I must say, he has done a phenomenal job with our Nation in Afghanistan. He went to the Yankees game last night and stood on the mound and pitched the ball, showing he is not frightened to show up in a major stadium, and now he is asking for a tool to protect the American public as they travel.

I urge this body not to get tied up in partisan politics of who hires and where they are hired and what union they belong to, but instead ensure that when you get on an aircraft you have been properly and thoroughly searched, that you are safely going to arrive at your destination.

Support the President on this issue. It is important for travel and tourism in this country.

DOMESTIC VIOLENCE MONTH

(Ms. SANCHEZ asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. SANCHEZ. Mr. Speaker, I rise today to talk about domestic violence. I was pleased that President Bush proclaimed this month of October as National Domestic Violence Awareness Month. However, people should be aware of domestic violence every day. Domestic violence is an offense against our institutional values. One incident of domestic violence is one incident too much.

Throughout my tenure in Congress, I have been a strong supporter of domestic violence awareness. In 1999 I was proud to include in the fiscal year 2000 defense authorization language the Defense Task Force on Domestic Violence. The task force was established to review and evaluate current programs and policies associated with domestic violence in the Department of Defense. It reinforces the importance of preventing domestic violence because deterrence is key. However, when violence does occur, we must protect the victims while holding the offenders accountable.

I am confident that the task force will provide the Secretary of Defense with a comprehensive report and a plan that augments our current efforts to eliminate domestic violence within the military. Furthermore, the task force findings will help in our national efforts to address domestic violence in our own communities.

ENSURING SAFETY AND SECURITY OF EVERY TRAVELER

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

Mr. RYUN of Kansas. Mr. Speaker, as Americans start flying again, they deserve the peace of mind that can only come from knowing that strict security measures are in place for their protection. The stories we hear about baggage screeners with criminal records are appalling, but the answer is not merely placing these same people on the Federal payroll.

The Federal Government should provide standards and provisions. The private sector should provide hard work and ingenuity in order to update and manage the security measures. We must allow airports to think creatively and act decisively, but always under the watchful eye of the Federal Government.

Most importantly, we should give the President the flexibility to implement the measures by rejecting a one-size-fits-all approach and treating each airport as an individual unit.

I urge my colleagues to support the Young-Mica bill, and ensure that traveling people have the safety and security they are entitled to.

CONTINUE BOMBING DURING RAMADAN

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

Mr. TRAFICANT. Mr. Speaker, there are those in America that say that we should stop the bombing of the Taliban during the holy month of Ramadan. I disagree. Hitler did not stop on Yom Kippur, Japan did not stop on Christmas or Easter. In fact, Egypt and Syria attacked Israel on Yom Kippur during the holy month of Ramadan, folks.

Let us get real: This is war. This is not a coffee break nor do or should we take sabbaticals. It is time to root these terrorists out. Keep the heat on.

I yield back the fact that giving this Taliban regime 30 days, they will simply reorganize and kill many more Americans.

PRESENT A FAIR AND BALANCED AVIATION SAFETY BILL

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

Mr. EHLERS. Mr. Speaker, I take four airplane flights a week. As many Members of Congress do, I fly home every weekend, two segments each time. So I am very familiar with security requirements and that what we have had has not worked.

Our purpose now is to make sure, number one, that we centralize responsibility; number two, that we have one play book that applies to all the rules, and that that play book works and is kept up-to-date. That means that we should put all the responsibility in one location for all modes of transportation.

We need something that is flexible, that is innovative, that can be changed and modified to meet circumstances as they change.

We want something that is nonpartisan. We are sorry that the Senate bill became a partisan bill by advocating just one particular position. The House bill will allow the President to choose whether these should be Federal employees or whether these should be contracted out.

I just want to say, I believe the bill that will be before us tomorrow is a fair and good way to approach the issue of aviation security. It will get away from partisan wrangling. It will ensure that the traveling public will be safe and secure.

PROFESSIONALIZE SECURITY AT AMERICA'S AIRPORTS

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

Mr. RODRIGUEZ. Mr. Speaker, the security of America should be our first priority and it should not be turned into politics. Politics should not be part of this debate.

We use over 450 airports and over 3,000 employees to transport people across this country. The size and complexity of our system requires a Federal workforce that is professional, well-trained, and well-paid, not contracted employees making less than fast food wages.

If we are to restore public confidence in air travel, we must make real attempts to address the security problems. We cannot guarantee safety with a system that leaves national security in the hands of private companies that contract to the lowest bidder.

We stand a fighting chance against terror in the skies only if we have professionalism in the law enforcement function, where we can feel confident that they are well-trained, they are competent and they will be able to protect our citizens.

We should not privatize our national security. We do not privatize the Department of Defense, we do not privatize the FBI, we do not privatize security services. We must do the right thing.

COMMENDING THOSE WHO DEVELOP READING SKILLS

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

Mr. WATKINS of Oklahoma. Mr. Speaker, I rise today to commend First Lady Laura Bush and our Nation's teachers who are helping our children develop their reading skills.

Reading is a path to successful life. I have personal knowledge of the role of special teachers and am very thankful for my good friend Dr. Ann Dugger at Will Rogers Elementary School in Stillwater, who spent many hours with our grandson Bradley learning to read.

My nephew, Josh Rogers, is a student in Mrs. Trish Fellers' third grade class at Derby Hills Elementary School in Derby, Kansas. The class read Jeff Brown's book ''Flat Stanley,'' in which Stanley is flattened by a bulletin board and mails himself to visit friends in California.

□ 1015

My nephew, Josh, mailed ''Flat Josh'' to my wife and me to stay for a month. ''Flat Josh'' came to Washington, D.C. to visit his own Congressman, the gentleman from Kansas (Mr. TIAHRT), so ''Flat Josh'' is with us today.

I am grateful for First Lady Laura Bush, Dr. Ann Dugger, and Mrs. Trish Fellers and many other teachers like them, and I encourage all of us to read to our children and our grandchildren.

U.S. NEEDS FEDERAL LAW ENFORCEMENT AT AIRPORTS

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

Mr. DEFAZIO. Mr. Speaker, it has been 7 weeks and 1 day since the terrorist attacks and more than 2 weeks since the Senate passed legislation 100 to 0, which was just referred to by one of my colleagues as a partisan bill. I thought the Senate had 49 Republicans and 51 Democrats. How could a 100 to 0 vote be partisan? We are still waiting in the House for needed legislation for aviation security because of one objection raised by a couple of the Republican leaders.

The Federal law enforcement officers would provide screening for passengers and baggage. Guess what? When it comes to security for Members of Congress, for those same Members of Congress objecting to this, private security is not good enough. We have uniformed Federal law enforcement officers, but when it comes to the traveling public, it has to be the private, for-profit sector, that has been failing miserably. The largest in the country, Argenbright, is under criminal indictment for the second time in 2 years for hiring and maintaining known felons on staff and falsifying documents; and they say, Oh, well, the Federal Government will regulate these firms.

We have been trying to regulate them. We are prosecuting them in Federal court. We are fining them millions of dollars. It cannot work. We need Federal law enforcement at the airports.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COOKSEY). The Chair would remind the Members that it is improper in debate to characterize Senate actions.

AVIATION SECURITY

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

Mr. HORN. Mr. Speaker, today we must address and correct the security aspects of our total transportation system. Since the tragic events of September 11, we have focused solely on improving aviation security. We are all too aware of what the weaknesses of that system are: minimal standards, poor management, low morale, and little accountability. We must make security a priority for each mode of transportation. The next attack could be on an airline, a bus, a train, or even a cruise ship.

Operating within the Department of Transportation, a strong Under Secretary for Security will provide much-needed management and accountability. The Secure Transportation for America Act, of which I am a cosponsor, designates the Department of Transportation to provide the leadership for security. I urge my colleagues to support this vital legislation. The people want it.

HEAVEN HELP THIS HOUSE

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

Mr. INSLEE. Mr. Speaker, my colleagues should be aware that when they get on their planes to go home to their districts this weekend, they should know that 90 to 95 percent of the bags that will go into the belly of their airplanes will not be screened for explosive devices. This is an enormous hole in our security system, and we applaud the efforts of the Secretary of Transportation and we applaud the efforts of the Congress, as we are going to do everything we can to take nail clippers away from passengers, but it does not do any good if they can put 40 pounds of C–4 high explosives in bags in the belly of our airplanes.

Mr. Speaker, the bill that the majority party is bringing to the floor of the House is not going to solve that problem. It will have some nice rhetorical flourish language that some day, at some unspecified date, by some unspecified means, we are going to check these bags, but that is not good enough.

We have offered an amendment, and I hope the majority party will allow this House to vote on our amendment, which will assure by a specific date through a specific authorization that 100 percent of the bags that go in each jet airplane get screened to keep bombs out of them. And if we do not do that, heaven help this House.

TIME TO DO WHAT WORKS FOR AIRPORT SECURITY

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

Mr. TERRY. Mr. Speaker, tomorrow we have the opportunity to change the way security is done at our airports for the better. Until now, airlines have been in charge of security at our airports. They, in turn, for the lowest bid, hire companies like Argenbright and I.T.S. and others who provide minimal training, low pay, and even falsified background checks. The result of airlines in charge is 100 percent turnover and weapons making it past security points. We can no longer allow the airlines to be in charge, nor allow businesses like Argenbright and I.T.S. to remain in our airports.

Mr. Speaker, H.R. 3150 puts the responsibility for day-to-day airport security with the Transportation Security Administration. It also gives this department flexibility in its mixture of Federal employees and private-sector folks under their direct supervision to do the job right; not a one-size-fits-all of all-private or all-Federal, but what works.

SENSE OF CONGRESS RESOLUTION PROVIDING $5 MILLION REWARD FOR ARREST AND CONVICTION OF ANTHRAX TERRORISTS

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

Ms. CARSON of Indiana. Mr. Speaker, this House, ordinarily the United States Congress, passes what they call a Sense of Congress resolution. I am proposing a Sense of Congress resolution which I believe is a good-sense resolution in behalf of the United States Congress.

What it says is very simple, that the United States Government will pay $5 million to any person who supplies information leading to the arrest and conviction of the person or persons who are responsible for placing anthrax spores in the United States mail system through to the United States Government mails, which have worked their way into the United States Government offices and into the lives of people in the United States.

Mr. Speaker, I was appalled, as I am sure other Members were, to learn that we have lost yet another citizen, a lady out of New York who has now expired at 1 o'clock this morning because she had inadvertently inhaled anthrax.

It is the right approach for the United States Government because of the assault against the United States Government to post a $5 million reward for those who are responsible for this vicious, vicious act.

SUPPORT H.R. 3150, THE AIRLINE SECURITY ACT

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

Mr. GIBBONS. Mr. Speaker, as someone who spent 17 years as an airline pilot, a commercial airline pilot for major airlines, I believe I have as much experience as anyone here spending time in and out of our airports; and I want to assure my colleagues that I come today to show my support for H.R. 3150, the Airline Security Act, which we will deal with tomorrow.

A few weeks ago I was watching a news program on television, and on this particular program they tested the inadequacy of airport security. Sadly, this test was no television production.

Poor airport security has become a reality. The events of September 11 have shown us that airport security needs a dramatic and drastic overhaul.

Mr. Speaker, H.R. 3150 is the right solution to improving our aviation safety in the skies over America, and in order to make flying safer and our airports more secure, we must federalize our airport security standards. H.R. 3150 puts to good use more than $500 million that will bolster the front lines of airport security. It will place more air marshals in the skies and in our airlines. It will mandate fortified cockpit doors and give flexibility when it comes to hiring either Federal security personnel or federally certified security contractors. Support H.R. 3150.

FEDERALIZED SYSTEM PROVIDES UNIFORMITY AND ACCOUNTABILITY

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

Ms. NORTON. Mr. Speaker, everybody knows we are in a recession. What America knows is that this body is deepening that recession by the delay in our airline security bill. There is a new fear of flying and there are enormous disincentives to flying that are having an atrocious effect on our economy.

What will it take to make the pictures of September 11 and the Twin Towers recede? People want something close to a guarantee that it will not happen again, guarantees we cannot give them.

What we can give them is a uniform system of public accountability for screening and airline safety. By definition, private contractors are not uniform. That, indeed, is one of their advantages. They give us diversity. It is not diversity we need when it comes to screening and airline safety.

What the public is demanding in order to get them back in the air is that we maximize uniformity and that we maximize accountability. The only way to do that is to federalize in the air the way law enforcement operates on the ground.

NO INTERRUPTIONS IN WAR ON TERRORISM

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I rise today in support of our military's ongoing efforts in the war against terrorism. In the last 25 days, the military campaign has succeeded in weakening the power, influence, and warfighting capability of the Taliban regime and the al-Qaeda network.

Now, as the hardest of Afghanistan's winter months set in, we are provided with an excellent opportunity to increase the pressure on the Taliban through the continuation of our military campaign.

Mr. Speaker, we stood before the American people and the international community and declared the war on terrorism to be a war with many fronts. It is imperative that this war's military front continue to be fought without interruption.

Mr. Speaker, the decision to postpone military action under any circumstance plays directly into the hands of those who seek to destroy us. Despite the intentions of our decision, each day we remain idle is a day for the Taliban and al-Qaeda to resupply and disperse assets at a time when the radical Islamic militia could be most vulnerable.

GRAND IMAM OF EGYPT DENOUNCES TERRORISM

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

Mr. PITTS. Mr. Speaker, since September 11, we in Congress have joined the President in making clear that this is not a war between the West and the East or a war against Islam. This is not a war between America and Afghanistan. In fact, we are doing as much as we can right now to help the people of Afghanistan. This is a war between all civilized nations and the barbaric terrorists and those who harbor them.

Just a few days ago, the Grand Imam of Al-Azhar, the highest and most respected Islamic authority in the world, who resides in Egypt, also made this clear. The Grand Imam said that the Koran specifically forbids the kinds of things the Taliban and al-Qaeda are guilty of. He said the jihad Osama bin Laden has called for against America is invalid and not binding on Muslims. He said that ''Islam rejects all of these acts.'' He called terrorism un-Islamic. In fact, he says, ''Killing innocent civilians is a horrific, hideous act that no religion can approve.''

Mr. Speaker, this war may take a long time to win, but we will win it and the world will remain united against terrorism and removing evil terrorists like Osama bin Laden from the caves where they hide.

PASS TRADE PROMOTION AUTHORITY

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

Mr. KNOLLENBERG. Mr. Speaker, we have to pass trade promotion authority now. If we do not, we will let down America's world-class workers, farmers and businesses.

The global marketplace is increasingly competitive. Without TPA, America will lag behind. Our foreign competitors have negotiated some 130 preferential agreements while we, absent TPA, have negotiated exactly three. We need to get back in the game.

International trade is an essential and growing source of economic expansion. Exports accounted for over 25 percent of all U.S. economic growth over the last decade and support an estimated 12 million jobs. If we do not pass TPA, we risk losing our competitive edge to other nations who will continue to negotiate deals while we sit on the sidelines. With trade promotion authority, we can level the playing field.

Mr. Speaker, U.S. companies, workers, and farmers are second to none. We need TPA to make sure the rules are fair. The companies, the workers and the farmers will do the rest.

□ 1030

CONGRATULATING MIAMI CHILDREN'S HOSPITAL

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

Ms. ROS-LEHTINEN. Mr. Speaker, American children are learning the value of charity by helping the Afghan children, and adults are learning that educating our children and keeping them healthy are ways to contribute to the rebuilding of our Nation.

That is why I congratulate today Miami Children's Hospital, whose motto is ''We are here for our children.'' This hospital is always seeking innovative ways to better serve the children of south Florida.

Miami Children's Hospital held a groundbreaking to further expand and renovate its medical campus. A radiology expansion, an ambulatory care building, a helistop, and a hurricane-proof encapsulation comprise the projects.

Miami Children's Hospital is indeed ''building on a dream,'' the name it has labeled its new projects, and it is demonstrating a never ending commitment to kids. Since 1950, Miami Children's Hospital has been the leader in pediatric care, and I offer my congratulations for its many achievements.

WORLD WAR II VETERAN DIPLOMAS

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

Mr. GUTKNECHT. Mr. Speaker, Rex Arnold Pettis and Mike Pelach are two men among many who interrupted their high school educations to respond to the call of duty by serving our country during World War II, Rex on a submarine in the Pacific sinking Japanese ships, and Mike as a medic in New Guinea.

While not in the classroom, World War II vets continued their education through experience: Geography, foreign languages, science, strategic planning, all essential in their battle to succeed.

Many of these brave men and women never had the chance to return to the classroom to complete their diplomas. Ray Alvin Pettis, twin brother of Rex, died on the battlefield in France. Fifty years later, Mr. Pettis and Mr. Pelach are receiving their high school diplomas.

For the third year, Independent School District 192 in Farmington, Minnesota, and the Farmington Veterans of Foreign Wars and the American Legion are honoring these World War II vets in a special graduation ceremony. Mr. James Robert Borman, who passed away just last week, and Mr. Ray Alvin Pettis, will also be honored posthumously for their service in the Air Force and Army, respectively.

It is only proper that we honor these who honor the call to duty, sacrificing important years of their lives for the benefit of all. I am grateful to these men for their valor and sacrifices, and I congratulate ISD 192, the American Legion, and the VFW in Farmington for honoring them with a graduation ceremony and high school diplomas.

AMERICAN AGRICULTURE NEEDS TRADE PROMOTION AUTHORITY

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

Mr. CALVERT. Mr. Speaker, American agriculture needs trade promotion authority. Without granting the President the authority to negotiate preferential trade agreements, this industry is guaranteed to face dark days. Ninety-six percent of agricultural growers' potential market is outside of the United States. It is a business there for taking, but if we do not give our farmers and ranchers the tools they need to compete in the world market, other countries will gladly fill the gap.

Today, of the 133 preferential trade agreements worldwide, the U.S. participates in only two. Compare that to the European Union, who participates in 27. Furthermore, the European Union also outspends us almost four to one on subsidies. Granting Presidential trade authority is our only weapon of combat on the uneven playing field of world agriculture.

We cannot continue to stand idly by while other nations improve trading opportunities for themselves. Our agriculture industry is the most productive in the world. It is an honor and status that should be rewarded, and the best reward we can give our agricultural growers for their efforts, and to keep our country prosperous, is to pass trade promotion authority.

SUPPORT FOR THE PRESIDENT'S VISION OF A FLEXIBLE, VERSATILE AIRPORT SECURITY SYSTEM

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

Mr. PENCE. Mr. Speaker, I am new to this body, having spent all 42 years of my life in the State of Indiana, where common sense and common values are the order of the day. So as I approach the debate over airport security, I find myself a little befuddled, Mr. Speaker.

Other than policy wonks at think tanks around Washington, D.C., I think there are very few people that I serve who care how we make airports safer. They just want us to do it, and they want us to do it now.

For my part, I believe the light we should follow at this point is the experience of nations who have dealt with terrorism in the recent past, and we should follow a President who has earned the right to be followed, and earned our trust.

I support President Bush's vision for a flexible, versatile system for airport security. That is what the Republican bill in the House is all about. It builds on the experience of European countries and even of Israel, who have wrestled with this menace of terrorism for decades.

When it comes to airport security, let us give the President and the people we serve what we know works.

URGING SUPPORT FOR THE AIRLINE SECURITY BILL AND OPPOSITION TO THE DEMOCRAT SUBSTITUTE

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

Mr. DOOLITTLE. Mr. Speaker, tomorrow the House will take up the airline security bill. This is a good bill. It gives the President the flexibility he needs to protect Americans as they fly. I would urge support of this legislation and defeat of the Democrat substitute.

The heart of the Democrat substitute is a mandate to make the security checkers all Federal employees. Europe has gone down that road and has rejected it.

Let me just quote out of the Washington Post what the chairman of the Europe-wide Task Force on Aviation Security had to say regarding contract employees versus government employees:

''''It is harder to do quality control on our government people,' said Frank Durinckx, director of Belgium's Aviation Inspectorate and chairman of Europe-wide Task Force on Aviation Security. 'Government agencies do not like to criticize themselves or one another, and civil servants are hard to get rid of if they are not performing well. If we give the work to a private contractor, we have control over them,' Durinckx said. 'If we are not pleased with a screener, we can withdraw their license.' ''

Let us support President Bush. Support the House aviation security bill tomorrow and defeat the Democrat substitute.

WE NEED HIGH-QUALITY U.S. CITIZENS AS AIRPORT SCREENERS

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

Mr. KIRK. Mr. Speaker, U.S. citizens should protect U.S. citizens at airports. Over 90 percent of the screeners who let terrorists board at Dulles Airport were not Americans. Some of them were illegal aliens.

The Young-Mica bill requires that all screeners be Americans. The Senate bill has no such requirement. The Young-Mica bill also requires that all screeners be deputized, badged, and uniformed Federal transportation security officers.

Like the successful U.S. Marshals Court Security Officers Program, we will deploy Federal transportation security officers who are well-trained and paid, but with key flexibility. Flexibility. It means that we will not protect nationalized employers who incompetently screen weapons or explosives aboard aircraft, killing more Americans. Flexibility means we can fire screeners who fail to protect us.

We need high quality screeners who will ensure that when we fly, we fly safe.

AIRPORT SECURITY

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

Mr. KINGSTON. Mr. Speaker, I wanted to talk a little bit about this airport security issue, because it seems that the Democrat Party, in a split from the presidency and the nonpartisan spirit that we have been having in Washington, is hung up on trying to unionize and create a new Federal bureaucracy in the name of airport security.

There are pros and cons with that. We all know that. There are good employees and bad employees that are with the unions. It is a little more difficult to work with. But the issue is not creating a new government bureaucracy, the issue is protecting my children, my family, my loved ones, and your business associates and loved ones, when they travel.

I believe we need to do what is best for airport security and not what is

best for a particular political party. I support the President's plan. The President's plan calls for strict Federal Government oversight on hiring and background checks, but it does not just stop at the gate; it says who is going to work on the plane. What about the maintenance people who clean the plane? What about the people who have access to the parts of the airplane in the airport itself? It is a much broader approach to airport security.

Mr. Speaker, this debate is about security, not about new government bureaucracies. I support the President's position. I hope that the Democrats will come on board and do so as well.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report accompanying H.R. 2590, and that I may include tabular and extraneous material.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report on the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, October 30, 2001, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 26, 2001, at page H7337.)

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

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

Mr. Speaker, I am pleased to present the Fiscal Year 2002 conference agreement for the Subcommittee on Treasury, Postal Service, and General Government. This conference agreement provides $17.1 billion in funding for programs under the jurisdiction of this subcommittee of the Committee on Appropriations.

That represents, Mr. Speaker, an increase of 6 percent above the fiscal year 2001 enacted levels and 2 percent above the President's request. It is especially important to have this funding in place because of the increased demands of national security and homeland security from the events of September 11.

One of the little known facts about this particular bill is that it supports over 40 percent of all Federal law enforcement through the Customs Service, the Bureau of Alcohol, Tobacco, and Firearms, the Secret Service, the Criminal Investigations Division of the Internal Revenue Service, and the Federal Law Enforcement Training Center.

I want to highlight that, Mr. Speaker, because of the current role these agencies are playing in ensuring homeland security, and also because, whether we are at war or peace, it is important to understand the tools that our Nation possesses to defeat our enemies, to ensure an environment that encourages trade and commercial growth, and the normal, everyday activity in conducting the business of America, and to provide for the safety and stability in the daily routines of all Americans.

I am also pleased, Mr. Speaker, that the new Office of Homeland Security, headed by former Pennsylvania Governor Tom Ridge, is within the Executive Office of the President, another portion under the jurisdiction of this subcommittee and its funding.

Historically, law enforcement officials in the U.S. Department of Treasury have fulfilled their role quietly, without fanfare, without drawing the attention of the American people. Yet, the oldest law enforcement agency in the United States Government is the Customs Service of Treasury. It was established in 1789, one of the very first acts enacted by the First Congress of the United States after adoption of the Constitution.

The evolving threats to our country are making special demands upon this, America's first law enforcement agency, the one that defends our borders, as well as the other law enforcement functions that come under the Treasury Department and within this bill.

We need to focus the support and attention of Congress and the Administration and of the American people to determine appropriate, coordinated strategies and provide the funding levels for Treasury law enforcement bureaus to enable them to fully carry out their missions.

Mr. Speaker, the conference agreement before us recognizes that there are additional resources that are going to be necessary because of the September 11 terrorist attacks. This bill begins to address those requirements. We will have within a few day's time a supplemental appropriations that will deal with further law enforcement needs and other Federal law enforcement agencies, as well as other aspects of our military and the national government.

There is within this bill some $5.7 billion for law enforcement efforts under our jurisdiction. It is an increase of almost 12 percent, $593 million above the current year. That is even before we factor in the necessary increases that will be part of the upcoming supplemental.

Specifically, in terms of supporting Federal law enforcement, this conference report provides an increase of $402 million for the Customs Service, of which some $33 million is devoted to border inspection technology; $28 million for additional inspectors and agents along the northern border, which has not received the increase in recent years that the southern border has; and $170 million is added for customs automation modernization, which includes an amount not less than $300 million, for the automated commercial environment. This system will tie together some 50-odd Federal agencies that have jurisdiction over products that are coming into the United States, part of the cargo which must be inspected by the Customs Service. Because of the manpower shortages, Mr. Speaker, customs is able to inspect only 1 or 2 percent of the entering cargo, a ratio which we intend to increase.

□ 1045

We also expand the funding for Customs for its efforts to halt trade and goods that are produced by forced child labor; also providing funding for the protection of intellectual property. Some of the smuggling that happens across our borders is not just illegal drugs. It is not just contraband shipments of alcohol or tobacco. It is not only knock-offs of American products which people are trying to pass off cheaply-produced goods overseas that have the appearance but not the quality and certainly not the original manufacture of American goods. We are also protecting intellectual property because smuggling, whether it be DVD software, compact disk recordings, whatever it may be, there is a severe organized criminal assault against the intellectual property that is produced by American artists, scientists, engineers, computer programmers and others, which is part of the great commerce and the great advantage that this Nation enjoys technologically. That intellectual property is protected by Customs just as it protects us from other illicit cargo.

We also have an increase of $45 million for Secret Service recruitment and retention. These are men and women who protect not only the President but protect our currency against counterfeiting who are in charge of the special security arrangements at the upcoming Winter Olympics to be held in Salt Lake City, Utah. These men and women have been working drastic amounts of overtime, and we want to

make sure that we do not work into the ground the people that are in charge of protecting our country and key parts of America.

We also have increases for the Federal law Enforcement Training facilities that support the basic training of border inspection agents and a great multitude of the people that are involved in Federal law enforcement, working through the Federal Law Enforcement Training Center in Glynco, Georgia.

We also provide $1 million for a canine detection program sponsored by Customs to use dogs to detect chemical and biological agents.

We have some $20 million to increase the efforts of the High Intensity Drug Trafficking Areas program, bringing that account up to a total of $226 million to coordinate between the State and local government entities and the Federal Government in efforts to combat illegal drugs and the immense problems that they bring upon our society.

I should mention that we also have within this budget the Office of National Drug Control Policy. Key portions of the drug enforcement efforts are handled through the funding of this bill, not just through Customs but also through ONDCP, the so-called drug czar, and these high-intensity drug trafficking efforts and the promotional efforts such as the Drug Free Communities Act.

I am pleased to note that the conference report includes some $18 million for constructing seven border stations, including four along the northern border, again part of beefing up the borders for our border security and our homeland security.

It also includes a number of courthouse constructions to make sure the criminal justice system continues to be able to handle the load that is being placed upon it.

We also have an increase for the Internal Revenue Service, including $320 million for critical information technology investments so that when my colleagues or I or anybody else, Mr. Speaker, calls the IRS having a problem with how our taxes are being handled, that they have the information readily accessible, that they can be responsive to the public, and we are continuing the efforts through funding and mechanisms in this bill to make the IRS more responsive, more user-friendly, more customer and taxpayer oriented in what it does.

Mr. Speaker, the bill also includes several legislative provisions. It provides parity for Federal employee health benefits. It retains the current law prohibiting the use of Federal funds to pay for an abortion, and it also has the requirement that prescription contraceptives would be covered under certain circumstances and exceptions as conscience clause protections for those that have an objection of conscience, Mr. Speaker.

This bill includes a pay increase for Federal civil employees of 4.6 percent, as authorized by the Congress. It extends the authorization of the breast cancer semi-postal stamp until December 31, 2003, which provides additional funding for efforts to research and combat breast cancer. It authorizes the September 11 hero stamp to continue until December 31, 2004, honoring the men and women who were the responders or the victims of the tragic events of the World Trade Center and the Pentagon on September 11, people who we wish to honor. It also authorizes the semi-postal stamp on stamping out domestic violence, which would be a program that would continue until December 31, 2006.

Mr. Speaker, I would finally note that this conference report takes out language that had been in the House version of the bill regarding travel to Cuba. We feel that this is not the time to be addressing that particular sensitive issue in this environment, including the war on terrorism.

Mr. Speaker, I want to take this opportunity to thank the gentleman from Maryland (Mr. HOYER), the distinguished ranking member of the subcommittee. We have had an excellent bipartisan spirit and cooperation as this bill worked through the legislative process. His personal staff member, Scott Nance, and the full committee's minority member, Rob Nabors, toiled long and hard in working things through, and without their assistance we would not be able to bring this bill up in the collegial fashion that I believe it is being brought up today.

I especially want to thank the chief clerk of our subcommittee, Michelle Mrdeza, for her persistent and tireless efforts on this, as well as the great expertise, insight and counsel of the other staff members of our subcommittee, Jeff Ashford, Kurt Dodd and Tammy Hughes plus Chris Stanley, who is a detailee on a fellowship from the Secret Service, which is his normal workplace. I would also thank a member of our committee staff that worked through my office, John Albaugh, who functions also as my Chief of Staff, and frankly, Mr. Speaker, keeps things going in a very important way, for which I am grateful.

I do want to single out our congressional fellow Chris Stanley, an agent of the United States Secret Service, who will be heading to his next assignment as special agent. He has served not only on the subcommittee staff but also worked a year in my personal office, and his experience, working last year on the Subcommittee on the District of Columbia, this year on the Subcommittee on Treasury, Postal Service and General Government, has brought tremendous insight regarding law enforcement, has added a lot of benefit, a lot of professionalism, with a very strong background in the technical issues which we sometimes must address.

Combining his professionalism with his law enforcement skills, his paramedic skills and frankly his cool head and enjoyable good nature have been a great asset to us. We are going to be sorry to see Chris leave to go back to his regular assignments, but we know that the Secret Service has a great need for his direct expertise, and we hope that what he has learned here in Congress will be of benefit to the Secret Service and the jobs that they perform.

Finally, Mr. Speaker, I want to mention as part of noting the key involvement of the Customs Service and law enforcement that we were notified that yesterday a U.S. customs inspector died in the line of duty at the port of Gramercy in Louisiana. Customs Inspector Thomas Murray lost his life during an examination of the hold of a vessel in which evidently there were toxic fumes present. That is an illustration of the dangers that many Customs agents accept as part of their job.

I have personally visited some of the vessels that they have to inspect and have seen what they have to do to find the hidden compartments that are used to smuggle drugs or other contraband, all in the name of protecting our Nation. So I want to commend Customs Inspector Thomas Murray and express our gratitude for the efforts that he put in for some 31 years with the Customs Service.

We want to express our sympathy to his family, to his co-workers in the Customs Service, and thank the late Thomas Murray for his efforts in being part of the front line of defense for the United States of America and our homeland security.

H.R. 2590 - Treasury and General Government Appropriations Act, 2002

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	House	Senate	Conference	Conference vs. enacted
TITLE I - DEPARTMENT OF THE TREASURY						
Departmental Offices	222,337	181,768	174,219	187,322	177,142	-45,195
Department-wide systems and capital investments programs	62,150	70,828	68,828	69,028	68,828	+6,678
Office of Inspector General	32,827	35,150	35,508	35,150	35,424	+2,597
Treasury Inspector General for Tax Administration	118,166	122,342	123,474	123,799	123,746	+5,580
Treasury Building and Annex Repair and Restoration	30,932	32,932	30,932	32,932	28,932	-2,000
Expanded Access to Financial Services	9,978	.....	10,000	.....	2,000	-7,978
Rescission	.....	.....	.....	-8,000	.....	.....
Financial Crimes Enforcement Network	37,493	45,155	45,837	45,702	45,837	+8,344
Counterterrorism Fund	54,879	44,879	36,879	44,879	40,000	-14,879
Federal Law Enforcement Training Center:						
Salaries and Expenses	99,264	100,707	102,132	106,317	105,680	+6,416
Acquisition, Construction, Improvements, & Related Expenses	54,086	21,895	27,534	33,434	33,434	-20,652
Total	153,350	122,602	129,666	139,751	139,114	-14,236
Interagency Law Enforcement:						
Interagency crime and drug enforcement	103,248	106,487	107,576	106,965	107,576	+4,328
Financial Management Service	255,972	211,594	213,211	212,316	212,850	-43,122
Bureau of Alcohol, Tobacco and Firearms	771,143	803,521	806,816	805,421	810,316	+39,173
GREAT grants	.....	.....	10,000	16,000	13,000	+13,000
Total	771,143	803,521	816,816	821,421	823,316	+52,173
United States Customs Service:						
Salaries and Expenses	1,878,557	1,961,764	2,056,604	2,022,453	2,079,357	+200,800
Harbor Maintenance Fee Collection	2,993	2,993	2,993	3,000	3,000	+7
Operation, Maintenance and Procurement, Air and Marine Interdiction Programs	132,934	162,637	181,860	172,637	177,860	+44,926
Miscellaneous appropriations (P.L. 106-554)	6,985	.....	.....	.....	.....	-6,985
Automation modernization:						
Automated Commercial System	122,443	122,432	122,432	122,432	122,432	-11
International Trade Data System	5,389	5,400	5,400	5,400	5,400	+11
Automated Commercial Environment	130,000	130,000	300,000	230,000	300,000	+170,000
Subtotal	257,832	257,832	427,832	357,832	427,832	+170,000
Customs Services at Small Airports (to be derived from fees collected)	1,993	3,000	3,000	3,000	3,000	+1,007
Offsetting receipts	-2,000	-3,000	-3,000	-3,000	-3,000	-1,000
Total	2,279,294	2,385,226	2,669,289	2,555,922	2,688,049	+408,755
Bureau of the Public Debt	182,699	185,370	187,927	187,318	186,953	+4,254
Payment of government losses in shipment	1,000	1,000	1,000	1,000	1,000	.....
Internal Revenue Service:						
Processing, Assistance, and Management	3,661,166	3,783,347	3,808,434	3,786,347	3,797,890	+136,724
Tax Law Enforcement	3,366,380	3,533,198	3,538,347	3,535,198	3,538,347	+171,967
Earned Income Tax Credit Compliance Initiative	144,681	146,000	146,000	146,000	146,000	+1,319
Information Systems	1,522,416	1,563,249	1,573,065	1,563,249	1,563,249	+40,833
Business systems modernization	71,593	396,593	391,593	419,593	391,593	+320,000
Staffing tax administration for balance and equity	140,690	.....	.....	.....	.....	-140,690
Rescissions (H.R. 2216)	-18,000	.....	.....	.....	.....	+18,000
Total (net)	8,888,926	9,422,387	9,457,439	9,450,387	9,437,079	+548,153
United States Secret Service:						
Salaries and Expenses	824,885	857,117	920,112	899,615	920,615	+95,730
Acquisition, Construction, Improvements, & Related Expenses	8,921	3,352	3,457	3,352	3,457	-5,464
Total	833,806	860,469	923,569	902,967	924,072	+90,266
Total, title I, Department of the Treasury	14,038,200	14,631,710	15,032,170	14,908,859	15,041,918	+1,003,718
Appropriations	(14,056,200)	(14,631,710)	(15,032,170)	(14,916,859)	(15,041,918)	(+985,718)
Rescissions	(-18,000)	.....	.....	(-8,000)	.....	(+18,000)
TITLE II - POSTAL SERVICE						
Payment to the Postal Service Fund	28,936	76,619	29,000	76,619	29,000	+64
Advance appropriation, FY 2002	66,952	67,093	67,093	67,093	67,093	+141
Advance appropriation, FY 2003	.....	.....	47,619	.....	47,619	+47,619
Total	95,888	143,712	143,712	143,712	143,712	+47,824

H.R. 2590 - Treasury and General Government Appropriations Act, 2002 — continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	House	Senate	Conference	Conference vs. enacted
TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT						
Executive Office of the President	...	237,775	139,255	...	...	...
Compensation of the President and the White House Office						
Compensation of the President	390	...	...	450	450	+60
Salaries and Expenses	53,171	...	...	54,165	54,651	+1,480
Executive Residence at the White House:						
Operating Expenses	10,876	...	...	11,914	11,695	+819
White House Repair and Restoration	966	...	...	8,625	8,625	+7,659
Special Assistance to the President and the Official Residence of the Vice President:						
Salaries and Expenses	3,665	...	...	3,896	3,925	+260
Operating expenses	353	...	...	314	318	-35
Council of Economic Advisers	4,101	...	4,211	4,192	4,211	+110
Office of Policy Development	4,023	...	...	4,119	4,142	+119
National Security Council	7,149	...	...	7,447	7,494	+345
Office of Administration	43,641	...	...	46,032	46,955	+3,314
Office of Management and Budget	68,635	...	70,752	70,519	70,752	+2,117
Office of National Drug Control Policy:						
Salaries and expenses	24,705	...	25,267	25,096	25,263	+558
Counterdrug Technology Assessment Center	35,974	40,000	40,000	42,000	42,300	+6,326
Total	60,679	40,000	65,267	67,096	67,563	+6,884
Federal Drug Control Programs:						
High Intensity Drug Trafficking Areas Program	206,046	206,350	233,882	226,350	226,350	+20,304
Special Forfeiture Fund	233,086	247,600	238,600	249,400	239,400	+6,314
Unanticipated Needs	998	...	...	1,000	1,000	+2
Elections Commission of the Commonwealth of Puerto Rico	2,494	...	...	...	...	-2,494
Total, title III, Executive Office of the President and Funds Appropriated to the President	700,273	731,725	751,967	755,519	747,531	+47,258
TITLE IV - INDEPENDENT AGENCIES						
Committee for Purchase from People Who Are Blind or Severely Disabled	4,149	4,498	4,629	4,498	4,629	+480
Federal Election Commission	40,411	41,411	43,689	43,993	43,689	+3,278
Federal Labor Relations Authority	25,003	26,378	26,524	26,378	26,524	+1,521
General Services Administration:						
Federal Buildings Fund:						
Appropriations	476,523	276,400	276,400	276,400	284,400	-192,123
Advance appropriation, FY 2002-2004	(276,400)	...	...	...	...	(-276,400)
Limitations on availability of revenue:						
Construction and acquisition of facilities	(477,676)	(386,289)	(348,816)	(477,544)	(386,280)	(-91,396)
Repairs and alterations	(681,613)	(826,676)	(826,676)	(844,880)	(826,676)	(+145,063)
Installment acquisition payments	(185,369)	(186,427)	(186,427)	(186,427)	(186,427)	(+1,058)
Rental of space	(2,943,854)	(2,959,550)	(2,959,550)	(2,959,550)	(2,952,050)	(+8,196)
Building Operations	(1,624,771)	(1,748,949)	(1,750,669)	(1,748,949)	(1,748,949)	(+124,178)
Subtotal	(5,913,283)	(6,107,891)	(6,072,138)	(6,217,350)	(6,100,382)	(+187,099)
Repayment of Debt	(70,595)	(72,000)	(72,000)	(72,000)	(72,000)	(+1,405)
Total, Federal Buildings Fund	476,523	276,400	276,400	276,400	284,400	-192,123
(Limitations)	(5,983,878)	(6,179,891)	(6,144,138)	(6,289,350)	(6,172,382)	(+188,504)
Policy and Operations	137,406	138,499	137,947	145,749	143,139	+5,733
Office of Inspector General	34,444	36,025	36,478	36,025	36,346	+1,902
Electronic Government (E-Gov) Fund	...	20,000	5,000	5,000	5,000	+5,000
Allowances and Office Staff for Former Presidents	2,511	3,552	3,196	3,376	3,196	+685
Expenses, Presidential transition	7,084	...	...	...	...	-7,084
Total, General Services Administration	657,968	474,476	459,021	466,550	472,081	-185,887
Merit Systems Protection Board:						
Salaries and Expenses	29,372	30,375	30,555	30,375	30,555	+1,183
Limitation on administrative expenses	2,424	2,520	2,520	2,520	2,520	+96
Morris K. Udall Foundation:						
Morris K. Udall scholarship	1,996	1,746	...	...	...	-1,996
Native Nations Institute	...	250	...	...	...	...
Morris K. Udall Trust Fund	...	...	2,500	1,996	1,996	+1,996
Environmental Dispute Resolution Fund	1,248	1,309	1,309	1,309	1,309	+61

H.R. 2590 - Treasury and General Government Appropriations Act, 2002 — continued

(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	House	Senate	Conference	Conference vs. enacted
National Archives and Records Administration:						
Operating expenses	208,946	244,247	244,247	244,247	244,247	+35,301
Reduction of debt	-6,084	-6,612	-6,612	-6,612	-6,612	-528
Repairs and Restoration	101,536	10,643	24,643	41,143	39,143	-62,393
National Historical Publications and Records Commission:						
Grants program	6,436	4,436	10,000	6,436	6,436	.....
Total	310,834	252,714	272,278	285,214	283,214	-27,620
Office of Government Ethics	9,663	10,060	10,117	10,060	10,117	+454
Office of Personnel Management:						
Salaries and Expenses	93,888	99,036	99,636	99,036	99,636	+5,748
Limitation on administrative expenses	101,762	115,928	115,928	115,928	115,928	+14,166
Office of Inspector General	1,357	1,398	1,498	1,398	1,498	+141
Limitation on administrative expenses	9,724	10,016	10,016	10,016	10,016	+292
Government Payment for Annuitants, Employees Health Benefits	5,427,166	6,145,000	6,145,000	6,145,000	6,145,000	+717,834
Government Payment for Annuitants, Employee Life Insurance	35,000	33,000	33,000	33,000	33,000	-2,000
Payment to Civil Service Retirement and Disability Fund	8,940,051	9,229,000	9,229,000	9,229,000	9,229,000	+288,949
Total, Office of Personnel Management	14,608,948	15,633,378	15,634,078	15,633,378	15,634,078	+1,025,130
Office of Special Counsel	11,122	11,784	11,891	11,784	11,891	+769
United States Tax Court	37,223	37,305	37,809	37,305	37,305	+82
Total, title IV, Independent Agencies	15,740,361	16,528,204	16,536,920	16,555,360	16,559,908	+819,547
Grand total (net)	30,574,722	32,035,351	32,464,769	32,363,450	32,493,069	+1,918,347
Current year, FY 2002	30,507,770	31,968,258	32,350,057	32,296,357	32,378,357	+1,870,587
Appropriations	(30,525,770)	(31,968,258)	(32,350,057)	(32,304,357)	(32,378,357)	(+1,852,587)
Rescissions	(-18,000)	.....	.....	(-8,000)	.....	(+18,000)
Advance appropriations, FY 2002 / FY 2003	66,952	67,093	114,712	67,093	114,712	+47,760
(Limitations)	(5,983,878)	(6,179,891)	(6,144,138)	(6,289,350)	(6,172,382)	(+188,504)
CONGRESSIONAL BUDGET RECAP						
Scorekeeping adjustments:						
Bureau of The Public Debt (Permanent)	145,000	148,000	148,000	148,000	148,000	+3,000
Federal Reserve Bank reimbursement fund	131,000	134,000	134,000	134,000	134,000	+3,000
US Mint revolving fund	13,960	22,000	17,000	22,000	17,000	+3,040
Sallie Mae	1,000	1,000	1,000	1,000	1,000	.....
Federal buildings fund	-74,000	31,000	-5,000	140,000	14,000	+88,000
Advance appropriations:						
Postal service, FY 2001/2002	64,436	.....	.....	.....	.....	-64,436
Postal service, FY 2002/2003	-66,952	.....	-47,619	.....	-47,619	+19,333
Across the board cut (0.22%)	-47,000	.....	.....	.....	.....	+47,000
OMB/CBO adjustment	35,491	.....	.....	.....	.....	-35,491
Compensation of the President:						
Mandatory	.....	450	450	.....	.....	.....
Discretionary	.....	-450	-450	.....	.....	.....
U.S. - China Security Review Commission (HR 2216)	1,700	.....	.....	.....	.....	-1,700
Total, scorekeeping adjustments	204,635	336,000	247,381	445,000	266,381	+61,746
Total mandatory and discretionary	30,779,357	32,371,351	32,712,150	32,808,450	32,759,450	+1,980,093
Mandatory	14,679,607	15,690,450	15,690,450	15,690,450	15,690,450	+1,010,843
Discretionary	16,099,750	16,680,901	17,021,700	17,118,000	17,069,000	+969,250

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

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

Mr. Speaker, I first want to rise and join the gentleman from Oklahoma (Mr. ISTOOK), the chairman of this subcommittee, in expressing our deep sorrow at the death of Thomas Murray, a long-time employee of the Customs Service, killed in the line of duty, killed while trying to defend this country from the importation and introduction into our borders of materials which are either illegal or dangerous.

Every day Customs agents, INS agents, DEA agents, FBI, Secret Service, ATF, IRS and Federal employees who are not perceived to be in law enforcement or tax enforcement are themselves, because of the very fact that they work for the Federal Government, at risk, and it is important that we remember them and that we appreciate them. We thank them for the contribution they make to making America free and great.

This bill does that in part by assuring that they will receive a comparability adjustment, which does not get them to comparability but an adjustment which will move them further towards their private sector counterparts. I thank the chairman for his support of that effort.

Mr. Speaker, this conference report provides a total discretionary funding level of nearly $17.1 billion in discretionary dollars; that is, dollars over which we make a decision. That includes 969 million above last year's level and 388 million above the President's suggestion.

I want to mention a few important items. To some degree this will be repetitive, but I think it is important for both sides to mention these issues.

For Treasury law enforcement, which as the chairman pointed out makes up nearly 40 percent of all Federal law enforcement, we have provided 4.8 billion, 400 million above the President's request. Very frankly, that number will go up in supplementals to provide for better security and a better ability to meet the threat that now confronts this great Nation.

Important additions in this bill to the President's law enforcement request include the following: 170 million to modernize the Customs Service import processing system, for a total of 300 million in fiscal year 2002; 33 million for the Customs Service to purchase nonintrusive inspection technology.

We had the opportunity of talking to Secretary O'Neill last night about that issue, critically important to our Nation and to our commerce. Safety and commerce come together on that particular issue.

Twenty-five million for additional Customs inspectors on the northern border. Forty-five million above the President's request for the Secret Service to complete its work for its balancing initiative. Critically important if we are going to have Secret Service agents work for hours that do not tax their effectiveness and efficiency.

We include 10.6 million for new facilities at the Federal Law Enforcement Training Center in Glencoe, Georgia, and Artesia, New Mexico, critically important as we confront the beefing up of our law enforcement capability in this country and on our borders.

The funding level also includes 226.4 million for the HIDTAs, the High Intensity Drug Trafficking Program. 20.3 million above last year's level. Mr. Speaker, I have been a long time enthusiastic and strong supporter of the HIDTA program. The HIDTA program has significant dollars in it, now almost a quarter of a billion dollars, but it is a most important contribution, and a contribution which will become even more important in these days and the days ahead is the coordination it provides between Federal, State and local law enforcement and public safety agencies.

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Tom Ridge, the new director of our homeland security effort, spoke to the Democratic Caucus this morning and talked about the necessity for coordination. HIDTA is a perfect example of that kind of coordination.

Mr. Speaker, I continue to be concerned with the level of support the Treasury law enforcement agencies receive from this administration, and I might say, from previous administrations. The emergency supplemental request sent to Congress underfunds the Customs Service. The Customs Service is on the front line protecting our borders. As we have just seen, Mr. Murray was on the front lines. He lost his life. If we are to enhance homeland defense capabilities, the Customs Service will require more support from the administration and from Congress.

This funding agreement includes $2 million in addition to our law enforcement accounts for a program called First Accounts. This is on top of the $10 million enacted last year and will give to Treasury $12 million to provide a very important service for Americans who are unbanked: They have no checking account, they have no credit cards, they have no ATM card obviously, because they have no checking account.

The gentlewoman from Florida (Mrs. MEEK) has championed this program, which is intended to establish affordable, electronic banking accounts for low-income families, and increase the availability of ATM machines in low-income neighborhoods as well. It will also serve to educate low-income Americans about the benefits of having a bank account and managing their finances. It will protect them hopefully against being ripped off every payday by those who want to charge them exorbitant rates for cashing checks or making short-term carry-over loans.

For the IRS, Mr. Speaker, $9.4 billion is provided. $548.2 million above fiscal 2001. This includes an additional $320 million to continue modernizing its business systems. It is appropriate that we mention the work of Charles Rossotti, the Commissioner of the IRS, who has done an extraordinary job as a manager, bringing the IRS into a position of carrying out the Internal Revenue Service Reform Act and making sure that we get the most efficient operation of our tax collection enterprise as is possible.

The conference agreement, Mr. Speaker, also provides $280.6 million for court house construction. That is essential in my opinion and, in fact, could be more. We are obviously still within fiscal constraints, but it does move further than was originally proposed. The amount provided surpasses the amount requested by the President by almost $64 million.

Also included in the budget of the General Services Administration is $19 million for the Food and Drug Administration consolidation. This will save large sums of money and provide for much more efficient administration of the Food and Drug Administration. That could not be more timely in light of the threat that we have to our food supply in the context of terrorism.

This is an ongoing, multiyear project that will replace abysmal facilities that are scattered across the metropolitan area, and provide FDA employees with state-of-the-art technology to do their jobs even better; and they do an excellent job now of protecting Americans and protecting our food supply and our drug integrity.

For Federal employees, the bill, as I said, includes several important provisions. I want to highlight just a few. First, as the chairman has pointed out, it includes the 4.6 percent pay raise, which will not get them to where they need to be, but will move them further along the road of becoming comparable with their private-sector counterparts. In addition, it makes permanent a provision that allows Federal agencies to improve the affordability of child care for lower-income Federal workers, which is a critical need. And it continues a provision that allows Federal employees to receive contraceptive coverage, as the chairman has pointed out.

Finally, Mr. Speaker, I would like to address the issue of election reform. I believe most Members of Congress are committed to addressing the issues facing our election system. Although dramatic examples of those shortcomings in our election system were found in Florida, we soon found that the same problems which existed in Florida existed in many other States throughout

this Nation, very frankly including my own in Maryland.

As the ranking member on the Committee on House Administration, I am continuing to work with the chairman, the gentleman from Ohio (Mr. NEY), on broad-based legislation to address these issues. That legislation, which hopefully we will pass out of the Committee on House Administration in the next few weeks, will require significant resources; and I plan to address this need with the committee at the appropriate time. The reforms that will be effected ultimately will be under the jurisdiction of this committee, and I have discussed this with the chairman. He and I have both discussed it with Chairman Young; and this matter, although not addressed in this bill, will have to be addressed in the near future.

Mr. Speaker, as I wrap up my remarks, I want to join the chairman in congratulating the staff of this committee. First of all, I want to mention an extraordinary staffer, Michelle Mrdeza. Miss Mrdeza is the Chief Clerk of our committee. ''Clerk'' is a word that implies to some a job of ministerial importance as opposed to policy importance. Now, Miss Mrdeza would be the first to say that she does not enter into policy, it is we Members who do so, but frankly, the advice and council she gives to both sides of the aisle is invaluable as we consider this bill. She has institutional knowledge that is helpful to each and every member of the committee, and we thank her for her leadership of the staff and for her critical assistance as we mark up this bill.

I also want to mention Jeff Ashford, who does an outstanding job; Kurt Dodd, Tammy Hughes, both of whom are of great assistance to Members on both sides of the aisle. I also want to mention John Albaugh, who works for the gentleman from Oklahoma (Mr. ISTOOK), as does Scott Nance, who works for us personally, but who is very much involved in the committee's consideration of this legislation.

Also, of course, I want to mention Rob Nabors. Rob Nabors is our committee staffer on the minority side and he does an extraordinary job. He is new, but not new to the budget process. He comes from OMB and is extraordinarily knowledgeable and has been a valuable asset to not only our side of the aisle but, I think, to the committee as a whole.

Lastly, I want to join the chairman in thanking Chris Stanley for his contributions to the committee.

We get some outstanding talent from the various Federal agencies. We get the talent and their personnel get the experience of how this process works. We think both sides are advantaged by that exchange program. So I want to thank all the members of the staff.

Mr. Speaker, this is a good bill. We ought to pass it and we ought to pass it overwhelmingly.

I thank the chairman for working with us in a bipartisan fashion. We have not always agreed, but we have worked in a bipartisan, open fashion, so that all sides knew what the issues were and they could be addressed in an open, democratic way, and I thank him for that.

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

Mr. ISTOOK. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a fellow member of our committee.

Mr. KNOLLENBERG. I thank the chairman for yielding me this time. I will be somewhat brief, but I do want to rise, Mr. Speaker, in strong support of the Treasury, Postal Appropriations conference report.

I want to commend Chairman Istook for his work, and also the ranking member, the gentleman from Maryland (Mr. HOYER), for their teamwork on this whole issue and on this whole bill.

In particular, let me salute the chairman for his work in securing some $28 million-plus for a northern border hiring initiative for Customs officers. This is a significant increase over what the House or the Senate passed in their versions of the bill. The new Customs officers will help alleviate the long delays that have occurred at the U.S.-Canada border in the wake of the September 11 terrorist attacks.

This is no small matter for my congressional district, nor for the State of Michigan, or for that matter, for the Middle West. More than $1 billion worth of goods and services cross the northern border every day. This constitutes the largest bilateral flow of goods, services and capital between any two countries anywhere in the world, and four of the seven busiest ports of entry between the U.S. and Canada are between the Michigan-Canada border.

Immediately after the attacks, the wait time for cars and trucks to cross the border reached a staggering 14 hours. The ripple effects of this were severe. Manufacturers in Michigan, for example, and across the country, cut costs ''with just-in-time deliveries,'' but when those deliveries cannot be made ''just in time,'' it causes economic hardship for manufacturers throughout my home State and the Midwest. We actually saw plants close down temporarily in September because of supply disruptions. And if the wait time continues to be longer than usual, we risk extended economic difficulty. Funding this northern border hiring initiative is a step in the right direction towards preventing further disruptions.

There is more to do, particularly with technology and infrastructure needs, and I look forward to working with Chairman ISTOOK to ensure that the country is secure and that our economy remains strong.

Once again I thank the chairman for yielding me this time, and I thank him for his help and urge all my colleagues to support this conference report.

Mr. ISTOOK. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON), another member of our committee.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him and the gentleman from Maryland (Mr. HOYER) for all the good work they have done on this bill. I know it is very difficult to balance all the requests of Members.

I have a particular interest in this bill, in that it provides the funding for the Federal Law Enforcement Training Center, which is partially headquartered in the District that I represent. As my colleagues know, FLETC, as we call it, has grown under the gentleman's leadership; and I wanted to ask a question about the issue of Federal sky marshals. We are interested in getting them involved in some of the training down in Brunswick, Georgia.

As the gentleman knows, right now there are 250 different classes for law enforcement training, and some 71 different law enforcement groups or agencies are training there right now. We believe the facilities are up and running that would help tremendously in this need to get some trained air marshals.

I was wondering if the chairman could comment on that.

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

Mr. KINGSTON. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. The gentleman is correct that we are trying to make sure the resources are there at the Federal Law Enforcement Training Center (FLETC) in Georgia.

As much as possible, we try to consolidate Federal law enforcement training that is generalized through this facility. Then, when they have specific needs, for example the Secret Service has protective detail needs, the air marshals have some specific needs for specialized training that is done in New Jersey and at Fort Dix and so forth, but for the generalized law enforcement training needs, especially for example someone coming into the air marshal program that does not have a law enforcement training, they might be coming out of the military and such, their initial weeks of training are to be at FLETC.

The number of people in that program is being kept classified, so I am not going to detail the numbers, but we are certainly making sure that, as part of the expansion of homeland security, we are utilizing the facility that we have at the Federal Law Enforcement Training Center. And I want to make sure that we continue to use that as the best way to apply the taxpayers' dollars towards how we handle these national homeland security issues.

Mr. KINGSTON. I thank the gentleman, because as he knows, there is a complete law enforcement facility there.

I also want to thank the gentleman from Maryland (Mr. HOYER) for his support and his visits down there, and extend to the chairman that the door is open. When his very busy schedule allows him the chance to come to Georgia, we would love to host him.

Mr. ISTOOK. I thank the gentleman.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me this time and I salute him and I salute the ranking member for bringing together this conference report of Treasury, Postal, which I hope every Member of this body will strongly support.

This bill came about through true bipartisanship, and the makeup of the bill demonstrates that. I also want to pick up on thanking the staff that helped to craft the legislation that came up before us today. It is consistent with the bipartisan budget agreement reached with the President, and it recognizes that there may be additional resource requirements associated with the September 11 terrorist attacks.

□ 1115

One of the provisions of the bill that I am especially pleased to acknowledge is the requirement that the FEHBP providers include coverage for prescription contraceptive services. This provision has widespread support, adds no significant cost to the FEHBP, and deserves to be a permanent part of the Federal Employees Health Benefit Program.

I am also delighted to see that pay parity between military personnel and Federal civilian employees has once again been achieved. H.R. 2590 establishes a pay increase for Federal civilian employees at 4.6 percent, which is the least we can do for our civil servants.

The events of September 11 have demonstrated what many of us who have a predominant number of Federal employees already knew, our Civil Service is absolutely essential to the well-being of this country. Increasing their salaries shows that we in Congress recognize the sacrifices that they make by choosing to be public servants.

Finally, I am most proud we have chosen to make permanent the existing authority to provide day-care in Federal facilities. For the last several years, we had authorized agencies, only on a yearly basis, to use funds from their salary and expense accounts to help lower income employees pay for child care. But because we had never made that authority permanent, many agencies were reluctant to spend money to set up child care centers if their authority might be taken away the following year.

I am the sponsor of the bill that made the authority permanent, and I am delighted to see that we have now recognized the need for quality child care to be available for our low income Federal employees. In some Federal child care facilities, families are charged up to $10,000 or more per child per year. Many Federal employees simply cannot afford quality child care; so by allowing agencies that flexibility to help their workers meet their child care needs, we encourage family friendly workplaces and higher productivity.

Mr. Speaker, this bill has many other excellent provisions. I urge all of my colleagues to support it.

Mr. ISTOOK. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding me this time, especially to someone who rises in opposition to the conference report.

Mr. Speaker, in July by a vote of 240 to 186, the House approved the Flake amendment to lift the travel ban on Americans traveling to Cuba. This marked the second consecutive year this travel ban was lifted by the House. Regardless of that fact, it is the second consecutive year that it has been stripped from the bill. It is time that we change our approach.

Mr. Speaker, the travel restrictions to Cuba have outlived their usefulness. For 40 years we have tried to isolate Cuba and to change that Communist country by not allowing Americans to travel there. It has not worked. Fidel Castro is still entrenched in power.

I was able to travel to Cuba just a month or so ago and was able to see firsthand the mess that Fidel Castro has made of that country. Why we would deny Americans who cannot get a travel waiver to go there, why we should deny them the ability to go and see for themselves is beyond me.

We want to change China. We want to change North Korea. But in doing so, we do not deny Americans the ability to travel there. That is simply un-American. I hope that we will move beyond this policy. We have better things to do with our time and our money and our resources at the Department of Treasury than to deny the travel ability or to enforce restrictions and impose fines on school teachers, for example, who want to take a trip to Cuba and do a bike tour there with their Canadian friends. We should not be doing this any more. We had a chance in this bill to lift that restriction, and we failed to do so.

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

Mr. FLAKE. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his statement. The chairman of the conference committee from the Senate was very strongly in favor of the gentleman's provision. Very frankly, I was in favor of the gentleman's provision. I agree with the premise the gentleman has stated, but the President indicated he would veto the bill if the gentleman's provision was kept in. It proved to be an insurmountable obstacle to us in doing that, but I think the gentleman's comments are well taken.

I will tell the gentleman that I believe next year, assuming that provision is in this bill, I do not know whether the Senate can get the same provision in, it is a little difficult for the Senate to accede to the House's provision, but they want to do that if the House does not hold to its position. I thank the gentleman for his comments.

Mr. FLAKE. Mr. Speaker, I thank the gentleman for his comments. We will be back next year, and I believe we will have the same margin, or even greater margins next year.

There are other reasons to oppose the bill as well. The bill is $1.129 billion over last year. That is a 7.1 percent increase. It is $388 million above the President's request. It is $48 million above the House passed bill. I think that we need to spend our time and resources differently. For that reason, I oppose the bill.

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

Mr. Speaker, I want to say to my friend from Arizona, I agree with his first proposition and strongly disagree with his second proposition. The gentleman points out that this bill is almost exactly at the dollar level, $48 million is a lot of money, but we are talking about a bill that is close to $30 billion for both mandatory and discretionary spending. Essentially they are very close, the Senate and the House bills.

I think this is a bill worthy of support as it passed the House. It continues to be worthy as a conference report from the conference committee. I hope that Members would support the legislation.

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

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

Mr. Speaker, as I have mentioned, this bill tries to meet the needs of Federal law enforcement and border security, although not totally so because there are greater needs that we hope to meet in further legislation coming forward. I think it is important to mention that of the numbers mentioned by my colleague from Arizona, there has been coupled in that mandatory spending from previous Congresses for things such as the insurance and retirement benefits for Federal employees that are not under the control of this subcommittee.

We have control over certain accounts and we have sought to be very responsible making sure that it is the Federal law enforcement, such as through Customs, that has the 12 percent increase that makes some other numbers look higher in this bill than they actually are.

We know that, at our borders, only 1 to 2 percent of the cargo that comes through is currently inspected. Why? Because we have neither enough manpower nor technology to examine these things for the safety of the American people, to be looking for things that may be chemical, they could be biological, they could be nuclear. We know the threats are out there. We are trying to improve the security of our homeland. We cannot do it without providing the resources.

We are trying to prosecute the war on terrorism with the troops that we see on land, at sea and in the air in the Middle East, in Afghanistan right now. We have to pay for those things.

We have an economy that is suffering from the impact of the attacks that were made. Part of the response to that, for example, dealing with the airlines, comes under the U.S. Department of Treasury, which is the chief agency that we address in this bill.

The Office of Homeland Security, an extension of the White House and the Executive Office of the President, comes under our jurisdiction through this bill.

We have sought to put the focus on homeland security. Yes, I know some people say that does not count, ''I want people to travel to Cuba.'' We have seen some significant changes between who were allies and who were antagonistic and enemies in past years. It is well beyond the lessons from World War II in the differences in our relationships with Japan and Germany today.

We find that with Pakistan, sanctions are being lifted and a new spirit of cooperation has come in. We find that of all nations, Iran holds promise of cooperating with the United States. Afghanistan, which was an afterthought in so many people's consideration of foreign policy before, assumes extra importance. There are critical and fragile negotiations going on around the globe on what do we do to link together changes in our policy toward a nation with their cooperation in the fight against global terror.

Cuba has a history as a bad actor when it comes to sponsoring terrorism. If we are going to have a change in our policy towards Cuba, it should be part of what is coordinated with the administration, with the Secretary of State, with bringing them on board into compliance with many things that meet the security needs of the United States of America and the global security in our war against terrorism.

Mr. Speaker, it should not be just because some people say it is time to end it. It ought to be done as part of a coordinated change that involves other significant changes with Cuba if we are going to change that travel policy. It is for reasons such as this that the Administration said they would veto this bill if it contained the language that was sponsored by Members of this House and put in this bill on the House floor.

Let us not bury our heads in the sand. Let us recognize that paying for security does cost. We acknowledge that cost, and are trying to do it in the most responsible manner possible. I urge every Member to support this bill.

Mrs. MEEK of Florida. Mr. Speaker, I rise in strong support of the Conference Report for the FY 2002 Treasury Postal Appropriations Bill. This is a good bill, one that is a tremendous improvement over the President's original request. It uses the available resources wisely.

I want to commend Chairman ISTOOK and our outstanding Ranking Member STENY HOYER, and all of the majority and minority staff, especially Michelle Mrdeza, Rob Nabors and Scott Nance, for the hard work, care and attention that went into this bill and report. It certainly shows. I also want to thank Chairman BILL YOUNG and Ranking Member DAVID OBEY for providing the Subcommittee with a realistic and responsible 302(b) allocation that recognized the importance of the functions addressed through this bill and made it possible to meet many of the agencies' needs.

At the same time, I think it is essential for all of us to heed Chairman YOUNG's reminder that he gave us at the meeting of the Conference Committee and recognize that this bill is a pre-September 11th bill. There are huge unmet needs with respect to seaport security and border security not addressed in this bill that we must address as part of the Homeland Security effort to win the war against terrorism.

This bill does not address the needs for additional seaport security. While the bill provides some funding for additional Customs inspectors on the Northern border with Canada, the Customs Service will need significantly more resources to meet its mission on all of our borders. I urge the Administration to move immediately to address these omissions and give Customs the resources it needs.

Now let me mention a few of the items in the Bill and Report that I particularly like.

I am very pleased that the bill provides $15 million for the Miami Federal Courthouse, the remaining funds required to build the new Federal Courthouse in Miami, a project that is desperately needed by our Federal courts, the busiest in the country.

I am pleased with the significant steps that we take in this bill to improve our support for Treasury law enforcement, particularly with respect to Customs and the Secret Service.

The $300 million investment that the bill funds for ACE, the customs modernization project, $170 million more than the Administration proposed, is urgently needed. This money will help the trade community and law enforcement tremendously. It certainly will be enormously helpful in Miami. If we continue to fund this program appropriately, we will make the transition to ACE on a realistic timetable that will enable us to meet the expanding needs of the trade community and law enforcement, not have a 13 or 14 year project.

At the same time, however, we need to be doing more for Customs. As I have repeatedly discussed before the Appropriations Committee, South Florida urgently needs more Customs employees at Miami International Airport (MIA) and the Miami Seaport. The House bill provided $15 million expressly to hire additional Customs inspectors where the need was greatest. Unfortunately, this provision did not survive the Conference. I urge the Administration to revisit this issue as when it considers what additional resources Customs may need to fight the war against terrorism and provide for Homeland Security.

I am very pleased that the bill funds pay parity between civilian and military personnel by providing a 4.6 percent pay increase to civilian employees; and that it continues contraceptive coverage for Federal employees in the Federal Employees Health Benefits program (FEHBP).

The bill provides $2 million in FY 2002 funding for the First Accounts initiative, a program that I have championed to increase the access of low and moderate income persons to financial services, such funds to become available upon authorization of the First Accounts program. The First Accounts Initiative is a demonstration program. It is designed to help end check cashing ripoffs by improving the access of low and moderate income Americans to basic financial services that most of us take for granted—such as bank accounts and ATMs. It is one of the few programs in the Treasury Postal bill that is specifically geared to helping low-income Americans.

Mr. Speaker, it is estimated that 8.4 million low income American families—22 percent of all such families—do not have bank accounts. Families without bank accounts frequently resort to check-cashing services to pay bills and cash checks. Some estimate that low-income families could pay over $15,000 in fees over a lifetime to pay bills and cash checks in this way. Many such families also resort to payday lenders and are subject to the enormous, often predatory fees that such services charge.

We know that providing ''unbanked'' families with low-cost access to financial services will increase the likelihood that they will began a savings program and accumulate some assets. It also will significantly decrease their reliance upon high-cost check cashing services and payday lenders. Such a program has tremendous potential to improve the net worth of low-income Americans.

All of us should want to provide the ''unbanked'' with an alternative to the check-cashing services and payday lenders. By continuing to fund First Accounts, we can have a fair test of whether the program is able to achieve its intended objective of increasing the access of low and moderate income persons to basic financial services.

I urge the authorizing committees to authorize the ''First Accounts'' program at the earliest opportunity. I will be working with the Administration and the Treasury Department to ensure that they promptly develop and implement a plan to optimize the use of available ''First Accounts'' funding.

It is also very satisfying to note that this bill funds the workforce initiative at the Secret Service to reduce agent overtime to more manageable proportions. The $45 million that we give the Secret Service for recruitment and retention is very important. Secret Service Director Stafford told us that an average of 55 Secret Service agents were now leaving the force each year, 6 times the rate only 7 years ago. He indicated that the amount of overtime required of agents contributed significantly to the exodus.

Director Stafford also noted the irreplaceable loss to the Secret Service skills base when experienced agents leave and are replaced by newcomers. We spend about $240,000 to train each Secret Service agent. Keeping them longer through more humane personnel policies is fiscally prudent. More importantly, giving these agents a manageable life is the right thing to do.

While I wish that we could have preserved the increase provided in the House bill, I am pleased that we have maintained funding at the FY 2001 level for the National Historical Preservation Records Commission at the National Archives. The $2 million cut that the Administration proposed for FY 2002, a 31 percent reduction in grant funding from the FY 2001 level of $6.436 million was extremely ill-considered.

The NHPRC grant programs provide outstanding support to state and local archivists, and other organizations and institutions that deal with the identification, preservation and use of historically significant records and documents. Many of these grants support projects relating to historically underdocumented groups, such as African Americans, Hispanic Americans, Native Americans and American Women.

Finally, while this bill does not fund election reform initiatives, the conference report confirms the intention of the Committee to address and appropriately fund election reform as soon as the authorizing committees have acted. Mr. Speaker, election reform is an issue that affects all America, not just Florida, and a problem that we must address as soon as possible.

Now is not the time or place to discuss the particulars of all that we need to achieve election reform, and no doubt there will be differences among Members as to whether we should have uniform federal standards for election reform, but one thing is clear: All of our efforts to pursue election reform must be guided by the simple principle that all legally qualified voters have the same opportunity to vote and to have their vote counted. That didn't happen in the election last November and we must ensure that it never happens again.

I know that my good friend, Mr. HOYER, and Chairman NEY of the House Administration Committee are working diligently on legislation to authorize substantial funding on an ongoing basis to assist state and local election officials in making changes to their technology and their voting processes. I urge the Appropriations Committee to fund election reform as soon as authorizing legislation is passed.

Mr. Speaker, again, I thank Mr. ISTOOK and Mr. HOYER for all of their efforts. I urge all of my Colleagues to support this Conference Report.

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

The SPEAKER pro tempore (Mr. COOKSEY). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPOINTMENT OF CONFEREES ON H.R. 2299, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2299) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. SABO

Mr. SABO. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. SABO moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2299, be instructed to insist on inclusion of the highest possible level of transportation security funding.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XX, the gentleman from Minnesota (Mr. SABO) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. SABO).

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

Mr. Speaker, this motion to instruct is very straightforward. It is a motion to instruct the House conferees to insist on the highest possible level of funding for transportation security.

□ 1130

As the conference on the differences between the House and Senate versions of the fiscal year 2002 Transportation Appropriations bill begins, we now have an opportunity, in light of the tragic events of September 11, to provide additional transportation security resources.

Funding in the Senate bill for aviation security is over $14 million higher than funding in the House bill. The Senate bill funds civil aviation security at $150.2 million and the House bill funds it at $135.9 million. Likewise, funding in the Senate bill for Coast Guard operating expenses is $45 million above the House bill. While not all of this funding is directly related to increased transportation security, much of it is because Coast Guard operations are multimissioned.

Currently Coast Guard homeland security missions have increased substantially while other missions, such as drug interdiction, have decreased. In context, I must say that the Senate also had a higher 302(b) allocation for total resources available than the House did.

Accordingly, this motion to instruct directs the House conferees to agree to the Senate funding levels for transportation security programs.

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no problem with this motion to instruct. As the gentleman from Minnesota knows, the House-passed bill included reductions in the FAA's operating expenses for their civil aviation security program. We made those reductions out of total frustration at that time with the FAA's delays and mismanagement of airport-airline security.

We are beginning to get back on track, but at the time we passed the bill, that was the situation. We wanted to get their attention, using the power of the purse, to compel them to make these long-needed improvements. We read in this morning's edition of the Washington Post the Secretary of Transportation is saying the problems continue even to this day in airport-airline security beyond what we had been promised and told.

The House is scheduled tomorrow to debate an airport-airline security bill which would remove those functions of security from the FAA and transfer them to a new agency which has transportation security as a whole as its function, not just airline security but pipelines and trucks, barges, trains, whatever, security for transportation in general. There would be a new agency within the Department of Transportation to which the FAA's heretofore obligations on airport security would be transferred, and the FAA would no longer have those responsibilities nor the need for the funds for that purpose. So in all probability then, after tomorrow when the House acts, the Senate acts, those activities would be handled not by the FAA but by a new agency within the Department of Transportation, hopefully.

Given this, I do not believe we will have the problems being described this morning in the future. We should give this new agency within the Department of Transportation a fresh start, not hamstring them with the problems

that the FAA has had with airline security; and I wanted to assure my colleague, my helpmate, my soul mate on the floor here, that I will do all I can as chairman of the conference to ensure the highest possible level of funding for transportation security, not necessarily within the FAA.

One other note. We all obviously are concerned that the Coast Guard is not getting all the money that they would like to have. They would like to put into a supplemental bill moneys that we could not fund in the regular bill. If we see in this conference items within the Coast Guard's request that relate to security and the need for improved security, we can address that, but I would hope that we would limit our conversation in that regard to the matters that pertain to security and the need for the Coast Guard to improve their security capability.

As I say, Mr. Speaker, I have no problem with the motion to instruct.

I want to thank the staff and the gentleman from Minnesota and his staff for the cooperation and the hard work that all have shown.

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

Mr. SABO. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WATSON).

Ms. WATSON of California. Mr. Speaker, I come in support of the Senate bill that will come to the floor on airline security.

I formerly represented Los Angeles Airport, LAX. As I go in there to come back to Washington, D.C., there is not a time that the staff at whatever airline does not approach me to secure the planes that they have to fly and serve on. It is an essential move that we have to make now.

People do not want to fly because they think it is unsafe. We have to have a force checking everyone, checking bags. We have to have them uniformed. We have to renew the spirit of flying in this country. We have to save the industry. We have to encourage the American people that they can feel safe on their airlines. We must pass the bipartisan bill now. We must secure the safety of our planes, our passengers, our airports.

I would encourage everyone to vote ''aye'' on the compromise bill.

Mr. SABO. Mr. Speaker, I yield 1½ minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, lost in all the debate and politics over airline security is the very common-sense idea that the best long-term strategy for improving security is with new technology. I think we cannot increase security at our airports for this 21st century war with technologies from the 1950s.

There is a world of technology from biometric authentications, radio tracking for baggage, and passenger scanning and identification systems that can be deployed as our first line of defense against the terrorist threat. Systems such as electronic fingerprinting, retinal scans, facial geometry and signature scans could present a level of secure access that is not being provided today.

At check-in we can instantly match passengers against terrorist watch lists. For employees, we can better secure the restricted areas of airports and planes by ensuring that entry is tied to biometric identifiers.

Two weeks ago the gentleman from California (Mr. HONDA) and I introduced the Aviation Security Technology Enhancement Act so we can find out which technologies work best and what would be the best way to implement these new technologies. Technology will provide better security, more efficiency and eliminate the problem of profiling because it will check everyone.

Mr. Speaker, American innovation is at its best when we face a challenge. We are the Nation that put people on the moon and created the Internet. We must put our technological capacity on the front lines of this new challenge.

Mr. SABO. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, I thank the gentleman from Minnesota for yielding me this time.

We would not dream of contracting out the protection that our police provide and we would not dream of contracting out the protection our military provides. Why in the world are the leaders of this body attempting to contract out our airport security? Airport security forces must be reliable, standardized and verifiable. There should be no compromise on this.

Following September 11, I have been meeting with thousands of school kids from my district. Recently I asked them the question, should the security forces that protect our airports be federalized like the police and military? The kids resoundingly answered yes. It is common sense; kids know it, the American public knows it. But my colleagues on the other side of the aisle do not seem to know it.

National defense and security are charges of the Federal Government, and keeping our skies safe is part of that responsibility. It is plain and simple common sense. Ask yourself, who do you want protecting you and your family, a Federal security force or the lowest bidder?

Support this motion to instruct conferees to include more money for airport security.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding time.

This motion to instruct is vital. The House of Representatives in the 7 weeks and 1 day since these terrorist attacks has yet to directly appropriate one dollar for enhanced aviation security or consider one piece of legislation, no matter how minor or major, to enhance the failing system of today.

I feel pretty secure here in the Capitol, and I believe my colleagues on the other side of the aisle who are fighting against a Federal law enforcement work force for aviation security feel pretty secure here, too. We have uniformed Federal law enforcement officers protecting the United States Capitol and protecting us. But somehow when it comes to the safety of the American traveling public, this failing private security business is paramount. They are the best we can do. Security on the cheap.

We have reports 3 feet deep from the GAO over 30 years of the failures of this system, but they say, ''Don't worry. We'll have new Federal standards.''

Let us talk about the Federal standards. The second largest private security firm in the United States of America, Argenbright, is under criminal indictment for the second time in 6 months. But their bill would keep them in business. That is great. Let us keep them in business. Let us give them a chance. I guess they believe in three-strikes-and-you're-out for the private security firms.

The second time they are under indictment for hiring known felons, maintaining known felons on staff. They have violated their probation by maintaining known felons on staff. They have continued to falsify documents to the Federal Government about training and background checks, but they want to perpetuate that system. They said, ''Don't worry, with a little Federal oversight it will get better.''

Federal oversight? What could be tougher Federal oversight than the United States Department of Justice, a Federal judge, a million-dollar fine and probation for a criminal conviction? This system does not work, and it will never provide the security the American traveling public needs and deserves.

They say, ''Well, we'll do other things. We'll mandate the wages. We'll mandate the benefits. The Federal Government will do the background checks. The Federal Government will supervise or actually conduct the training. The Federal Government will supervise these people.''

What role is left for these failing private security companies except to give campaign contributions to the other side and to turn a little tidy profit? The government would be assuming everything but, in name, the security function under their bill.

Let us just do it straight up. When you go to Hawaii, they inspect your baggage for contraband agricultural

goods. The people who inspect your baggage for contraband agricultural goods in Hawaii are uniformed Federal law enforcement officers. In fact, this United States Congress has even deemed that the beagles that sniff your baggage are Federal law enforcement officers. The INS are Federal law enforcement officers. Customs are Federal law enforcement officers. As I pointed out earlier, those who protect the Capitol are Federal law enforcement officers. But somehow when it comes to screening passengers and baggage and carry-on bags and protecting the secure side of the airport, we should continue this failing private system.

No, we can do better. It is time to totally junk that system and adopt a new one that will protect the traveling public.

□ 1145

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let us talk about airline security and the bill coming up tomorrow, since the gentleman would like to talk about it.

What are we talking about when you talk about securing an airplane for the safety of the passengers? Well, you are talking about the baggage that is checked, that goes into the hold of the plane; you are talking about the person, the flier; and you are talking about whatever purses or baggage that that person carries into the cabin of the plane.

Do you need a security expert to look through a purse? I hardly think so. Do you need a technician that is paid $50,000 a year to look in your briefcase? I do not think so. Do you need a $50,000 a year person to look at an x-ray screen that is looking at your purse or your briefcase as you go through the checkout line? No, I do not think so.

What you do need, Mr. Speaker, is a Federal agent there, with the proper authority, to receive information from our security agencies, the CIA, the FBI, the INS, the DEA, all of the Federal agencies that have something to do with learning whether or not you might be dangerous on that airplane. So it is the person that is getting on the plane that is altogether important, and, yes, the Federal Government needs a Federal agent at every checkpoint checking on the person that wants on the airplane. That is the most important thing. An innocent person, a non-terrorist that carries a machine gun onto the plane is no danger, but a terrorist with a box cutting knife is the most dangerous. So it is the person that needs to be checked.

Now the Federal security agencies do not have input, are not allowed to have input, frankly, and the FAA is not given the data from these agencies to check whether or not you as you try to enter the plane are in fact a suspected terrorist. That is a problem. That needs to be fixed. The only way to fix that is to have a law enforcement officer who has the proper security clearance to receive information from CIA, FBI, and so on, there on the spot checking the passenger list to be sure you are okay. That is important. That is necessary.

But you can hire people to check the bags. That is not a complicated security job. You can get it done more quickly, you can get it done more efficiently, you can get it done for a better expenditure of the Federal taxpayers' dollars, I think, by contracting that out under Federal supervision, under Federal clearances, under Federal regulations and guidelines, so that when the person is hired we know whether or not they have a criminal background, or they will not be hired if they do; that there will be Federal certification required, which is not the case now, before a person is hired for those types of jobs. There would be Federal supervision, Federal training, and dismissal if the person does not fit up to the standards that are required.

Under the Civil Service laws of our land, rightfully so, it is very, very, very difficult to discharge, to fire, a person for incompetence. It is practically impossible. I do not want those kinds of rules applying to the person checking to see whether or not a terrorist is entering my airplane. If that person is not doing the job, fire them right on the spot, just as happened last week in New Orleans where a person was allowed on a plane with a gun. The person, the screener, that allowed that to happen was fired instantaneously by the private contractor. Had that person been a Federal employee, they would still be checking at that gate today.

So, Mr. Speaker, let us understand what we are talking about here. Yes, we need a Federal takeover of security screening of people and items going on planes. Yes, a Federal takeover, Federal agents on the spot 24 hours a day being sure that people and things going on planes are not dangerous. You can deal with the details of that though much more efficiently and more cheaply, frankly, for the taxpayers by contracting out the small items, the things that can be done by untrained, frankly, untrained personnel.

So I hope tomorrow when we have the airline security bill, that we will do what the President wants, what the Secretary of Transportation wants. Norm Mineta we all know. The Secretary of Transportation, Norm Mineta, was a Member of this body. He was chairman of the Committee on Transportation and Infrastructure for a number of years. He is an expert if there is one on airline security. He has advised the President, the President's staff all agrees, the President agrees, the Secretary of Transportation agrees, the FAA agrees, all of them agree that the best way to go is a Federal takeover of airline security, but contract out the mundane details that can be done by just about anybody.

So I hope tomorrow we will exercise good judgment, that we will follow the lead of our former colleague in this great body with high respect on both sides of the aisle, Norm Mineta, Secretary of Transportation, and we will follow the lead of our President. And let us not worry. Let us not get in the way of what this country needs to do right now, and that is to defeat the terrorists. And let us not get bogged down in a detail like this, when I think it is a fairly insignificant detail, and let us stay focused on the big picture.

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

Mr. SABO. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. Speaker, let me respond quickly. The gentleman mentioned cheaply. We do now have the cheapest system you can buy. It is failing us miserably. That should not be a consideration before us.

The gentleman talked about insignificant details. Is it an insignificant detail to smuggle a fully assembled, loaded handgun onto a plane, or a hand grenade through security? Because that is what has happened with private security today. The FAA has tested this system, and they have been able to get hand grenades through, fully loaded handguns.

The gentleman mentioned machine guns. I am not sure that happened yet, but it may have. But he said it would be okay if someone brought it on with good intentions. I do not think so.

But, if I could, the gentleman talked about $50,000 a year people. Well, I am not sure what we pay these Capitol Hill police, but we should pay them $50,000 a year. And if we think we need $50,000 a year uniformed Federal law enforcement officers to protect the United States Capitol and the Members of the United States Congress, I will tell you what, no one is going to take the Capitol up off the ground and fly it into a building and kill people, but airplanes go up in the air every day. And the flight attendants are not feeling good about it, the pilots are not feeling good about it, they are not getting the security they need.

We need better security screening. It is our first line of defense. I do not know if the gentleman is familiar with the CTX–5000. It is a very complicated piece of machinery, and we probably need to pay at least $50,000 a year for someone to operate it. It sniffs and looks for bombs in baggage. It is a machine that they say you basically have to be a radiologist to analyze, because it is like using a CAT scan. It is very,

very complicated. But the gentleman would want to put a minimum wage person operating that machine, because that would be cheaper.

What does it take to operate the machine? Actually it takes an expert to operate that machine. So this is not something you can do on the cheap. But we want to go around the barn and say, well, the Federal Government will have law enforcement officers there, the Federal Government will supervise, the Federal Government will do the background checks, the Federal Government will set the wages and benefits, but these will not be Federal employees because we are worried we cannot fire them.

Actually, if the gentleman read our bill, he would see in the bill it says they do not get protections that are performance-based, they can be fired for lack of performance. This is a better option.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman misrepresented what I said. I, of course, would not say it is okay to take a machine gun on an airplane. I resent that inference.

Mr. DEFAZIO. Would the gentleman yield?

Mr. ROGERS of Kentucky. I do not yield.

Mr. DEFAZIO. Would the gentleman like me to have the words read back?

The SPEAKER pro tempore (Mr. COOKSEY). The gentleman from Kentucky is recognized.

Mr. ROGERS of Kentucky. I would appreciate the gentleman responding and respecting my time, as I respected his.

Of course, I did not say that. I would never say something like that. I did not say that it would be minimum wage employees operating expensive equipment. Of course you have to have experts to operate the new CAT scan-type x-ray machines that we are bringing on-line now and paying for in our bills.

If you take a tour of the Rome airport, for example, as the ranking member and I did just a while back, and saw the expensive, highly-paid classified workers out of sight beneath the airport searching all baggage, including searched baggage, you know that it must be done by an expert. Of course it must be.

I am just saying for the routine things, looking in purses, opening up a briefcase looking for something, you do not have to have a highly paid person doing that. But you do, of course, have to have the highly paid Federal workers that are there with security clearances to receive information from our security agencies to check the person, to see if they are on the watch list, to see if they have been involved in problems overseas somewhere, or here. That is the person that needs to be the expert, and that is what I would advocate that we do.

Now, the system as it now is run by the airlines, they have been in the past needing to get by on the cheap, and they have. And no one defends the present system, certainly not me. I have been probably one of the most critical of it there is. But that was done because the airlines have been responsible for security, and their bottom line was important to them, and therefore you had minimum wage employees now doing the screening.

Of course that should be done away with. You do not need to pay these people minimum wage. The Federal Government when it takes over the system will be able to hire the people that the requirements of the position will demand and we will pay whatever the rate is. I am sure it will not be minimum wage.

But the essential point is we need a Federal takeover of airline security. We need Federal agents on the scene at all times, not only just to run the screening process, but the baggage process, and access to the tarmac, to the airfield. That all needs to be controlled under a Federal mandate.

But please give the President some choices, some options here, to do it the best possible way. I hope the gentleman is not telling us that he knows more about this than Secretary Mineta. I do not believe the gentleman will tell us that he knows more about this than people who have devoted their lives to airline security, who are saying to us please give the President options.

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

Mr. SABO. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, if the gentleman can answer briefly, since the gentleman has admitted the present system is failing, would the gentleman bar the present firms, particularly those who are under criminal indictment and have been criminally convicted, from continuing to provide services under a new privatized system? Would the gentleman accept that? I guess not.

Mr. ROGERS of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Listen, I am the one who I guess broke the story on one of the companies.

Mr. DEFAZIO. So you would.

Mr. ROGERS of Kentucky. That was under indictment, in fact pled guilty in Philadelphia. So if that company or any other company could qualify under the conditions that we set down, sure. But I have got a feeling, as far as I am concerned, that the standards would prohibit that.

Mr. DEFAZIO. Mr. Speaker, reclaiming my time, the Young bill, that would not prohibit firms who are criminally convicted of violating existing guidelines from continuing to provide private security. The parent company in Britain has just been found to have committed very, very serious breaches of security in Heathrow Airport. So you have a foreign-owned firm which is on both sides of the ocean failing, and your bill would not prohibit that firm from bidding.

□ 1215

Mr. SABO. Mr. Speaker, I yield 8 minutes to the gentleman from Massachusetts (Mr. OLVER), our good friend.

Mr. OLVER. Mr. Speaker, I thank the gentleman for yielding me time. I did not realize at what point we were in this debate, and I came over as soon as I knew that it was going on.

I am pleased to see that this motion to instruct has been offered, and I am glad to see that the gentleman from Kentucky (Mr. ROGERS) has indicated that he has no problems with the proposal, with the motion to instruct the conferees.

I think it is an entirely appropriate thing that we should be doing here; that is, asking for the highest possible level of transportation security funding. It goes far beyond just security for airports, although that is the area that, because of the horrendous events on September 11, has had the most attention. Clearly, we need better security in our tunnels, on our bridges, in our rail stations, in our subway stations. We will have to get around to that. But we have become focused, at least for the moment, upon airline security and the airports' security.

Since September 11, the economy has been in a steep slide toward recession. There are at least 100,000 direct employees, direct employees of the airline companies, who are out of jobs, and that does not say anything about the many-times-that of other employees, often part-timers and such in the tourism industry, that have been affected by the steep slide in the economy. It comes because air travel is a major portion of our whole economic system. The airports are half-empty. Even in those that are running fairly effectively, we find the confusion that goes on in the security systems that are there. They do not know what to do because they never had any training, never had any standards, never had any real professionalization in the process; and that is still affecting them, even though there are fewer than half the people going through the airports today that were going through earlier, and we are expecting that we are going to end up with some of our airlines going out of business. Yet, we have had in, now, almost 2 months no law; with all the different things that we have done, nothing on the professional-

ization of the airport security systems and not a single dollar to establish that kind of professionalization.

Mr. Speaker, we really have to professionalize our airport security system with ultimately the responsibility for that being clearly in the hands of the Federal Government. It can be in terms of very strong management with features that are being talked about in the several bills that are here, but we really have to require a Federal uniform system to protect all passengers, or passengers are not going to return to the airlines and they are not going to return to our airports and our economy will still be in the tank.

We have to expand the air marshal program. We have to develop new methods to modify cabin and cockpit security in our planes. We have to require extensive background checks of security personnel. And we need to maximize the use of explosion detection equipment. But at the bottom of all of that is that we must professionalize the personnel systems that are involved in airline security.

It is more than a month ago already, it was in September, and here we are on the last day of October, that we held a joint hearing of the Senate and House Subcommittees on Transportation of the Committees on Appropriations, where we heard powerful testimony by the Federal Aviation Administration, the General Accounting Office and the Inspector General for Transportation documenting the utterly poor security systems that are operated by the airlines. As they operate in this country, it is the weakest system of any of our major Western countries, as far as I have been able to detect, looking at the systems that are available in Western Europe and in Israel; and ours is very like Canada's at the moment, or has been.

Both the General Accounting Office and the IG extensively tested the security systems and found that screeners frequently failed to detect guns, knives; other threats at security checkpoints the IG reported repeatedly breached, and there has been a long history of that, document after document, stacks of documents showing that to be the case, breached security areas in a large percentage of their tests at major airports.

Once they have breached the secure areas, persons who had gotten through what security systems were there could enter any of the planes. Well, why are those breaches, why were those breaches, so easy?

Well, the GAO and the Inspector General cited specifically the very low wages and benefits of security personnel, little or no training of the screeners, weak to no criminal checks on the screeners, no uniform standards for screening and, interestingly, extremely rapid turnover which, in the testimony, indicated that the turnover ran from 80 percent at a minimum in the lowest turnover at one of the companies up to 250 percent and, I think, as much as 400 percent turnover. These are people who were working for no more than a couple of months and the minute that they could get out of that job, because there was no kind of standard involved and no morale on the jobs, would go on to something else.

In other words, these were the largely dead-end jobs, the very deadest end of jobs that were being used in protecting the security of American travelers, and yet we have not really done anything formal in that period of, now, almost 2 months to make corrections in it.

So we now are going to deal with that tomorrow with legislation. I think that the Democratic bill is much stronger in what it puts forward, because it does professionalize the security system and put the responsibility directly on the Federal Government to make certain that the security system is one that is reliable; and that may give people the degree of confidence that they need so that they can come back to the business of flying and the business of why they fly, whether it be for tourism or for business itself.

We have had indications that some of the companies have pleaded guilty to criminal violations and yet they are still contracted companies in the system as it operates today. With that happening, with the failure to conduct background checks on employees staffing those security checkpoints, it is highly unlikely that we will get back the confidence of the American people in the air travel systems that we have and get our economy back running.

So I am very pleased that the chairman is happy to support the motion to instruct. I hope that when we get finished with this legislation tomorrow that we will have the strongest possible, the strongest possible law in place that will protect the security of the American traveling public.

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

Ms. WATSON of California. Mr. Speaker, when anthrax was discovered on Capitol Hill two weeks ago, the House Leadership acted quickly and prudently to protect Congressional employees from the threat of terrorism. I support that decision. But the speed with which Congress moved to protect itself stands in stark contrast with our failure to provide for the security of the flying public.

Mr. Speaker, it has been fifty days since September 11th, and yet the House of Representatives has still not acted to pass an airline security bill.

It has been forty days since the House of Representatives voted to authorize a fifteen billion dollar bailout for the airlines, and yet the House still has not passed an airline security bill.

It has been twenty days since the other body voted unanimously to provide for airline security, and still, the House has not yet passed an airline security bill.

You might think that this delay was because our leaders were searching for a novel approach, or a well-calibrated solution. But, in fact, it was because of a partisan dispute about whether the screeners should be Federal employees. This despite that the fact that an overwhelming majority of Americans have said that they want the Federal Government to run airport security.

In the wake of the September 11th attacks, Americans asked for, and received, an outpouring of bipartisan leadership from their elected officials. How sad that the one key thing that Congress must do to safeguard their security has been held up by a partisan dispute. I urge my colleagues to support this motion, and I urge you, Mr. Speaker, to bring the Senate's bipartisan airline security bill to the floor without delay.

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

The SPEAKER pro tempore (Mr. GUTKNECHT). Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Minnesota (Mr. SABO).

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. ROGERS, WOLF, DELAY, CALLAHAN, TIAHRT, ADERHOLT, Ms. GRANGER, Mrs. EMERSON, Messrs. SWEENEY, YOUNG of Florida, SABO, OLVER, PASTOR, Ms. KILPATRICK, and Messrs. SERRANO, CLYBURN and OBEY.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2330, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2002.

Mr. BONILLA. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2330) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Ms. KAPTUR moves that the manager on the part of the House at the conference on

the disagreeing votes of the two Houses on the bill, H.R. 2330, be instructed to insist on the highest possible levels of funding permitted for international food activities under P.L. 480, Title II.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XX, the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Texas (Mr. BONILLA) each will control 30 minutes.

The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR).

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

Let me say to my colleagues and to the gentleman from Texas (Mr. BONILLA), our esteemed chairman of the subcommittee, that this motion is simple and to the point. It instructs our conferees to agree to the highest possible level of funding for international food programs within the scope of the conference, including the Title II Public Law 480 Food for Peace program.

Mr. Speaker, perhaps never in the history, in the recent history of our great country have we had a greater need to use our food power to build a more peaceful world. Three matters individually and collectively within our purview in this legislation justify the need for the highest possible level of funding. I just wish to mention them and make a few remarks.

The first is the Global Food for Education Initiative.

The second is the ongoing need for an expanding emergency need for food assistance for Afghan refugees and other desperate people in and around that beleaguered country.

Thirdly, to offset the administration's proposal to reduce the section 416 commodity assistance with the resultant increase in dependency on the Public Law 480 Title II program for vitally needed development assistance throughout the world.

It is interesting to think about the conditions which breed revolution and instability, and to observe how often that desperate people living in desperate conditions in the countryside provide the seed bed for political instability. If we think historically, just for a second, back to the middle part of the 20th century, the countryside became the killing fields inside what became the Soviet Union through the forced starvation of millions and millions of people by Joseph Stalin and his consequent success in gaining control over what became the Union of the Soviet Socialist Republics. The countryside was dead center in what happened with control of the food supply.

If we think to China and the revolution in 1949 and the role of Mao Tsetung in moving people back to the countryside, the rural countryside became the seed bed for the revolution and the consequences that followed, and the imposition of will over 1 billion people.

Now, today, in the Middle East, in East Africa, we have witnessed the powerful instability that can grow from food insecurity with little to eat and little to hope for; and it is not just in Afghanistan where people are at prefamine levels with millions that have fled that sad state of affairs. If we also think about the madrassas operating inside Pakistan that use the lure of milk to feed hundreds and thousands of little boys who are then systematically taught to hate anyone whose religion is unlike theirs.

Food is being used as a weapon in the conflict that we face with Enduring Freedom.

□ 1215

It is best that we understand it, and that we use the power that we have with our food commodities to help build a more peaceful world.

The Global Food for Education Initiative, the program so strongly supported and developed by Senators Bob Dole and George McGovern, can be an important piece of the solution.

Why can we not think about using the Global Food for Education Program to offset what the madrassas are doing in Pakistan, and to feed children out of our good will, and to provide educational opportunity to both boys and girls, and hopefully produce new political leaders for the future that will embrace the world in a more fair open manner?

This body has said we would like to see the funding for this program continued, and we would like to see permanent authorization as part of the farm bill, the authorizing legislation itself being H.R. 1700.

So we want this motion to instruct to place some responsibility on these conferees to see that the Global Food for Education Initiative, and the hard work that the gentleman from Massachusetts (Mr. MCGOVERN) and others have done, to make that a permanent authorization and to receive the support it deserves inside this conference.

Secondly, in terms of the starvation and pre-starvation levels that people in Afghanistan and the refugees are facing, there is no question about the ongoing immediate need for expanding emergency food programs for those refugees, whether they be inside the country, if we can find a way to deliver it, or to the adjoining nations, during our Nation's conduct of Enduring Freedom.

We know that the United Nations World Food Program has predicted that we will need to provide a minimum level of assistance for 7.5 million people, and that such aid could last for well over 1 year. Even though the administration has already suggested more resources will be provided, and has done so out of the emergency funding we adopted earlier this year, there is no doubt that more will be needed; and not only direct food, but once stability reigns again, to help people develop their own abilities to raise food so there can be a more permanent chance for development in that region.

Once we complete emergency assistance, we have to look at meaningful development assistance so we can leave the region in a more self-sustaining condition than it is in, obviously, today.

If we want to change the concerns about poverty, malnutrition, and how people are treated, including women, then we must also have long-term development goals in mind, and that is where food for peace, food for progress, section 416, are answers that make the most sense.

Finally, before yielding time, let me say that the administration's proposal to reduce section 416 commodity assistance may have made sense before September 11. I do not really think it did. But after September 11, it makes absolutely no sense at all, because it will force the resultant increase in dependency on the Public Law 480 title II program, which we need for the type of developmental assistance in the Middle East, in East Africa, and other places where instability reigns.

If we are to have longer programs that will end world hunger, a goal to which our Nation leads the world and has subscribed to throughout our existence, then we have to be sure that any emergency food assistance is followed up with a program of meaningful development assistance, and that is why these programs were invented.

This program benefits American farmers and our States seeking to develop new markets for our commodities as the largest food-producing Nation in the world, as well as the countries receiving the benefit of the program, targeted to those who are hungry in the urban areas and to development in the rural countryside, to stem the instability that we know has bred the revolutions of modern history.

Public Law 480 has a long history of turning former recipients into longstanding customers and into stable political allies.

Mr. Speaker, I yield such time as he may consume to the esteemed gentleman from Massachusetts (Mr. MCGOVERN), who has been such a leader on these international food programs.

Mr. MCGOVERN. Mr. Speaker, I thank my colleague for yielding time to me, and I am very glad to see and strongly support this motion to instruct the conferees to support the highest level of food aid assistance.

I believe that United States food aid programs will play a critical role in averting disaster in Afghanistan and in the Near East. Even before the tragic events of September 11, the United States was the largest contributor of food and humanitarian assistance to the people of Afghanistan through the United Nations World Food Program.

But I also believe that the United States should support these programs worldwide. The United States has long fought to end hunger and poverty, and these programs are a critical part of that development effort. They reflect the compassionate, humanitarian character of the American people.

As my colleagues know, along with the gentlewoman from Ohio (Ms. KAPTUR) and the gentlewoman from Missouri (Mrs. EMERSON) and the gentleman from Ohio (Mr. HALL) and over 100 Members of this House, I support the establishment of the Global Food for Education Initiative that would fund school feeding programs around the world, including Afghanistan, Pakistan, and throughout the Mideast.

This program was inspired by two great leaders of our country, former Senators George McGovern and Bob Dole, and as I said, has enjoyed incredible bipartisan support, not only in the House but in the other body.

School feeding programs accomplish a number of things. First, they get food and nutrition to hungry kids. We all know that hungry children cannot learn.

Second, school feeding programs increase school attendance. In various pilot programs, as in the pilot program of this Global Food for Education Initiative, we have seen school attendance increase dramatically, especially among girls. Education is really a key tool in combatting some of the terrible effects of poverty and ignorance and illiteracy.

We talk about how do we deal with intolerance and hate around the world. Education is the way to do that. So this program would actually get more young people into schools, and I think it is an effective tool in combatting the types of conditions where terrorists tend to seek recruits.

I am pleased that we have been able to get some language in the farm bill in the House, and hopefully the other body will follow suit, but I would call on President Bush to extend this particular program through fiscal year 2002.

I want to thank the gentlewoman from Ohio (Ms. KAPTUR) again for her incredible leadership on this and so many other food aid issues. I support this motion to instruct conferees to support the highest levels of funding for U.S. food aid programs.

I think this is an important motion. This is an important statement for the Members of this House to make.

Ms. KAPTUR. Mr. Speaker, if the gentleman will yield, I thank the gentleman from Massachusetts so very much for speaking out again today, and for providing the type of national leadership that we need in order to make this Global Food for Education Program permanent.

I think, if the gentleman might want to engage in a colloquy at this point, I know he has thought a great deal about how our commodities leverage food from other countries, and the participation of other nations in this Global Food for Education Initiative.

Perhaps the gentleman would wish to place some of that on the RECORD at this time.

Mr. MCGOVERN. Mr. Speaker, what we are proposing here is not just a program where the United States goes it alone. What we are trying to do here is inspire other countries around the world to follow suit, and to make a strong effort to eliminate hunger among the world's children.

We have the ability to do that. Our country, working with other countries around the world, we can eliminate hunger among children. We could eliminate hunger among the entire world if we had the political will to do so.

As Senator McGovern has said time and time again, hunger is a political condition. It is something that we can solve if we have the political will to do so.

Our goal here is to have the United States be a leader in this effort, but to go to other countries around the world, as we have been trying to do, to get them to participate in this program. So it is a worldwide effort, a worldwide effort to combat hunger.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for those comments. I am reminded of the day that we had the special press conference up here in the Capitol with Senators McGovern and Dole, these two dogged World War II veterans who could be doing anything else with their lives at this point, yet they were here on the Global Food for Education Program because they as veterans understand what it takes to build peace.

What a contribution they are still making, though not legislators or Members of Congress at this point in their lives, to have an influence to do what is good in the world as Americans, regardless of party. We owe them so much. They are giving their great genius to the country, and we owe them such thanks for that, and for making a difference working with us, especially now.

I wait for the day when the gentleman from Texas (Mr. BONILLA) and the gentleman from Massachusetts (Mr. MCGOVERN) and I can go into Pakistan and help to distribute maybe some of this milk, and to take a look at what is being taught in private schools that are being established there as we try to help part of the world that so greatly needs greater stability, to use our food programs as the real fulcrum of a better future for millions of children.

Mr. MCGOVERN. As the gentlewoman pointed out earlier, too, this really puts our farmers in the forefront of this effort to make this world a better place.

The food we are talking about, much of it would be grown right here in the United States by American farmers who would also benefit from this program, and I have often felt that we could do more around the world to promote stability and human rights by utilizing this incredible surplus we have in our farm commodities right here in the United States.

Again, there is an incredible need out there, and as the gentlewoman pointed out, we have been engaged in these incredible humanitarian efforts in the past. I think we need to redouble our efforts, especially in the wake of September 11. We need to bring the world community together. We can make this world a better place. We can eliminate hunger among children. We can promote global education. We can make this world a safer, less violent, more tolerant place. Again, I thank the gentlewoman for her motion.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman, and I yield myself such time as I may consume.

I just want to place on the RECORD, as we talk about this, if we look at the hijackers here that did such damage to our country, 15 of 19 of them came from what is now Saudi Arabia. If we look at the areas of Saudi Arabia they came from, they came from the rural, southern parts of the nation.

Other nations have been subjected to terrorist attacks, but if we really see where many of the Shiite and Sunni fundamentalists who are committing most of these acts come from, they come from parts of the country that never received support from their own governments. So therefore, these are breeding grounds for the discontent that is destabilizing that part of the world, and now our part of the world.

I know from every single farmer in my region to every single farmer across this country, they know they can be a part of the answer to retooling for peace using food as the fulcrum for a better future. I know the gentleman sees this in his mind's eye, and we can do so much good if we can get even our own government to recognize the power of people who have been fed, and that those who would seek to do harm in their own regions or in others would have less cause for action.

It is too bad that the world has to move to this point, but I will say, in defense of our country, prior to September 11 there was one Nation providing the majority of food commodities inside Afghanistan, and it was the United States of America, through the World Food Program.

So we have tried to make an effort. In some of these other nations, I think it has been more difficult to get the governments to be willing to allow food commodities and assistance to flow to some of these rural areas that may not be looked upon favorably by the central governments. But I think people

may and these nations may be rethinking the damage that has been caused by ignoring major segments of the population that then are underdeveloped and underfed, and are prime targets to be lured by those who would want to create harm and instability, and to create a political movement that grows out of the poverty and deprivation of huge segments of the nations of the Middle East and of East Africa.

So I know that we have other Members who are desirous of speaking on this subject. We have been hoping that they would make it to the floor from their committee meetings. They do not appear to be here at the moment, so I think we are going to have to move on with the legislation.

Mr. Speaker, I thank the gentleman from Texas (Chairman BONILLA) so very much for his leadership on this, and for his support.

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

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

Mr. Speaker, I rise in support of the motion of the gentlewoman from Ohio (Ms. KAPTUR). I know this has been an issue she has been working on long before the current crisis that exists in Afghanistan, and this program has proven to be very beneficial in this area as we undertake our mission there.

But again, well before this situation arose, the gentlewoman from Ohio (Ms. KAPTUR) has been a leader on this issue through her subcommittee work, and well before that, as well. I commend her for her longtime commitment to this issue.

□ 1230

We have no objection and, in fact, we support this motion enthusiastically.

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

Ms. KAPTUR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Ms. DELAURO), the very able member of our subcommittee, who has been such a leader on not just domestic food programs but world food programs. We thank her for leaving her committee meeting in order to come to the floor to discuss this very important motion to instruct.

Ms. DELAURO. Mr. Speaker, I thank the gentlewoman from Ohio (Ms. KAPTUR) for the motion to instruct and I rise in strong support of this motion.

This motion would add vital funds to international aid programs that help both citizens of poor countries and it helps American farmers. Now, more than ever, since the attack of September 11, we must fund these programs at the highest levels possible.

In the last 50 years almost 400 million people worldwide have died from hunger and from being poor. That is three times the number of people killed in all wars fought in the 20th century. Today almost 800 million people, about one-sixth of the population of the world's developing countries, do not have enough food. Two hundred million are children.

U.S. food aid is essential in fighting world hunger. It has been instrumental in averting a famine in the Horn of Africa. It has helped redevelop Bosnia's agricultural sector and feed more than 50,000 children in Haitian schools and hospitals.

Food aid empowers people, families, communities. It enables them to break out of a cycle of hunger and poverty and return to lives of dignity. On a broader scale, food aid helps countries improve their people's health, their incomes, and their living conditions. It helps them progress forward as a nation. And at the same time, the food aid helps our farmers across agricultural sectors, wheat, soybeans, rice, peas, milk to name a few; in one of the darkest times of our agricultural history. It has helped them to sell more of their products and keep their farms and their families secure. At a time when family farms are struggling day-to-day for existence, international food aid offers them hope.

After the tragic events of September 11, more than ever the United States needs to reach out to our neighbors. Our core principles of justice, liberty and opportunity are what makes this Nation strong. We must continue to live by them and promote them. We must continue to provide assistance, support developing nations. We must let these countries know that despite the unspeakable act of terror against our Nation, we will continue to stand strong with them in their fight to improve the lives of their citizens.

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

Mr. Speaker, I thank the gentlewoman from Connecticut (Ms. DELAURO) for such an eloquent statement and for her leadership on international food programs as well as our domestic programs like WIC and all of the Food and Drug Administration programs on which you have worked so hard in the subcommittee. We are truly fortunate to have you as a Member of this Congress and Connecticut certainly has made a very good choice in sending you here.

Mr. Speaker, I would like to just mention before calling on our dear able colleague from North Carolina (Mrs. CLAYTON), that it is probably important as we talk about this motion to instruct to acknowledge the courage, the dedication and the patriotism of the workers from the U.S. Agency for International Development and the World Food Program who have been working under extremely difficult conditions, certainly in the Middle East and Central Asia, but in Africa, in Indonesia, in so many other places on our globe.

They do not get a great deal of publicity. Over the years so many have lost their lives. They in my judgment are as important as any person serving our Nation and we want to thank them, and we want to let them know that this Congress understands the heroism of their work and the great humanitarian role that they play in treating all people equally and bringing the bounty of this land to places that most Americans will never see. We wish them to know the depth of our thanks and respect that we hold for the work that they do largely unacknowledged.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from North Carolina (Mrs. CLAYTON), a very high ranking member of our Committee on Agriculture. If the word is agriculture, if the word is leadership, if the word is development, she is at the front of the line.

The SPEAKER pro tempore (Mr. GUTKNECHT). The Chair would announce the gentlewoman from Ohio (Ms. KAPTUR) has 7 minutes remaining.

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman for yielding me time. I thank her for her leadership and for the motion to instruct that we will indeed instruct the conferees to go to the higher level for this very important program, Public Law 480.

This is a program that is in place and has been doing good work. It has been doing well for our farmers because indeed our farmers have benefitted from the abundance that we have, an ongoing inventory that we can now use to do very good deeds around the world. So many of our programs have been very effective in relieving hunger. There is the Food for Peace, Food for Development. There are various programs under the Public Law 480. I am very pleased that we are recognizing this as a tool for not only our agricultural expansion but also a tool for our relief.

Earlier this morning I was in a discussion where we were talking about what other things could be done in this whole conflict in terms of terrorism, particularly in Afghanistan and the region. The mere ability to help people to feed themselves was given as a strategy.

Well, guess what? This program can be used and we think that we could expand that. Obviously, they had a program that was going to be modelled a little differently; but there is no reason we cannot use this program to supplement whatever comes out of that initiative in terms of responding to the refugees. I read yesterday about the children of the garbage, they are called, out of Los Angeles, where kids go through scavenging enough products to sell and recycle so they can buy enough food to feed their families.

If we could think of this as one way of stabilizing families who are suffering from hunger, but more than

that, it could be used as a tool to bring stability where we are fighting and have a military strategy. This could be a part of our diplomatic approach, is to use our development of agriculture and our U.S. AID.

We pulled AID into our State Department. For what reason? To use it as a tool that we can have as our international policy. So our food programs that we have through the Public Law 480 certainly is a tool I think is underutilized and I want to expand it.

There are many food programs I could mention. The gentlewoman from Ohio (Ms. KAPTUR) mentioned the Global Food Program, which I am very much aware of, and the Global School Lunch Program. We are very pleased that is moving along and my colleague's leadership there has been evident, and we are very pleased Congress is moving in that direction.

I commend this amendment, but more than that, I commend our understanding that we can use food as one of the tools in our arsenal for peace and stability as well as we respond to the hunger and the needs not only in Africa and India but also in the very troubled area that we are involved in, Afghanistan and that whole region.

This is a significant beginning and I hope it leads to it.

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

I thank the gentlewoman from North Carolina (Mrs. CLAYTON) for that very generous statement and strong support and also for her continuing leadership on so many fronts. I know that some of the initiatives that the gentlewoman has taken on for Africa, for example, using these programs will be the first time that farmer to farmer programs and modernization programs will be used for development in rural Africa in areas that so desperately need attention, and I hope that the people of North Carolina understand the genius that they have sent here in allowing the gentlewoman to serve in our Congress, and I thank the gentlewoman so very much for being here with us today.

In closing, Mr. Speaker, I just wanted to say, as we look at the range of what America can do in order to promote a more peaceful world, what other programs have such scope as these? We are talking here about emergency assistance for Afghan refugees and food inside Afghanistan.

These programs are being used currently in places like Lebanon where for the first time in the history of our country we have taken food commodities such as wheat and soy oil, sold them inside Lebanon, and now we are helping to redevelop villages, very poor, poor villages that did not even have water rights at the Lebanese-Israeli border in order to try to build a more peaceful world.

What other programs do we know that have this kind of range? If we think about the farmer to farmer programs that the gentlewoman from North Carolina (Mrs. CLAYTON) was talking about in Africa or those that operate in the Caribbean, here we have programs that operate globally, using the bounty of this land being a win-win, helping our farmers and our rural communities bolster their income and yet, in my opinion, being the most important development bank that this country has in place with vast experience in every corner of the world.

So as we vote on this motion to instruct today and ultimately move our agriculture appropriation bill, we certainly would ask for the membership's full support of our international food programs, particularly at this time in our Nation's history being front and center and well understood as providing us a path to a more peaceful future.

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

Mr. BONILLA. Mr. Speaker, at this time I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GUTKNECHT). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Ohio (Ms. KAPTUR).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. BONILLA, WALSH, KINGSTON, NETHERCUTT, LATHAM, Mrs. EMERSON, Messrs. GOODE, LAHOOD, YOUNG of Florida, Ms. KAPTUR, Ms. DELAURO, and Messrs. HINCHEY, FARR of California, BOYD, and OBEY.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 2925. An act to amend the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under the jurisdiction of the Bureau of Reclamation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 43 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1550

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 3 o'clock and 50 minutes p.m.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 273 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 273

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my friend, the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 273 is a standard rule waiving all points of order against the conference report, and provides for consideration of the conference report to accompany H.R. 2647, the fiscal year 2002 legislative branch appropriations bill.

The conference report provides yet another example of a carefully crafted bill from the Committee on Appropriations that balances fiscal discipline with the true needs of our first branch of government, the legislative branch. This legislation represents a responsible increase in overall spending of 4.6 percent.

I would like to also commend the gentleman from North Carolina (Chairman TAYLOR), the ranking member, the gentleman from Virginia (Mr. MORAN), and other members of the Committee on Appropriations for their hard work on what is truly a noncontroversial conference report, and for maintaining the position established by the House in almost every instance.

Mr. Speaker, the legislative branch appropriations conference report ensures that the diverse funding needs of this institution are met, from legislative work to security to tourism.

Specifically, this bill funds congressional operations for the House of Representatives, including our staffs and employees. It addresses the needs of the United States Capitol Police, and

continues to support their efforts to modernize as they perform essential security functions for the protections of not just Members of Congress and our staffs, but for the millions of visitors who come to our seat of government every year.

This bill includes important funding to hire additional new officers, and provides needed funds to bring their salaries in line with other Federal law enforcement agencies.

I would like to take a minute to express my personal gratitude to the men and women of the United States Capitol Police for their tireless efforts during this time of war.

Day after day, regardless of the hour, truly in rain and shine, these men and women faithfully carry out the duties which ensure the safety and security for all of us who live, work and visit our Nation's Capital. Their dedication, professionalism, and seemingly endless hours of service to ensure our security have not gone without notice and are most appreciated.

Mr. Speaker, this conference report also provides for the needs of the Architect of the Capitol, including the various operations and maintenance activities under his jurisdiction for the Capitol, House office buildings and the surrounding grounds, and including an additional $70 million for needed House and Senate office space at the new Capitol Visitor's Center.

In addition, it funds the needs of the invaluable but often behind-the-scenes work performed by the Congressional Budget Office, the Government Printing Office, and the General Accounting Office.

The conference agreement also provides funding for the Library of Congress and for the Congressional Research Service, including the employees who collectively help us and our staff make sense of the many complex issues we face every day.

Mr. Speaker, this conference report maintains the House-passed measures aimed to help meet the needs of an ever-changing and dynamic workplace. It helps this institution keep pace as an employer, including a monthly transit benefit, and makes modest infrastructure changes to make cycling to work more appealing; that is, as in riding a bike cycling. These transit benefits will help reduce demand on the already-limited parking, and help reduce traffic congestion.

In addition, the conference report calls for a study of options for a self-sustaining staff fitness center.

Finally, the conference report recognizes our need to become more environmentally friendly and efficient in reusing and recycling our waste by directing a review of the current recycling program, identifying ways to improve the program, establishing criteria for measuring compliance, and setting reasonable milestones for increasing the amount of recycled material.

Mr. Speaker, this is a good conference report and deserves our support. I urge all of my colleagues to support this straightforward rule, as well as the underlying noncontroversial legislation.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this rule allows for the consideration of the conference report on the legislative branch appropriations bill for fiscal year 2002, and it waives all points of order.

The bill appropriates money for the operations of the House and Senate and the maintenance of the Capitol complex. It also funds legislative branch agencies that support Congress, including the Library of Congress, the Congressional Budget Office, and the General Accounting Office.

In the aftermath of September 11, the American people I think have found increased confidence in the Federal Government and Congress in particular, and I believe that the confidence is well-founded.

The men and women who serve as Members of Congress, and I do not speak of myself, but I speak of my colleagues, are an extraordinary group of dedicated individuals. They are served by a corps of talented and hard-working staff, and I am very proud to serve with them.

Representative democracy is never easy, and it is even more difficult in times of crisis, but I am proud to support this bill, which allows our vital work to continue. I urge the adoption of the rule and of the bill.

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

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

Mr. Speaker, as we have said here several times, this is a noncontroversial conference report that has been agreed to by the House and that has been agreed to by our conferees.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 11 minutes to the gentleman from Wisconsin (Mr. OBEY), the former chairman of the Committee on Appropriations and the ranking minority member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I want to thank the gentleman for yielding time to me, and I would like to say that I think each and every person who serves in this body is a very fortunate human being.

First of all, we have been blessed by having the express confidence of the people we represent. They have entrusted us to deal with matters that deal not only with our own districts but with the Nation as a whole.

□ 1600

And I know each and every one of us feel a profound sense of gratitude for being able to provide that service. We have also had a lot of pressures put upon each and every person who works in this place, not just Members but staff, and those who support this institution and provide for its security.

I think that no one is the recipient of more gratitude than the Capitol Police who are funded in this bill. They have been working overtime since the unfortunate events of September 11 in order to try to provide security, not just for the physical buildings that make up Capitol Hill, but also for each and every human being who works on this Capitol Hill.

We have also been served, I think, tremendously well by the Attending Physician, who has taken on duties that I am sure he never imagined he would have to deal with when he first signed on as the job of the Attending Physician for the Capitol. We have seen a lot of turmoil on the Hill; and, in my judgment, the bill that this rule brings to the floor will prove insufficient in terms of meeting all the expenses attendant in dealing with the new world that we now live in.

I noticed this morning, I saw in one of the Capitol Hill newspapers a story about some of the extraordinary expenses that congressional employees have personally borne to try to make up for the fact that some of our Members at this point are not able to operate out of their own offices. You have had extraordinary arrangements that a number of Members and staff have had to make in order to get back to Washington after they were, in effect, trapped outside of Washington when all of the airlines were brought down, correctly, by Secretary Mineta in order to prevent further tragedies on September 11. And so we all know that there is a tremendous amount to be done to secure this Capitol and its surrounding environs.

I congratulate the members of the subcommittee who have worked on this bill. I have no basic problems with this bill. But I think it is appropriate during consideration of this bill to recognize that no matter what security measures that are being taken are probably going to have to be, in fact, enhanced. And I have very little doubt that we will be facing a supplemental appropriations for this branch of government and for many other agencies of government as well. But I would like also to caution every Member because I think it is necessary to understand that, in addition to securing buildings like the ones that we work in, we also have an overriding obligation to increase the safety and security of each and every American that we represent.

There are many other public servants also at work today in this country, and some of them have been brought under

attack. The postal workers of this country are the ones who first come to mind. I think it is necessary for this Congress to understand that there are so many security vulnerabilities in this very changed world after September 11 that we must think through in fundamental ways the way we approach every single security-related issue in the government.

I think the private sector of our economy is going to have to think through the same things. And that means in my view we are going to have to face up to the fact that in addition to everything that we do in this bill today to deal with the problems of Capitol Hill, we are going to have to deal with a good many other problems around the country, and I would like to walk through what I think some others are that deserve equal attention.

This morning we had Governor Ridge in the Democratic Caucus, and he comported himself very well. I think those who have served with him in the past in this institution understand that he is a first-rate individual who will be doing his very best to provide additional homeland security for the entire country. But when he was in our Caucus this morning, I urged him to recognize that just as we are facing in this bill the obligation to move forward with the number of projects to enhance the security of the people's House, so too must we provide him with additional authority in order to do the same thing for everyone in this Nation.

Among the things I suggested to him was that, in my view, he needs to get control of the budget process because there are a whole range of security actions that need to be taken across the country that, in my view, are not being taken at the same time. And I do not think any of us want to be in the position where we are taking what we consider to be adequate security measures here on Capitol Hill, if we were not at the same time taking adequate measures to secure the life and safety of each and every American.

Some of the items that need to be considered are as follows: We have laboratories all across the country that are generating dangerous biological and chemical agents. There is no central registry of such agents or the quantity that they are being produced in or the quantity in which they are held. CDC has requested $10 million simply to begin enforcing existing laws requiring the reporting of the transfer of such agents. So far that has not been funded in the administration request.

We have been told by Secretary Thompson, my good friend, the former governor of Wisconsin, that he is going to be asking for 300 million doses of additional vaccines in order to strengthen our ability to respond to other challenges in the public health field. I applaud that, but it seems to me that we need to move far beyond that.

We need to dramatically beef up the ability of the public health surveillance mechanisms in this country so that we can, in fact, tell if we are in an epidemic when an epidemic begins, not after we are 2 weeks into it.

While the Public Health Service has requested well over half a billion dollars in additional funding, they have so far only had $65 million of that approved.

We have had a $500 million request from Amtrak for security of the Rail Passenger Service. So far, on the part of OMB, only 1 percent of that funding has been approved.

The Customs Service has asked for about $700 million for increasing border inspections, particularly on the Canadian border. To my knowledge, at this point, none of that has been approved by OMB.

The FBI, they have asked for an additional $1.5 billion. They have huge overtime costs. They have huge additional responsibilities. They are devoting a huge percentage of their investigative forces to the problems of terrorism. Their requests so far have been cut by two-thirds.

So I would simply say that these and many other items I think indicate the fact that we have much work to do in the area of securing the homeland. No matter what we do, there will be vulnerabilities. We understand that, but this bill that will be before us either today or tomorrow takes some minimal steps to add to the security of Capitol Hill. We have many much larger steps that must be taken across the country to attend to the security of the entire Nation, and I hope that this body will be receptive to such efforts in the remaining weeks of this congressional session.

I thank the gentleman from Ohio (Mr. HALL) for the time.

Mr. SESSIONS. Mr. Speaker, I continue to reserve my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I want to commend Members on both sides of the aisle for having put together this legislation, and I will not object and will, in fact, support this rule and the legislation. I think it is at this particular time in our Nation's history important that we spend our resources protecting the symbol of our democracy, our Capitol and all of the Senate and House office buildings associated with it.

In fact, in light of recent revelations, we find that perhaps this capital, if not our entire country, could be the targeted attacks of weapons of mass destruction at the hands of terrorists, and it is that issue which I think is appropriate to discuss during both this debate as well as the debate in a few moments on the Energy and Water appropriations bill.

In particular, I would like to bring to the attention, Mr. Speaker, of Members of this House an article from today's Reuters News Service from its Washington Bureau, and I quote from that article:

The September 11 attacks have increased concerns that extremists would use weapons of mass destruction, including possibly nuclear weapons, against the United States, Undersecretary of State John Bolton said on Wednesday. Answering questions at a breakfast with defense writers, Bolton predicted that if extremists possessed weapons of mass destruction, a term that encompasses nuclear, biological and chemical arms, they will use them.

The article then quotes Secretary Bolton, I am concerned about weapons of mass destruction everywhere, and my concern about weapons of mass destruction everywhere has gone up since, end of quote, the U.S.-led anti-terrorism war began, he said.

The article then says, Bolton, the State Department's top official dealing with arms control and international security affairs, said he was worried, and this is his quote, there will be the use of a weapon of mass destruction. The term encompasses nuclear, chemical and biological arms.

Mr. Speaker, and my colleagues, I think this article and Mr. Bolton's comments point out the obvious. Those who would use airplanes as a tool, as a weapon against the United States and our citizens and all we care about and our values, and certainly they would not stop, in fact, would be encouraged to use weapons of mass destruction, be they biological, chemical or nuclear.

While I think it is important in this Legislative Branch bill we do try prudent efforts and steps to protect this Capitol, the symbol of our democracy, I think in further debate today, we are going to find that some of us are deeply disappointed that while we are protecting the Capitol, as we should in this bill, we are not doing what we must do and have responsibility to do in other legislation to protect American citizens from the threat of nuclear terrorism.

While there will be more discussion on that in a few moments, let me quote Mr. Bolton when he says, basically, that one consequence of the U.S. attacks was a heightened awareness of the interrelationship between nonproliferation and terrorists and that as a result efforts to halt the spread of nuclear, chemical and biological arms will receive more attention in coming months.

Mr. Bolton's comments are correct in regard to biological and chemical weapons. We are already taking action. Yet in other legislation we will debate on this floor today we are actually reducing funding for perhaps the single most effective program designed to keep nuclear weapons and materiels out of the hands of terrorists.

This is a good bill, designed to continue forward our democracy and the symbols of our democracy and the operating offices of our democracy, but we must not stop here with this bill. We have an obligation and a moral responsibility to protect the American people from what I think is a serious threat; that is, the threat of nuclear materiels getting into the hands of terrorists who would gladly kill millions of American citizens.

□ 1615

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 7 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the distinguished gentleman from Ohio of the Committee on Rules for yielding me this time, as well as the gentleman from Texas, for bringing up this rule.

Mr. Speaker, this is a good conference agreement. I want to express my appreciation to the chairman of the committee, the gentleman from North Carolina (Mr. TAYLOR), the members of the Subcommittee on Legislative, who worked closely to craft a good bill and a good final conference agreement. It largely reflects the same legislative branch appropriations bill that got 380 votes in the House earlier this year.

Our objectives have always been to provide the legislative branch with the resources and the guidance that it requires to carry out its mission, even in these most trying of circumstances. The legislative body is the Federal essence of our democratic process, and all of the components of the legislative branch are well treated in this conference agreement.

It prioritizes our capital improvement program, confronting, not deferring, personnel issues, such as an aging work force and retention challenges, and I do not mean the Members, I am referring to many of the staff up here on the Hill, and funding several new technology projects that will allow us to perform our work more efficiently, to make this work more readily available to the public and to preserve it for posterity.

The Library of Congress, the General Accounting Office, the Government Printing Office, and the Congressional Budget Office will largely receive what they requested. Joint committees and leadership accounts will receive what they will need.

In addition, this bill includes provisions that will help us respond and be better prepared for the new terrorist threat.

Let me stress that security and the need to preserve the ability of this institution to continue to function have been our paramount concerns. This agreement provides the funds to hire an additional 79 police officers, bringing the Capitol Police force to 1,481 full-time equivalents and to fund their benefit increases. Between this agreement and the funding set aside in the fundamentals, this institution should be receiving all the resources it needs to address our security needs.

The bill also includes provisions that address several long-standing problems that should now be resolved.

I want to recognize the gentleman from Maryland (Mr. HOYER) and express my appreciation for the successful effort that he led to end the long-standing practice by the Architect of the Capitol of using temporary workers for long-term projects to get around providing them health and pension benefits. These temporary workers have been employed by the Architect on an average of 4½ years.

Recognition should also be given to the gentlewoman from Ohio (Ms. KAPTUR) for her efforts to help contract cafeteria employees who have been without pay since the closure of the Ford and the Longworth cafeterias, so that they can be compensated for their lost wages.

I am also pleased to see the conference agreement set aside sufficient funds to enable all offices, be it a Member's office, a committee, or the Congressional Budget Office or the Government Printing Office, to provide their employees with a $65-per-month employee transit benefit which should increase to $100 tax free by next year. In light of the terrorist attacks on September 11, this benefit and the effort to reduce the number of parking spaces and cars around the Capitol have taken on even greater importance.

On a related issue, I am pleased the House Administrative Officer will be working on a plan to help more Members, staff, committees, and legislative branch agencies access their computer systems from a remote location. In times of peace, this initiative would have been called teleworking. In times of war, and our experience with the closure of House offices, providing Members access from a remote location, be it from the General Accounting Office or their home computer, has become an essential requirement to preserve the operations of this institution.

I want to be certain we are doing all we can to ensure that we can function effectively no matter what the context, and certainly we have learned from our experience when the House office buildings were shut down.

Over the long term, I believe that the transit benefit, assistance on student loan repayments, and greater teleworking opportunities are good personnel policies that will also help us attract and retain employees and professional staff in all legislative branch agencies.

I do want to say a word about the student loan program. It will apply to the Senate, the CBO, the GAO, but not the House of Representatives; and this inequity is unfortunate and should not have occurred. It is largely due to inaction on the part of the Committee on House Administration and will give the Senate and other legislative branch agencies yet another edge on the House in recruiting qualified employees. The lack of this student loan incentive gives an advantage to the Senate that the House does not have in recruiting qualified employees.

I would hope that the Committee on House Administration will move quickly to recommend criteria and guidelines so that we can set up such a program as soon as possible. I have spoken to the gentleman from Maryland (Mr. HOYER) about this, and I know that he is ready, and has been ready, to work with Chairman NEY to develop the kinds of guidelines that we need to make this student loan repayment program work and provide another incentive to get top-notch staff working for us here on the House side. Unfortunately, we could not do it in time for this conference, but I trust it will be done.

Similarly, the House administration needs to authorize the full transit benefit permitted under current law. With enactment of this agreement, money should no longer be an issue, though. This appropriation provides the money. We still do need authority from the Committee on House Administration. If my colleagues at the Federal executive branch, State and local governments, and the private sector can find the resources to provide their employees transit benefits, assistance repaying student loans, and teleworking options, so can we.

In all, I think we have a good agreement that will go a long way toward addressing the needs and operations of the legislative branch for the balance of this fiscal year, and I urge my colleagues to not only approve the rule but to approve the conference report on the legislative branch appropriations bill.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I think House Members would be interested in what I consider to be an egregious anomaly in this bill.

Today, administrative assistants in the other body are paid, on average, $118,000. In this institution they are paid approximately $22,000 less per person. A legislative director in the other body is paid about $85,000, on average. That is about $25,000 more than we pay for similar responsibilities in the House. For a legislative assistant, the gap is about $15,000 between the pay afforded to a House staffer versus a Senate staffer.

We have another provision in this bill which is going to make it even more difficult for House Members to retain our staff, because it will be much easier for the Senate to entice staffers to come to work for them, all because of a provision in this bill. There is a provision in this bill that enables the employees of the other body and CBO to begin a student loan repayment program.

Now, I have nothing against that, but the problem is that that will not happen in the House of Representatives because we have not had the proper authorizations approved by the committee of jurisdiction in this House. That means that there will be yet another recruiting tool that will enable the Senate to entice our staffers away to work in the Senate. We cannot function as effectively as the People's House ought to function if we are essentially advised by people who have very short tenure in their jobs before they either move over to the Senate to get much better pay or before they go downtown to get much better pay than they can get working in either the Senate or the House.

I would urge everyone with the appropriate responsibilities in this House to recognize that this provision in this bill today will add to our difficulties in retaining quality staff and attracting quality staff in competition with the other body, and I would urge them to take the appropriate action so that we will be able to compete with the other body on an even footing. I think we owe that to the people we represent and to the people who work for us.

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

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

Mr. Speaker, we have had an opportunity to hear several speakers who have talked about some very important aspects of what this legislative appropriations bill does. We have also heard some of the perhaps downsides or fallacies.

I, like the gentleman from Wisconsin (Mr. OBEY), wish to express confidence in the men and women who come to Washington, D.C., who work for the legislative branch. They work tirelessly. They are people who are up till late at night. They are people who care deeply about not only the success of the House of Representatives and the people who work here but also the institution. It is my hope that in the coming years we will be able to further work on issues related to employment, issues related to pay, issues related to student loans.

But I would add an overriding remark, and that is that I believe that this institution and body is well served by the men and women who are here. And we have not only respect for them, but we also give them our gratitude and our thanks; and that goes for all the people who are living through some very difficult times now, when we have some offices closed, when we have some uncertain times that we are dealing with. And I think that they should hear, just as the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Ohio (Mr. HALL) have stated, that we are proud of the men and women who work here, the police who protect us, and the people who day-to-day come into contact with us, including those people who serve in our cafeterias and other avenues to support this institution.

Mr. Speaker, this is a good conference report which we have been discussing. It is one which responds to the critical needs of the first branch of our government, which is the legislative branch. Adopting this rule will allow us to consider this important conference report and send it quickly to the President for his signature. I urge a ''yes'' vote on the rule and adoption of this must-do piece of legislation.

Mr. BLUMENAUER. Mr. Speaker, I rise today in support of the rule for the Legislative Branch Conference Report. I commend the conferees for their work in preparing this report. The report includes important provisions that have a beneficial impact on the entire Washington, D.C. region and improve the quality of life for the thousands of men and women working on Capitol Hill.

I came to Congress to promote more livable communities with the Federal Government being a better partner to make our families safe, healthy and economically secure. An important part of making those communities livable is ensuring that people have choices about where they live, work, and how they travel.

During these troubled times that have fallen upon us since September 11, it is easy to lose sight of the essential daily items that improve quality of life. I commend my colleagues for moving forward on key provisions that will strengthen communities and give employees improved choices on how they live and work.

These livability provisions include the full funding of an increase in the allowable amount to $65 for Legislative Branch employees participating in the transit benefit program. In addition to this important provision, language is also included to update bike facilities here on the Hill including providing new, more secure bike lockers for those Representatives and staff who bike to work, and to study alternatives for a staff fitness center.

These types of provisions that improve quality of life for employees and the livability of the communities in which they live is an important step in making America stronger and more resilient no matter the disconcerting circumstances at hand.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

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

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

The point of no quorum is considered withdrawn.

□ 1630

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 8 of rule XX, and the Chair's prior announcement, the Chair will now put each question on which further proceedings were postponed earlier today in the following order:

On approving the Journal, de novo;

Conference report on H.R. 2590, by the yeas and nays; and

House Resolution 273, de novo.

The Chair will reduce to 5 minutes the time for the third electronic vote in this series.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the question of the Chair's approval of the Journal of the last day's proceedings.

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

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

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

The Sergeant at Arms will notify absent Members.

This will be a 15-minute vote followed by a second 15-minute vote followed by a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 374, nays 39, answered ''present'' 1, not voting 18, as follows:

[Roll No. 412]

YEAS—374

Abercrombie	Bentsen	Boucher
Ackerman	Bereuter	Boyd
Akin	Berkley	Brady (TX)
Allen	Berman	Brown (FL)
Baca	Berry	Brown (SC)
Baker	Biggert	Bryant
Baldacci	Bilirakis	Burr
Baldwin	Bishop	Burton
Ballenger	Blagojevich	Buyer
Barcia	Blumenauer	Callahan
Barr	Boehlert	Calvert
Barrett	Boehner	Camp
Bartlett	Bonilla	Cannon
Barton	Bonior	Cantor
Bass	Bono	Capito
Becerra	Boswell	Capps

Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Coyne
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Price (NC)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Upton
Velázquez
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Whitfield
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—39

Aderholt
Baird
Borski
Brady (PA)
Brown (OH)
Capuano
Costello
Crane
DeFazio
English
Filner
Gutknecht
Hastings (FL)
Hefley
Hilliard
Holt
Kucinich
Larsen (WA)
Lewis (GA)
LoBiondo
McDermott
Moran (KS)
Oberstar
Pallone
Peterson (MN)
Ramstad
Sabo
Sanchez
Schaffer
Strickland
Stupak
Taylor (MS)
Thompson (CA)
Udall (CO)
Udall (NM)
Visclosky
Waters
Weller
Wicker

ANSWERED ''PRESENT''—1

Tancredo

NOT VOTING—18

Andrews
Armey
Bachus
Blunt
Cox
Cubin
DeGette
DeLay
Dreier
Dunn
Granger
Lantos
McCrery
Portman
Pryce (OH)
Sweeney
Thompson (MS)
Watts (OK)

□ 1654

So the Journal was approved.

The result of the vote was announced as above recorded.

CONFERENCE REPORT ON H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of agreeing to the conference report on the bill, H.R. 2590, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 339, nays 85, not voting 8, as follows:

[Roll No. 413]

YEAS—339

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schrock
Scott
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stenholm
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Traficant
Udall (CO)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—85

Baldwin
Barcia
Barrett
Berkley
Berry
Blumenauer
Boswell
Brown (OH)
Capps
Capuano
Carson (IN)
Carson (OK)
Chabot
Coble
Costello
Crane
Davis (CA)
DeFazio
Deutsch
Duncan
Etheridge
Evans
Everett
Flake
Goode
Goodlatte
Graves
Green (WI)
Hall (TX)
Hayworth
Hefley
Herger
Hill
Hilleary
Holt
Honda
Hooley
Hostettler
Inslee
Israel
Jenkins
Jones (NC)
Kerns
Kildee
Kind (WI)
Kucinich
Langevin
Larsen (WA)
Lucas (KY)
Luther
Lynch
Matheson
McKinney
Moore
Moran (KS)
Napolitano
Paul
Petri
Phelps
Pickering
Pitts
Platts
Ramstad
Rohrabacher
Ross
Royce
Ryun (KS)
Sandlin
Schaffer
Schiff
Sensenbrenner
Shays
Sherman
Shows
Stearns
Strickland
Stump
Tancredo
Taylor (MS)
Thune
Thurman
Toomey
Turner
Udall (NM)
Wu

NOT VOTING—8

Andrews
DeGette
Dunn
Granger
Lantos
McCrery
Sweeney
Thompson (MS)

□ 1720

Messrs. BLUMENAUER, GRAVES, BARCIA, HONDA, KILDEE and Mrs. CAPPS changed their vote from ''yea'' to ''nay.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 981

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 981.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for the remaining electronic vote on the remaining question on which the Chair has postponed further proceedings.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, House Resolution 273.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 423, noes 0, not voting 9, as follows:

[Roll No. 414]

AYES—423

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—9

Andrews
DeGette
Dunn
Granger
Lantos
McCrery
Sweeney
Thompson (MS)
Woolsey

□ 1735

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. DUNN. Mr. Speaker, I was not present for rollcall votes 412 through 414 due to a family emergency. Had I been present, I would have voted ''yea'' on rollcall No. 412, ''yea'' on rollcall No. 413, and ''yea'' on rollcall No. 414.

PERSONAL EXPLANATION

Mr. SHOWS. Mr. Speaker, on October 30, 2001, I missed roll call votes 408, 409, 410, and 411 because I was in my congressional district on official business and to attend the funeral of a lifelong friend.

Had I been present, I would have voted yea on all four votes.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LATOURETTE). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INTRODUCING THE LEGAL ASSISTANCE FOR VICTIMS OF DATING VIOLENCE ACT DURING DOMESTIC VIOLENCE AWARENESS MONTH

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

Mrs. BIGGERT. Mr. Speaker, I rise today to recognize October as Domestic Violence Awareness Month and to introduce the Legal Assistance for Victims of Dating Violence Act, which will turn that recognition into action.

In recent weeks, much attention has been focused on humanitarian issues in Afghanistan, particularly the cruel treatment of women under the Taliban and their struggle with domestic violence.

While conditions for women in the United States are light years ahead of those for the women of Afghanistan, domestic violence has too long been a problem in our country, as well. The Justice Department reports that there were over 791,000 domestic violence victims in 1999, with 85 percent of these attacks occurring against women.

Over half of domestic violent crimes against both men and women from 1993 to 1999 were committed by a current boyfriend or girlfriend, and almost one-third of women murdered annually are murdered by their current or former partners.

Most troubling for me is that dating violence most often affects our youth. The age group of 16 to 24, which is the group most likely to be in dating relationships, experiences the highest rates of dating violence. These statistics are alarming.

Dating violence crimes are not restricted to any one racial, cultural, or socioeconomic group. Dating violence could happen to anyone in a dating relationship. These acts occur everywhere, and are committed not by a stranger in a dark alley but by people known and trusted by the victims.

These heinous crimes not only violate the victims, but can destroy their ability to trust their friends and loved ones. Dating violence affects every aspect of a victim's life, from his or her relationship to their performance at school or work. We must act now to help the victims of dating violence, these men and women who are attacked by the very people in their lives who they trust the most.

In the last Congress I was proud to cosponsor the reauthorization of the Violence Against Women Act. I was more than pleased that the overwhelming majority of my colleagues agreed with me on the value of this legislation. With 239 cosponsors, VAWA passed overwhelmingly by a vote of 371 to 1 in the House and 95 to 0 in the Senate.

VAWA went a long way in addressing the problem of domestic violence in the United States. Unfortunately, however, VAWA omitted critical protections for victims of dating violence. When VAWA took the much needed step of creating a first-ever legal definition of dating violence, as well as authorized a new grant program to provide civil legal assistance to domestic violence victims, dating violence victims were not covered under the new grants.

Many domestic violence and dating violence victims do not have the money or resources necessary to regain control over their lives. These grants go to nonprofit organizations that then collaborate with domestic violence and sexual assault service agencies to provide civil legal assistance to victims of violence. Access to the legal system can make the difference in these victims' power to break the cycle of oppressive abuse and regain control over their lives.

Mr. Speaker, my legislation addresses this omission within the VAWA legislation. My bill will address this inconsistency by allowing grant recipients to use their funding to assist victims of dating violence. This legislation does not cost anything. It simply allows grant recipients to help dating violence victims in the same way they currently help domestic violence victims. The victims of dating violence deserve the same legal assistance given to other victims of domestic violence.

The ability to obtain a legal protection order or pursue other legal remedies is just as important for victims of dating violence as it is for domestic violence victims. We must ensure that all of these victims receive the assistance they need to get their lives back in order.

I would like to thank our former colleague, Mr. Hutchinson, who is now the administrator of the Drug Enforcement Administration, for introducing this important legislation before he left Congress. He recognized that it is only right that dating violence victims have access to the same services as domestic violence victims, and I wish him the best of luck in his new post.

I would also like to thank my friend and neighbor, Senator MIKE CRAPO, who has introduced this bill in the Senate.

As we recognize Domestic Violence Awareness Month, I can think of no better way to show victims we care than to pass this legislation. I urge my colleagues to cosponsor this important bill and help make a difference in the lives of so many men and women in our country.

CONCERNS REGARDING THE FOREIGN OPERATIONS APPROPRIATIONS BILL

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

Mr. SOUDER. Mr. Speaker, tonight I would like to talk briefly about some concerns I have in the foreign operations appropriations bill, about some rumors that are circulating.

The bill has passed the House and it has passed the Senate. As we go to conference, it is important that we address some of these concerns and we do not retreat on our anti-narcotics efforts.

□ 1745

I know Americans are deeply concerned about the anti-terrorism as I am, but in the process of focusing on the terrorism question, we should not retreat from our war on drugs. As my friend and the Democratic ranking member of the Committee on Government Reform, the gentleman from Maryland (Mr. CUMMINGS), has said, we are in a chemical war in the United States. They have distributed illegal narcotics throughout our country. We are watching the Taliban to see if their heroin makes it over from Europe. They dominate the Europe and Asia markets, but clearly we have thousands of Americans dying of illegal drugs, which is a consistent problem.

I want to talk first about an understanding that the Senate has been pushing to drop a drug certification. First, I do not think it should be dropped. I know countries do not like it. I met with our leaders and presidents in Mexico and throughout South America and in the Summit of the Americas. I know they do not like it. They do not like that it seems judgmental. But the truth is we have certification on human rights and we have certification on terrorism. Are we saying that we will drop all criteria for foreign aid and standards, including human rights and terrorism? We should not.

It is important that we have an idea of which countries in the world are cooperating in our efforts against illegal narcotics, human rights and terrorism. And if we drop one because of judgment, all will be dropped. If we have

drop none, that would be the better point.

Now, let me draw in some particular things. Mexico and Colombia as well as Peru and Bolivia have in fact responded and been aggressive. Certification is not about whether you have been successful but whether the government involved is doing its best to try to cooperate with our government, and Mexico has undertaken incredible efforts in the last 4 years. Colombia has changed its government and has been fighting in the war ever since, as did Peru and Bolivia.

What you need are a carrot and stick approach. In those countries when they elect leadership, they deserve to be rewarded with assistance. The point of being on the list is whether or not you get assistance.

We do need to make some changes in the law. For example, we should not have to certify. The question should be is if you are in noncompliance and nonassistance then you should go on a list like in terrorism or human rights. In the drug certification question, in the drug list, it only applies to whether you are going to get aid. If you do not get aid you are not on the list.

The second concern is the chopping down of the funds in the Andean Initiative. If we are to ever make progress, we cannot push in Plan Colombia. We have to look at the countries around Colombia. We cannot just focus on military. We have to focus on legal aid and economic aid. As we reduce the Andean Initiative, we will have wasted the money that is now going down into that area if we do not continue to follow through the strategy that we put in, which is we squeeze and put the pressure on the narco-traffickers in Colombia, but then as we start to move and as they start to transfer their planning and their trafficking to Ecuador to Peru and Bolivia and Brazil, we should not be backing off the efforts and spread the drug war to those countries. We need in the Andean Initiative to make sure that they are funded so our American drug addiction does not spread this terrible war to the countries around Colombia and, in fact, we can make progress.

The drug issue is very similar to the terrorism question. Unless you can get it at its source, there is only so much we can do at the border, and once it gets across the border it is about impossible to tackle.

We have worked with drug-free schools, drug-free communities, drug treatment, but in fact the closer we can get to the source the better. Just like in terrorism, once those terrorists come into our region and get across our borders, it is very hard to find them in a country that practices liberty.

I hope in the Foreign Operations bill we do not back off with a new Democratic Senate and a new Republican President from our strong efforts against narcotics, either in the Andean Initiative or in the certification of nations who are not cooperating with the United States.

AIRLINE SECURITY

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

Mr. DEFAZIO. Mr. Speaker, it has been 7 weeks and 1 day since the horrific attacks by the terrorists using our commercial airlines and innocent civilians and passengers and crew as weapons in attacks on the World Trade Towers, the Pentagon and the other plane which crashed in Pennsylvania.

It has been more than 2 weeks since the United States Senate voted 100 to 0 on a comprehensive bill to improve aviation security. Now what has gone on in the House so far in these issues? Nothing.

We had the airline bailout bill, $16 billion. There was not a penny in it for aviation security. I tried to amend in at the end of the consideration of the bill a provision for aviation security, but lost that vote.

Now, I think there is pretty broad agreement on both sides of the aisle that the current system is failing. The FAA testers, the regulators who oversee the system find it failing frequently. Their testers are able to smuggle through fake hand grenades, weapons, bombs with great regularity. It is failing us.

Then we have the issue of a number of large private security firms, most notably Argenbright, largest in the United States, subsidiary of one of the largest in the world, the three major private security firms which provide security at airports, are foreign owned. They have a problem. They were criminally convicted last year of hiring known felons, maintaining known felons on staff, lying to the Federal regulators, falsifying documents to Federal regulators. They were fined $1.1 million and put on probation.

Well, here we are a year later and guess what? They are in court again. They are under indictment for hiring known felons, maintaining known felons on staff, falsifying documents to Federal regulators. So although there may be agreement here that we need to do something, unfortunately the majority, particularly a couple of leaders on the majority side, want to perpetuate that system. They said, all we have to do is take the Argenbright Company, known felons, the company itself, in for its second felony trial and supervise them more. How much more supervision can you provide than probation?

They are on probation. They are violating their probation. Maybe if we put the CEO in jail that will get their attention, but I cannot see that this new system of supervision they are talking about is going to shape these people up. They have got problems over in Europe at Heathrow. They have 38 people working in critical positions allowing access to secure parts of the airport who had not had background checks. Same problem they got here in the United States.

Some members of the leadership of the majority on that side want to perpetuate this failing $800 million a year security on the cheap bureaucracy because it is immensely profitable to those companies employing minimum wage, undertrained and abused employees. That has got to change.

We just cannot fix it. We cannot bring in the same firms, the same firms that have committed felonies and make them better with new regulations. They are saying, well, this is what we will do, we will set the wage; we will set the benefit package. This is the Federal Government. We will set the training, we will supervise the training, we will do the background checks and we will supervise the workers, but they will not be Federal employees.

What sense does that make? If we are going to do all that, why not make them into Federal law enforcement personnel, just like we have right out here at the doors of the capitol. We do not have private security out there because I do not think most Members of Congress would feel safe. We have armed Federal law enforcement agents.

Should we do any less for the traveling American public when it comes to aviation safety? Should they go into the airports and have these companies that have committed felonies and perpetuated in those crimes or should they have a Federal law enforcement workforce, just like when they confront the Immigration and Naturalization Service, the Customs Service. The Department of Agriculture checks bags in Hawaii and at other times people coming into the United States. They are all sworn Federal law enforcement officers, but somehow they are telling us either we cannot afford that.

I mean one very candid member of the Republican leadership said these people could join unions if they become Federal employees. Well, guess what? They can join unions if they are private employees. In fact, this legislation is being opposed by a private union because they have unionized some of these folks. They can be unionized one way or another.

There is another concern I have about that. Most of the people who were working and died, other than those innocently at work, on the day of this tragedy, the firefighters, the medics, the police, the pilots and the flight attendants, they were all members of unions. What is wrong with unions?

DOMESTIC VIOLENCE AWARENESS MONTH

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

Mr. MORAN of Kansas. Mr. Speaker, today marks the last day, this last day of October, as the last day of the month for national domestic violence awareness. Though society has made great strides in bringing attention to the crime of domestic violence, over 4 million individuals of this country continue to find themselves victims of physical, psychological and sexual abuse. While our Nation's attention is currently occupied by security threats both here and abroad, domestic violence is an issue that this country must continue to address.

Domestic violence rarely makes the headlines, primarily because most of the abuse occurs behind closed doors. In most instances, the victim knows the attacker. Over 50 percent of the victims are battered by a boy or girlfriend. Over 30 percent are assaulted by spouses, and around 15 percent are attacked by ex-spouses. Many victims are reluctant to report these incidents to anyone because of fear of reprisal.

There are many theories to explain why individuals use violence against their partners. Some explanations include dysfunctional families, inadequate communication skills, stress, chemical dependency and economic hardship. Though these issues may be associated with battering, they are not the causes, and merely removing these factors will not end domestic violence.

Batterers begin and continue to have abusive behavior because violence is an effective method of gaining and keeping control over another person. The abuser usually does not suffer adverse consequences as a result of this behavior.

Historically, violence against women has not been treated as a real crime but rather a private matter between domestic partners. The consequences for domestic violence are often less severe than the penalties for other criminal forms of abuse.

Society tends to misplace the blame for continued abuse, focusing on the victim and criticizing him or her for not leaving the abuser. In many cases women simply do not have physical or financial resources to get out of the relationship. Risks of retaliatory abuse and injury are also factors in staying.

Every year, domestic violence results in approximately 100,000 days of hospitalization and over 28,000 visits to emergency rooms. In these cases, major medical treatment is often required.

Fear of death is another consideration. The possibility of being murdered by an abuser increases to 75 percent if the woman attempts to leave on her own.

For these reasons, outside support networks and services are vital. Yet these resources are often limited.

The lack of resources and shelters are a particular problem in rural areas. In my 66-county district, there are only nine domestic violence and sexual assault shelters. For many women in central and western Kansas, the distance to the closest shelter may be hundreds of miles away. In Kansas, one domestic violence murder occurs 55 minutes and 48 seconds. Proximity to a safe facility can mean the difference between life and death. Ensuring safe havens for women who leave abusive environments is a priority.

Most domestic violence centers rely primarily on grants and local donations. Federal grants made under the Violence Against Women Act provided essential funds for shelter operation and support service. That program has been credited with substantially reducing the levels of violence committed against women and children. We must continue to ensure that our shelters and crisis centers receive adequate funding.

As National Domestic Violence Awareness Month draws to a close, we are reminded that domestic violence is an issue that must be addressed all year long. Only through funding, education and support can America hope to end this terrible crime.

ANTIBIOTIC RESISTANCE

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

Mr. BROWN of Ohio. Mr. Speaker, antibiotic resistance is a major health threat that does not receive the attention it deserves. When bioterrorism is a prevailing concern, we can no longer afford to ignore or downplay the threat of antibiotic resistance.

Introduced in the 1940s, antibiotics gave us a tremendous advantage in our fight against tuberculosis, pneumonia, typhoid, cholera and salmonella and many other long-term killers, but some bacteria exposed to antibiotics are able to survive. These antibiotic-resistant strains then flourish and pose a dangerous threat to public health.

□ 1800

We in Congress cannot go home to our districts and say we have taken the steps necessary to prepare for future bioterrorist attacks unless and until we confront the issue of antibiotic resistance.

The links between resistance and bioterrorism are clear. Antibiotic-resistant strains of anthrax and other microbes are recognized to be some of the most lethal forms of biological weapons. These weapons exist today. We know, first, that Russian scientists have developed a strain of anthrax that is resistant to penicillin and tetracycline. We can only assume that anthrax and other lethal agents will be engineered to resist newer antibiotics like Cipro.

Overuse of antibiotics, misuse of antibiotics will render more microbes resistant to our current stockpile of drugs, potentially leaving the Nation poorly prepared in the event of bioterrorist attacks. As we have seen with the recent anthrax attacks, the broad-scale use of antibiotics associated with bioterrorism compounds the resistance problems, which in turn can render our existing antibiotics ineffective against future attacks. It is an alarming cycle.

To adequately prepare for a bioterrorist attack, surveillance capabilities at the State and local levels are crucial. State and local health departments must be equipped to rapidly identify and respond to antibiotic-resistant strains of anthrax and other lethal agents. To protect our antibiotic stockpile, we must be able to isolate emerging antibiotic-resistant microbes, monitor the ongoing effectiveness of existing antibiotics, and carefully track and discourage overuse and misuse of current antibiotic treatments.

Surveillance also provides the data needed to prioritize the research and the development of new antibiotic treatments. Drug-resistant pathogens are a growing threat to every American. We cannot, we must not continue to treat this threat as a long-term issue and a lesser priority. It is an immediate threat, and we must deal with it now.

Under last year's Public Health Threats and Emergencies Act, sponsored by my colleague, the gentleman from North Carolina (Mr. BURR) and my friend, the gentleman from Michigan (Mr. STUPAK), Congress authorized a grant program that can equip State and local health departments to identify and to track antibiotic resistance. The gentleman from New York (Mr. BOEHLERT) and I are requesting that the Committee on Appropriations include at least $50 million for this grant program in the Homeland Security supplemental appropriations bill, which we will take up either late this week or early next week.

I urge Members on both sides of the aisle to weigh in on this issue. Let the appropriators know that funding of antibiotic resistance is critical. We must help State and local health agencies combat antibiotic resistance. Our success against bioterrorism absolutely depends on it.

THE AMERICAN AND GERMAN NAVIES MEET

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

Mr. GUTKNECHT. Mr. Speaker, I will attempt to read from an e-mail which was sent from a young ensign aboard the U.S.S. *Winston Churchill* to his parents. The *Churchill* is an *Arleigh Burke*-class AEGIS guided-missile destroyer, commissioned March 10, 2001, and is the only active U.S. Navy warship named after a foreign national.

I read: ''Dear Dad: We are still at sea. The remainder of our port visits have all been canceled. We have spent every day since the attacks going back and forth within imaginary boxes drawn in the ocean, standing high-security watches and trying to make the best of it. We have seen the articles and the photographs, and they are sickening. Being isolated, I do not think we appreciate the full scope of what is happening back home, but we are definitely feeling the effects.

''About 2 hours ago, we were hailed by a German Navy destroyer, *Lutjens*, requesting permission to pass close by our port side. Strange, since we were in the middle of an empty ocean, but the captain acquiesced and we prepared to render them honors from our bridge wing. As they were making their approach, our conning officer used binoculars and announced that the *Lutjens* was flying not the German but the American flag. As she came alongside us, we saw the American flag flying at half mast and her entire crew topside standing at silent, rigid attention in their dress uniforms.

''They had made a sign that was displayed on her side that read ''We Stand by You.'' There was not a dry eye on the bridge as we stayed alongside for a few minutes and saluted. It was the most powerful thing I have seen in my life. The German Navy did an incredible thing for this crew, and it has truly been the highest point in the days since the attacks. It is amazing to think that only a half-century ago things were quite different.

''After *Lutjens* pulled away, the officer of the deck, who had been planning to get out later this year, turned to me and said, 'I'm staying Navy.' ''

Mr. Speaker, to our German friends we can only say, danke schoen. To our countrymen and colleagues I say, be of strong heart, we are not alone. We will prevail.

Mr. Speaker, before I yield back, a number of colleagues have asked if they could get copies of this e-mail as well as photos of the Navy destroyer *Lutjens*. They can get that by simply going to my Web address at gil.house.gov.

PEDIATRIC EXCLUSIVITY BILL

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

Mr. STUPAK. Mr. Speaker, I rise today to speak on a bill that will be coming to the floor soon. H.R. 2887 is commonly called the pediatric exclusivity bill. This was a good bill. It was passed and implemented back in 1997. It had a 5-year sunset, so it is necessary for Congress to reauthorize the pediatric exclusivity bill.

Pediatric exclusivity simply says this: If a drug company that currently has a drug on the market will do an exclusive study for young people, those 18 or under, we will grant to them a patent extension for 6 years.

It is amazing, but as drug companies put forth drugs, they were not required to see what the effect would be on young people. Thus, we created the pediatric exclusivity bill to make sure an opportunity was provided to have studies done to make sure the proper dosage, the amount and the type of drug, would be beneficial to young people, those under 18 years of age. Just for agreeing to do a study that the FDA wants for young people, a drug company can get its patent extended. That is of great benefit to the drug company, of course, because they hold the patent and make money off the drug, and this bill is now due to be reauthorized.

As we move through this bill in our Subcommittee on Health of the Committee on Energy and Commerce, there are a number of improvements we would like to see made with the bill. While there have been a number of improvements made already, there is still one part of the bill that troubles me, and hopefully, I will be able to offer an amendment to correct this inequity in the bill. What my amendment would say is that if we provide a pediatric exclusivity, before that patent extension is provided, the drug company must make the necessary label changes on a product that has been studied.

In fact, I would like to quote the FDA's report to the Congress dated January of this year. It says, and I quote, ''The ultimate goal of encouraging pediatric studies is to provide needed dosing and safety information to the physicians in product labeling.'' To paraphrase, and I want to emphasize, ''The goal of pediatric exclusivity is the labeling.'' It is the labeling where we find out how much to give, the safety information, and who should be given it. That is why I must offer my amendment when this bill comes to the floor. My amendment would tie the grant of exclusivity to the necessary labeling changes.

There have been 33 drugs approved for pediatric exclusivity, but only 20 of them have made the needed changes on the label. How would a doctor, a parent, or a patient who is under 18 know what is the right dosage or if this drug is safe for them without this information? Currently, the exclusivity period is given only for conducting studies. For the safety of our children, for our health care system, this must and should be changed.

Take, for example, one of the drugs that has been granted pediatric exclusivity, Eli Lilly's drug Prozac. The benefit to the public, specifically parents, patients and pediatricians, is zero, because the manufacturer has yet to place any information in the public record regarding the pediatric dosing or other data relating to the drug's safety in juvenile populations. Just for doing a study, for doing very little to aid our understanding of the operation of this antidepressant drug, they are allowed to have the pediatric exclusivity, to make the money, but not without giving us full disclosure of the needed safety information. That information on Prozac is never given to doctors, parents and patients on how it affects young people.

Sadly, physicians and parents have no way of knowing what the results of the study were on Prozac regarding the myriad of presumed uses of Prozac in young people. Unless Eli Lilly elects to tell us, we do not know what testing occurred, in what specific age groups, what dosage, or what reactions. Pediatricians, parents, and patients have no information; they are literally left in the dark.

When the current bill comes to the floor, it will only require that manufacturers in the future will be required to label their products after the results are known. But that knowledge will not be given until 11 months after the product is on the market. That gives them 11 months to negotiate with the FDA in a secret proceeding, unless the FDA is prepared to declare a product misbrand, and the FDA has been reluctant to do so.

Under my labeling amendment, which I hope to bring to the floor, all new drugs must complete the labeling requirement before the product is marketed. I cannot understand why we allow drug manufacturers to undertake a pediatric study but not provide the doctors, the patients, and the parents with the results of this study and the information they need to make it available.

FOOLISHNESS OF FIAT

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

Mr. PAUL. Mr. Speaker, the world's politicians, special interests, government bureaucrats, and financiers all love fiat money because they all benefit from it. But freedom-loving, hard-working, ethical and thrifty individuals suffer.

Fiat money is paper money that gets its value from a government edict and compulsory legal tender laws. Honest money, something of real value, like a precious metal, gets its value from the market and through voluntary exchange. The world today is awash in

fiat money like never before, and we face a financial crisis like never before, conceived many decades before the 9–11 crisis hit.

Fiat money works as long as trust in the currency lasts. But eventually trust is always withdrawn from paper money. Fiat money evolves out of sound money, which always originates in the market, but paper money inevitably fails no matter how hard the beneficiaries try to perpetuate the fraud. We are now witnessing the early stages of the demise of a worldwide financial system built on the fiction that wealth can come out of a printing press or a computer at our central banks.

Japan, failing to understand this, has tried for more than a decade to stimulate her economy and boost her stock market by printing money and increasing government spending, and it has not worked. Argentina, even with the hopes placed in its currency board, is nevertheless facing default on its foreign debt and a crisis in confidence. More bailouts from the IMF and U.S. dollar may temper the crisis for a while, but ultimately it will only hurt the dollar and the U.S. taxpayers.

We cannot continually bail out others with expansion of the dollar money supply, as we have with the crisis in Turkey, Argentina, and the countries of Southeast Asia. This policy has its limits, and confidence in the dollar is the determining factor. Even though, up until now, confidence has reigned, encouraged by our political and economic strength, this era is coming to an end. Our homeland has been attacked, our enemies are not easily subdued, our commitments abroad are unsustainable, and our economy is fast slipping into chaos.

Printing money is not an answer, yet that is all that is offered. The clamor for low-interest rates by all those who benefit from fiat money has prompted the Fed to create new money out of thin air like never before. Driving the Fed funds rate down from 6.5 percent to 2.5 percent, a level below the price inflation rate, represents nothing short of panic and has done nothing to recharge the economy. But as one would expect, confidence in the dollar is waning.

I am sure, due to the crisis, a faith in fiat and a failure to understand the business cycle, the Fed will continue with the only thing it knows to do: credit creation and manipulation of interest rates.

□ 1815

This policy reflects the central bank's complete ignorance as to the cause of the problem: Credit creation and manipulation of interest rates.

Since the Federal Reserve first panicked in early January, it has created $830 billion of fiat money out of thin air. The country is no richer. The economy is weaker. The stock market has continued downward, and unemployment has skyrocketed. Returning to deficit spending, as we already have, will not help us any more than it helped Japan, which continues to sink into economic morass.

Nothing can correct the problems we face if we do not give up on the foolishness of fiat.

Mr. Speaker, a dollar crisis is quickly approaching. We should prepare ourselves.

FOURTH WTO MINISTERIAL CONFERENCE SHOULD NOT BE HELD IN QATAR

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

Ms. KAPTUR. Mr. Speaker, today we are preparing to send a letter to the President of the United States expressing the displeasure of many Members and genuine concern about the administration decision to send a delegation from our countries to the World Trade Organization's fourth ministerial conference in Qatar. That is to occur next week.

We are writing to express our deep reservations about the appropriateness of that venue in light of recent actions by the monarchy in Qatar, not to mention the obvious security concerns for our citizens.

We are deeply disappointed by the failure of the Qatari monarchy to support U.S. military action in Afghanistan. In fact, the President of the United States has said Nations should choose sides. Well, Qatar has chosen the wrong side. Indeed, in this war against terrorism, Qatar has decided to sit on the sidelines, and at worst to condemn U.S. military action; so why are we sending a delegation there?

Indeed, the government of Qatar has condemned the air campaign against the Taliban and refused to make its airports and infrastructure available to U.S. forces. On October 23, Qatari Foreign Minister Sheikh Hamad bin-Jassem bin-Jabr al-Thani condemned, and that is a quote, the allied attacks on Afghanistan and called them unacceptable.

What is unacceptable is the notion that Doha, Qatar is an appropriate site for the World Trade Organization ministerial.

Mr. Speaker, we will be asking the President to prevail on the World Trade Organization officials to move the ministerial to another location in light of the government of Qatar's opposition to the war on terrorism.

The government of Qatar should be made to understand that its failure to support the coalition in the campaign against terrorism has consequences, and it is not business as usual.

In the Financial Times today, there is an article indicating that Vice President CHENEY disregarded fears over the WTO choosing the venue of Qatar for this meeting. In fact, it says that the White House disregarded security concerns among top U.S. trade officials this month by committing Washington to sending a delegation to the meeting of the World Trade Organization previously scheduled for Qatar.

It mentions that U.S. Government security experts on Friday warned business lobbyists planning to accompany the delegation that there were substantial risks in attending the meeting in the small Gulf state.

One delegation member was very concerned about Mr. CHENEY's call and said, ''I think this is a momentously bad call based upon what we have learned about security risks there.''

It is no secret this organization calls itself the World Trade Organization, and when those two Trade Towers came down in New York, those were the Twin World Trade Towers. There is a message here, and it is a pretty important one.

For the RECORD, I will be including information on Qatar's policy of denying its own people fundamental rights. In fact, the government officially prohibits such things as public worship by non-Muslims. Our own CIA Fact Book indicates that the people of Qatar do not even have the right to vote, and freedom of speech is severely limited. I could not be giving this speech in Qatar.

In addition, like the Taliban, the rulers of Qatar oppress women, and women occupy a strictly subservient role inside that society.

I think it is fair to say that trade has failed to bring freedom to Qatar. In fact, the U.S. State Department calls oil the cornerstone of Qatar's economy, accounting for more than 70 percent of total government revenue in that country. Starting in 1973, oil production there increased dramatically, but freedom certainly has not followed.

We are constantly told how freedom takes root in unfree countries if we simply trade, whether it is Vietnam, China or Qatar. That logic is simply not true. Despite billions upon billions of dollars worth of engagement between Western commercial interests and Qatar, the people of Qatar have no freedom of speech, no freedom of assembly, no freedom of religion, no freedom of association.

Mr. Speaker, I would ask the Bush and Cheney administration to seriously review the decision that they have made to send a delegation to Qatar and to find a location that is safer in view of these very troubled times.

The material previously referred to is as follows:

(From the Financial Times, Oct. 31, 2001]

CHENEY DISREGARDED FEARS OVER WTO VENUE

VICE-PRESIDENT PLEDGED US PARTICIPATION DESPITE EFFORTS TO MOVE MIDEAST MEETING

(By Guy de Jonquieres in London and Edward Alden in Washington)

Dick Cheney, the US vice-president, disregarded security concerns among top US trade officials this month by committing Washington to sending a delegation to next month's ministerial meeting of the World Trade Organisation in Doha, Qatar.

Mr. Cheney pledged US participation even though US intelligence officials are seriously concerned that its delegation—due to include Robert Zoellick, the US trade representative, Don Evans, commerce secretary, and Ann Veneman, agriculture secretary—cannot be protected adequately in Doha, according to congressional and business representatives who have been briefed by the administration on security plans.

Intensive efforts are being made to launch a global trade round at the five-day WTO meeting, which starts on November 9. The Gulf state was the only WTO member to offer to host the talks, after riots marred the last meeting, in Seattle, two years ago.

US government security experts on Friday warned business lobbyists planning to accompany the delegation that there were ''substantial risks'' in attending the meeting in the small Gulf state.

Mr. Cheney gave his assurances by telephone 10 days ago to the emir of Qatar, despite efforts by Mr. Zoellick to persuade other countries to move the meeting to Singapore, according to accounts by diplomats from several countries that were not contradicted by US officials.

The vice-president's intervention came after strong diplomatic pressure from Qatar, which told the US and other WTO members that shifting the meeting would offend Islamic countries that have supported the US-led anti-terrorism coalition.

''I think this is a momentously bad call based on what we have learnt about security risks there,'' said one US delegation member. Mr. Cheney's office did not return telephone calls seeking comment yesterday.

The US team in Doha was originally due to include about 30 congressmen. But Washington has decided to cut its delegation by more than half.

Mr. Zoellick said he was keeping his delegation ''as small as possible for their safety'', adding that the situation in Doha ''is not exactly the happiest in terms of overall security''. He said that while every effort was being made to ensure a safe meeting ''there is undoubtedly risk''.

The US is worried that Islamic extremists or others with ties to al-Qaeda, the organisation headed by Osama bin Laden, may have penetrated Qatar's security.

STATE DEPARTMENT CONDEMNS QATAR; USTR IGNORES HUMAN RIGHTS ABUSES

Qatar would be a poor example of the argument that ''trade brings freedom.'' However, the United State Trade Representative has continued to push for the next World Trade Organization (WTO) trade ministerial to be held in Qatar.

FACT NO. 1. QATAR DENIES ITS PEOPLE FUNDAMENTAL RIGHTS

The people of Qatar don't even have the right to vote. According to the CIA Factbook, the government of Qatar has granted its people suffrage for municipal elections only (which likely indicates that municipal offices lack any real power). The people of Qatar do not enjoy any of the freedoms that we espouse. Moreover, Human Rights Watch has criticized the selection of Qatar as the venue for the next WTO meeting because the government does not recognize a right to freedom of assembly.

The U.S. State Department has formally noted severe restrictions on the freedom of speech, assembly and association. Although Qatar is the home of the free-wheeling al-Jazeera satellite television station that Osama bin Laden frequently uses as a loudspeaker to the global village, otherwise freedom of speech is severely limited.

The government has banned political demonstrations. The government does not allow political parties, or membership in international professional organizations that might be critical of the government (or any other Arab government). Private social, sports, trade, professional and cultural societies must be registered with the government, and government security forces monitor the activities of such groups.

The government officially prohibits public worship by non-Muslims. So if our trade negotiators go there next month, they won't be able to attend church, go to Mass or synagogue or participate in any other form of worship unless they are Muslim.

FACT NO. 2. LIKE THE TALIBAN, THE RULERS OF QATAR OPPRESS WOMEN

As in Taliban-controlled Afghanistan, women occupy a strictly subservient role in Qatar. This is taken from the U.S. State Department Country Reports on Human Rights:

''The activities of women are restricted closely both by law and tradition. For example, a woman is prohibited from applying for a driver's license unless she has permission from a male guardian. This restriction does not apply to noncitizen women. The Government adheres to Shari'a in matters of inheritance and child custody. While Muslim wives have the right to inherit from their husbands, non-Muslim wives do not, unless a special exemption is arranged. In cases of divorce, Shari'a prevails; younger children remain with the mother and older children with the father. Both parents retain permanent rights of visitation. However, local authorities do not allow a noncitizen parent to take his or her child out of the country without permission of the citizen parent. There has been a steady increase in the number and severity of complaints of spousal abuse by the foreign wives of local and foreign men. Women may attend court proceedings but generally are represented by a male relative; however, women may represent themselves.

Women largely are relegated to the roles of mother and homemaker, but some women are now finding jobs in education, medicine, and the news media. Women appear to receive equal pay for equal work; however, they often do not receive equal allowances. These allowances generally cover transportation and housing costs. Increasingly, women are receiving government scholarships to pursue degrees at universities overseas. The Amir has entrusted his second wife, who is the mother of the Heir Apparent, with the high-profile task of establishing a university in Doha. In 1996 the Government appointed its first female undersecretary, in the Ministry of Education. Although women legally are able to travel abroad alone, tradition and social pressures cause most to travel with male escorts. There also have been complaints that Qatari husbands take their foreign spouses' passports and, without prior approval, turn them in for Qatari citizenship documents. The husbands then inform their wives that the wives have lost their former citizenship. In other cases, foreign wives report being forbidden by their Qatari husbands or in-laws to visit or to contact foreign embassies.

There is no independent women's rights organization, nor has the Government permitted the establishment of one.''

FACT NO. 3. TRADE HAS FAILED TO BRING FREEDOM TO QATAR

The U.S. State Department calls oil ''the cornerstone of Qatar's economy,'' accounting for more than 70 percent of total government revenue. Starting in 1973, oil production increased dramatically, bringing Qatar out of the ranks of the world's poorest countries and providing it one of the world's highest per-capita incomes. But freedom did not follow.

Accordingly to the State Department, ''Qatar's heavy industrial projects . . . include a refinery with 50,000 barrels-per-day capacity, a fertilizer plant for urea and ammonia, a steel plant, and a petrochemical plant. All these industries use gas for fuel. Most are joint ventures between European and Japanese firms and the state-owned Qatar General Petroleum Corporation. The U.S. is the major equipment supplier for Qatar's oil and gas industry, and U.S. companies are playing a major role in North Field gas development.'' So here we see Qatar's commercial sector and government-controlled oil industry directly engaged with outside interests—the European Union, Japan and the United States.

We are constantly told this is how freedom takes root in unfree countries—whether it's China, or Vietnam, or Qatar. It is not true. Despite billions upon billions of dollars worth of engagement between Western commercial interests and Qatar, the people in Qatar have no freedom of speech, no freedom of assembly, no freedom of religion, no freedom of association. And women are still subjected.

OCTOBER MARKS DOMESTIC VIOLENCE AWARENESS MONTH

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

Mr. SHIMKUS. Mr. Speaker, October marks Domestic Violence Awareness Month, and I would like to thank the gentlewoman from Illinois (Mrs. BIGGERT) for arranging Members to come to the floor and remind my colleagues about October as Domestic Violence Awareness Month.

This is a time of heightened awareness of the problem, and a time to discuss what our society and local communities can do to help. I would like at this time to talk briefly about the Call to Protect program. As a participant in this program, my offices have collected thousands of phones from around the country to donate to victims of domestic violence.

Call to Protect is a domestic violence prevention project. It provides those in danger with instant access to help in the form of a wireless phone. Donated phones are programmed so that victims can reach emergency personnel with a click of the button. This gives victims the power to protect themselves rather than live in fear.

This program has helped thousands of women. One success story is particularly close to me as it happened in my district. Brandon Pope, a 5-year-old boy, used a donated phone to save his mother's life in Centralia, Illinois. Brandon's mother, Sandra, was a victim of systemic abuse from her husband. She sought assistance from a domestic abuse help center, and received an emergency wireless phone through the Call to Protect program.

Unfortunately, the physical effects of the domestic abuse caused Sandra to have occasional seizures. In February, Sandra suffered a particular strong seizure that caused her to fall and lose consciousness. Having learned about 9–1–1 in his Head Start class, Brandon used his mom's wireless phone to call for help. Paramedics arrived on the scene and quickly administered treatment. The wireless phone donated to Sandra was the family's only means of communication.

This is only one story of many where ordinary citizens and community organizations come to the aid of a victim of domestic abuse.

Mr. Speaker, I would like to especially thank the Cellular Telecommunications Industry Association, CTIA, who run the Call to Protect program; and Motorola who refurbishes all of the donated phones so victims have access to emergency numbers. Due to the services of these companies, this program truly saves lives.

NO RED LINE THAT TERRORISTS WILL NOT CROSS

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

Mr. SHAYS. Mr. Speaker, the Cold War is over, and the world is a more dangerous place. September 11 and the carnage that followed proved to us that there is no red line. There is no line that terrorists will not cross. There is no limit to what they might and in fact will do.

We are in a race with terrorists to prevent them from getting a better delivery system for chemical and biological agents, to get nuclear waste material to explode in a bomb, a conventional bomb, or even to get a nuclear weapon. They will use all of those weapons because there is no red line to them.

It is not a question of if we will face a chemical or biological attack. As we are finding out, it is a question of when, where and of what magnitude. Not every attack will be the thousand-year storm or the hundred-year storm, and we are not going to wait on our roofs with an umbrella over our heads in anticipation of that. We are going to get on with our lives, but we need to know that we are truly in a race.

We are at war. This war requires us to do what three commissions have told us: The Gilmore Commission, the Bremer Commission, and the Hart-Rudman Commission. They said we need to have a proper assessment of the terrorist threat, we need to have a strategy to face this terrorist threat, and we need to organize our government to be more effective.

Tom Ridge and his Office of Homeland Security is going to have to work overtime in understanding what we face, making the assessment of the terrorist threat with others who will be helping him, and develop that strategy and then organize the government to respond.

One of the issues that we will be debating tomorrow is airport security. I am amazed with the amount of time and effort that is being spent discussing whether they be Federal employees or not Federal employees. That is not the issue. The issue is safety. They could be Federal employees and provide very good service to the country, and they could not be and provide very good service to the country. The key is that they be professionals, that they view this as a job that they want to develop an expertise in, and that they gain knowledge and provide tremendous energy in carrying out their duties.

My biggest concern with airport security is obviously safety. It is safety in making sure that we do not have bombs in the belly of aircraft. As things stand now, we do not check the luggage when it is put in the plane, and I am grateful that the majority party has looked to address this issue, that they are putting in the manager's amendment an amendment that will require that by the end of the year 2003, that all baggage will be checked that goes in the belly of an airplane to make sure that we do not have Pan Am 103 and others like it in the years to come.

Mr. Speaker, I would like to say that the Special Order by the gentleman from Minnesota (Mr. GUTKNECHT) about the *Lutjens* and its respect for our American sailors touched my heart as well, and I am happy the gentleman talked about it today.

AIRLINE SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Arizona (Mr. SHADEGG) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHADEGG. Mr. Speaker, the topic I want to talk about tonight, and I am pleased very much to be joined by several of my colleagues, including the gentleman from New Hampshire (Mr. BASS), the gentleman from South Dakota (Mr. THUNE), the gentleman from Illinois (Mr. KIRK), and the gentlewoman from Pennsylvania (Ms. HART), is the topic that we will be debating on the floor tomorrow, and it is a topic of great concern for every single American, and that is the security of our airline system and our air travel system here in this country.

Tomorrow we will debate airline security legislation, and it is very important that we do that because we are being urged by some to rush to judgment and pass the bill that the Senate has already passed.

□ 1830

I do not think it is appropriate to ever rush to judgment when you are legislating. Legislation becomes permanent, it becomes the law of the land, and it is binding and cannot be changed until the Congress meets again to change it. And so I think we have a duty to do that conscientiously and thoughtfully.

I want to begin by talking about what this debate is really about and what it is not about. First of all and most importantly, for the people of America, for American families who vacation by taking an airplane someplace and for American businesswomen and businessmen who have to travel on our Nation's airlines to do the business of this Nation, the issue is, how do we create the absolute safest, most secure airline system and air passenger system in the world?

As is sadly often the case in these debates on the floor, a lot of people try to hide the ball and not focus on what really is the issue. I think it is very, very important to understand that both sides in this debate believe passionately that we need to create the safest system. One side says, the Senate bill has already done that; the other side is saying, ''No, wait a minute, let's take a look at that legislation.''

But I want it understood that, although people may have heard that this is a partisan debate, I and my colleagues who will speak tonight on this issue do not believe that this is a partisan issue. We believe that this is an issue solely about the safety of our airline system, aviation safety in America and how to create the best possible system and the safest possible system. There is not a Republican way to do that or a Democrat way to do that, and this is not about somebody's motives. This is about how do we do it best, how do we create the best and the safest system.

Those of us who will be arguing for the House bill tomorrow and arguing it for tonight genuinely believe that it is a better piece of legislation, that it will go further and do more to protect the American people, and that there are serious problems with the Senate bill. I do not question the motives of the Senators who wrote the Senate bill. I do not question that they intended to make some mistakes in that bill; they did not intend to make mistakes. But as this discussion tonight, I

think, will illustrate, there are some serious flaws in that legislation that deserve to be debated and scrutinized and analyzed; and if, in fact, they are flaws, then they ought to be corrected in the process. That is what we are trying to do.

Secondly, having said that this is about creating the safest aviation system in the world, I want to make it very, very clear that this is not about the current system. I want to put up a chart here that shows that system.

A few moments ago on this floor, one of my colleagues stood up and said that the proponents of the House bill want to, and this is a direct quote, he said, perpetuate that system, referring to the current system of aviation security; and he said they wanted to do that because it is profitable for the companies, and he said we want to keep the same companies that are currently doing the job.

I want it understood in the clearest possible terms that every one of my colleagues in this Congress and every American can download the House bill and can discover for themselves what I am about to tell you, and that is that those statements that the House bill perpetuate the current system, that we are doing so because it is profitable for those companies and that we would keep the same companies are absolutely, totally, abjectly false and no honest debate can go forward on untruthful information.

The current system in America which that Member of Congress was referring to requires the airlines of America, American Airlines in my home State, America West, United, you pick it, to hire the guards that perform the screening of passengers as they board airplanes. They are hired by the airlines and they are private companies. I want to refer to this chart over here. Under the current system, the airlines hire private companies and there is absolutely no Federal supervision, no Federal law enforcement supervision of the personnel that do those jobs.

Let me make this point clear; I want to drive it home over and over again in this debate. No one is proposing that we keep that system. No one is proposing that we continue to rely on the existing airlines to hire the current private companies. So all the anecdotal information that you heard here on the floor about those companies are being indicted, those companies have hired felons, those companies underpay, those companies have perhaps even lied or perjured themselves, none of that is relevant to this debate because the current system is gone. It is absolutely, totally gone.

The airlines, following the effective date of this legislation, will not hire or be responsible for hiring or paying for the individuals who do the screening. Under the House committee bill, the Transportation Committee bill, the bill that I believe is a more thoughtful and better product, responsibility for airline security, aviation security, is handed over to the Federal Government and it is performed by Federal law enforcement personnel at every single site. Let me just put up a little chart that shows that.

This is a schematic of the system that would be in existence following the passage of this legislation. If you see this little green man down here, he is a passenger. When they come on board, that passenger's baggage, carry-on baggage is screened, right here. Federal personnel are at that gate, are at that checkpoint to screen that carry-on baggage. His checked baggage goes through, and as the gentleman from Connecticut (Mr. SHAYS) was just explaining, that checked baggage will be screened by personnel who are either Federal employees or who are being currently supervised at that site, at that moment, by Federal employees.

You go on through the system and there are other personnel, there is camera surveillance, there are Federal marshals. Every little blue man that you see on this screen is Federal Government law enforcement personnel or is somebody trained and currently being supervised right on site, at that location, by a Federal Government employee who is a law enforcement officer.

The difference, and we will go into this in greater detail as we continue this discussion, between the House bill and the Senate bill, which I believe is flawed, and we will walk through the flaws in the Senate bill, is that they say in the Senate bill, every single employee on this screen, indeed perhaps the food handlers, perhaps the people who clean the planes, perhaps the mechanics, would have to be a Federal employee or at least they would have to be screened by a Federal employee; and we say it can be a mix. We support that mix because that is in fact the system that is used throughout Europe and in Israel by El Al, the airline that is the most targeted of any airline in the world.

I just want to make this point one more time. You are going to hear all day tomorrow that this is terrible. I just want to read these points again because they are so important. The gentleman actually accused Members on this side of the aisle and some of the leadership on this side of the aisle of wanting to perpetuate the current system because it is profitable to the current companies, and they want to keep those same companies.

That is abjectly false. The current system is gone. No longer will airlines hire the screening personnel, no longer will they be the employees of Argenbright or the other companies, they will in fact be private contractors, contracted to the Federal Government and overseen by Federal Government employees on site, law enforcement personnel.

I want to turn to one more point before I defer to some of my colleagues. We talked a little bit about the Senate bill, and I want to just lay the groundwork for the key problems with that Senate bill which we are being urged to just adopt, go ahead and adopt it, and tomorrow it will be here on the floor as either a substitute or it will be here on the floor as a motion to recommit. Let us talk about some of the problems with that Senate bill just in outline form before I turn to some of my colleagues.

Number one, one of the most critical problems on September 11 was that some of the terrorists penetrated our system, although there is no evidence that there was a failure by the screening personnel at any airport because the weapons they carried on board were legal at the time, but they penetrated the system by going to small airports and flying from those small airports to bigger airports. At least it is clear they tried to do it in that fashion.

One of the incredible things about the Senate bill is, it treats small airports and big airports differently. It assigns the responsibility for large airports to the Attorney General and says that will be Federal. But it says, on the other hand, if it is a small airport, well, he, the Attorney General, can decide to hand that responsibility over to local law enforcement.

I would suggest that if local law enforcement is good enough for small airports, it is good enough for large airports, and if it is not good enough for large airports, it is not good enough for small airports. We cannot have a separate standard.

In my State of Arizona, we have a couple of very, very large airports. If you go through those, you would go through one standard. But if you get on at one of the smaller airports in a small town like Yuma or Flagstaff or Prescott or Page, when you land in Phoenix, you are inside the security perimeter. You do not get checked again.

Why in the world would we have an unequal standard, an unequal set of responsibilities, for those different size airports under this legislation? I think it is a serious flaw. I do not think the drafters of the Senate bill intended it, but it is there.

There is another problem with regard to that, and that is the fairness of the fees. The Senate legislation says, if you are lucky enough to fly from a big airport to another big airport, you are going to pay one fee. If you are not lucky enough to do that, because you live in a small State or in a small town and you have to fly a small commuter plane from your small town to a big city, you pay at least double the fee of anyone who lives in a large city. That seems to me to be unfair.

Another issue in the Senate bill, and I just want to touch on these briefly in outline form and we can go into greater detail later, there is a clear question about the accountability of the Federal employees that are mandated in this Senate bill, which creates a straitjacket and says every single employee must be a Federal employee because by getting their paycheck from the Federal Government, somehow that would make the airlines safe.

The problem with that language is detailed, and I will go into it later, but fundamentally it is not clear that those employees do not have civil service protection. Nowhere in the bill does it say that they do not have the civil service protection created by title 5. It does not say that they are at-will employees, though I know that some of the sponsors of the Senate bill believe they are at-will employees, and it does not exempt them from civil service in the same fashion as we have done in the past.

I want to touch briefly on the House bill, just to make sure that everybody understands that legislation and understands it clearly, as contrasted with the current system which is a flawed system and which, although my colleague attacked it earlier and said that is what we were trying to have, that is not at all what we are trying to have.

The current House bill, created by the Committee on Transportation and Infrastructure, the bill of the gentleman from Alaska (Mr. YOUNG) and the gentleman from Florida (Mr. MICA) says, number one, there will be Federal supervision of screening personnel at every single security gate, at every single baggage check location. You will all be screened at a location where there are federally trained people present, including law enforcement officers or military personnel, with the capability and the ability to question someone trying to board a plane and, if necessary, to make an arrest of that person.

Second, it says that there will be Federal personnel at every checkpoint.

Third, it sets Federal standards.

And, fourth, it requires that they be either Federal law enforcement personnel or, as is happening in the case right now, military personnel. I could go on talking about these issues, but I know there are many of my colleagues that would like to get in on this discussion.

Let me first start with the gentleman from New Hampshire (Mr. BASS).

□ 1845

Mr. BASS. I thank the gentleman for yielding to me. I was glad to yield to my friend from New York to make it possible to bring this important piece of legislation to the floor tomorrow. It is important. It is important because Americans demand, expect and will get aviation safety with the passage of the bill we are going to consider tomorrow.

My good friend from Arizona has talked at some length about the differences between the Senate and the House bill, and they are significant, and they are important, and it is critical that this body adopt the Mica-Young version of the bill, because it does what it needs to do, it does it quickly, and it does it effectively.

There are four aspects of this bill that are important to understand.

Number one, the Republican bill provides for real safety. It has enhanced security screening by creating Federal standards, Federal control, Federal supervision, but it does it quickly and it does it without months and possibly years of training that it would take to get personnel in place under the bill passed by the Senate.

It also provides for accountability. It provides for a zero tolerance policy for every federally certified baggage screener.

It provides for quality, incorporating the very best manager practices by hiring qualified baggage screeners and going through thorough background checks and investigation. We have heard a lot of rhetoric about how the status quo will continue under the Republican plan. Well, my friend from Arizona from the very beginning has pointed out the system will be different, the system will be reliable, and the system we are proposing will work.

Let me give Members some observations about where I see airport security at this point. As one who myself, and I think almost everybody else in this body, we are frequent fliers and we fly back and forth to our districts every week. The reality of it is that airport security today, in my opinion, is dysfunctional. You have huge lines for checking bags, and little or no baggage screening. You have enormous lines in some concourses for security screening.

I was up at an airport in the area the other day, I paced it off, there was a 1,000-foot line to get through two security screening areas. There were three available, but only two were running.

The airlines need to get the business customer back. Otherwise, this body and this government is going to be subsidizing the airline industry indefinitely. If we want exactly what we have to do, 1,000-foot lines, dysfunctional airports, vote for the substitute motion, vote for the Senate bill, because what it does is it institutes a system which is totally federally employed that will not be flexible, will not be able to reflect the realities of having to provide efficient, quick, but effective safety procedures at airports, and we will have what we have today indefinitely. We will wait for 4 or 5 years for new rules to come to make minor changes that will make airline systems run better.

Under the Republican plan, or under the plan that I support, there is Federal supervision, Federal rule making, Federal standards, but the airport authorities can adjust the system to reflect for the size of the airport or the type of system or the way the building is constructed. The employees can be trained where they qualify from the existing workforce, and it happens quickly.

But what is most important about this is that the airlines will have some input in being able to attract the business customer back by offering innovative ways for frequent fliers to get from one side of the airport to the other.

Let me give an example. If you fly two or three times a week and you are willing to undergo a complete background check, maybe a retinal scan and other things, maybe you can get to your gate more quickly than somebody who does not fly very much at all or somebody that does not want to divulge any personal information.

This kind of a concept, which could easily be implemented under the Republican plan, is unlikely to be practical under the Senate plan because the Senate plan is a one-size-fits-all approach to a problem that differs in every single airport.

I hope that Americans understand that Democrats, Republicans, the Senate, the House, liberals, conservatives, we all share the same objective, and that objective is moving forward in a productive manner to provide real, serious, effective and quick airport safety. I would suggest to my friend from Arizona and to the Speaker that our plan will do it, and it will do it right.

Mr. SHADEGG. I thank the gentleman for his participation. I know he has thoughtfully studied this legislation and cares very much, as we all do, about airline security, about making sure we have the safest system, and not about doing a quick and easy fix of just saying well, if we make them Federal employees, that will solve the problem.

There are serious problems with the Senate bill, beginning with this issue of should we have a different set of responsibilities for small airports and should people who live in small towns pay a different price?

The gentleman is from New Hampshire. I wonder if he has given the question any thought of why should we have different responsibility at those smaller airports than we have at the larger airports and how fair is it to say to people who live in small towns, you are going to pay more than people who live in large towns?

Mr. BASS. If the gentleman will yield further briefly, when you have a system that applies a block standard at this point and a block standard at that point, you tend to get situations that do not work in some instances.

Let me give one example. I note with some dismay that airport parking lots now that are within 300 yards, I believe, of the terminal, are blocked off.

In some instances, in the Manchester Airport in New Hampshire, that means that two-thirds of the entire parking area is blocked off and cannot be used and you cannot go around. I can go through the details.

But the fact is that if we continue with the system that has been implemented now, these airports are going to continue to be dysfunctional. We need to have a system that applies the same standards to all the airports, big or small, so we do not have the situation discussed earlier where we do not have people properly checked getting into a properly screened area, but, secondly, these airport authorities need to get waivers and be able to make the airports work.

Mr. SHADEGG. We are joined by my colleague the gentleman from South Dakota (Mr. THUNE). I know he has concerns about this disparate treatment of small versus large airports.

Mr. THUNE. I thank the gentleman from Arizona for yielding, and I would simply echo some of what my colleague from New Hampshire said, that those of us who represent more rural areas of the country, this creates enormous problems.

I again would harken back to what the gentleman from Arizona said in his opening remarks, and that is the overriding concern here ought to be safety. We have got a lot of discussion and debate that will go on the floor tomorrow, there already has been in the buildup to this debate, and there has been a lot of talk about who ought to do this checking, and there has been some argument whether it ought to be Federal employees, whether it ought to be private contractors.

I think the bottom line is, it ought to be the best system put in place that will enable us to provide the highest level of security and safety for people who travel.

Frankly, the bill that we will debate tomorrow, the Mica-Young bill that came out of the committee, and I serve on the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, does not in fact preclude the use of Federal employees. In fact, it steps up Federal standards, Federal supervision, Federal enforcement, and in many cases there will be Federal employees who are employed for the specific purpose of providing security and safety to air travelers as they travel through the airports in this country and get from their origin to their destination.

But the bottom line, again, Mr. Speaker, and I would say harkening back to what the gentleman said earlier, is this really is about safety. What is the best system? How do we achieve the objective of making sure that people in this country who travel are protected and are safe and secure until they get to their destination, without respect to the argument about whether or not they should be or should not be Federal employees. That is an issue which, frankly, the discretion is provided to the administration. The President has asked for this authority in this particular legislation for him to decide, for the FAA, the DOT, the Justice Department, to decide if in fact these ought to be Federal employees.

Now, there are circumstances in which it might make sense to come up with another practice which would achieve the same level of safety, be more efficient and more cost-effective, and that is a decision that, frankly, our legislation allows, that basically puts it under the auspices of the administration. That is what the President has requested, and it gives him the flexibility and the discretion, and I think that is an approach that makes a lot of sense.

Now, let me speak specifically, if I might, again, to the points raised earlier about the impact of the Senate legislation, if it becomes the final law of the land, on smaller, more rural airports.

I come from a state that has 77,000 square miles and 730,000 people. Under the Senate legislation, as I read it, as I understand it, there is only one airport of the seven in my State of South Dakota that would be covered under the 142 airport standard in the Senate bill, which essentially relegates the other six airports in South Dakota to the status of second class airports.

We are going to have different standards of safety and security for people who travel and board airplanes in Watertown and Aberdeen and Huron and Pierre and Rapid City than those who board planes in L.A. and San Francisco and Chicago and Boston and places like that.

So I do not think, Mr. Speaker, that that makes a lot of sense. I do not think we want to create a two-tiered system, a two-class system, in effect, which will essentially treat travelers in rural areas of the country better than those who board airplanes at the more populated areas in the urban areas of this country.

The second thing that has already been noted is not only does it provide or apply a different level of safety and security to people who board at rural airports, it also assesses them a higher fee. They are going to in effect subsidize people who fly from larger airports for levels of safety and security that they are not going to have the same level set for rural airports.

So I think for a lot of reasons, one, it applies a different level, a different standard, to people who board at airports in smaller rural airports in this country, and secondly, it charges passengers a higher fee, because it imposes the fee on each leg of the flight.

I can tell you, there are no places in South Dakota that get direct service. There are no direct flights from Washington, D.C. to any destinations in South Dakota. We always connect through Minneapolis, through Chicago or St. Louis, and we think we are fortunate to have the air service that we have in my area of the country. But, nevertheless, we do not believe we ought to pay more for that service than people in other parts of the country, and that is in effect what the Senate bill does.

For that reason, it is inherently unfair. I think if one looks at the legislation that we are going to consider tomorrow and how that treats people all around the country, again, it emphasizes and puts in specific priority on making sure that we have a new system in place.

I think the gentleman from Arizona noted in his opening remarks as well that there is not anything about this legislation that accepts as a premise that anything in the current system will stay in place. It is just flatly not true.

We have had our colleagues on the other side of the aisle get up and say that the Republicans want to lock in and their leadership wants to lock in the failed system that we have today. That is patently, flatly untrue, because the system we have today, as the gentleman from Arizona noted, is the airlines who hire those companies. This requires new Federal standards, new Federal supervision, new enforcement. It creates a new, entirely new, system.

So trying to make this a debate about whether we retain the old system is irrelevant. It is not a valid part of this debate. It ought to be discarded. People who are listening to this debate should just tune it out. But that is what we will hear tomorrow.

I also think that the whole issue of whether or not it ought to be Federal employees or not Federal employees, as politically controversial as that may be in the course of the debate, is not the fundamental issue. The fundamental issue is how can we put the safest system in place in the most efficient and cost-effective way that serves the traveling public in this country and treats passengers all across the United States in an equal and fair way?

My concern, as I come to this debate and I look at the legislation that came out of the Senate, is it does create a two-class system. It does create a system that treats unequally people who board from airports in more rural areas of this country, smaller airports, and those in the more populated urban areas, and it also penalizes them by forcing them to pay a higher fee. I find that to be incredibly unfair. I do not think it makes sense.

I think, frankly, that the legislation that we will act on here tomorrow, that the Young-Mica bill puts those safeguards in place, air marshals, strengthens our cockpits, makes sure we have highly screened carry-on and

checked baggage through the highest of inspection equipment, well-positioned, multilayered security forces at all the points throughout the airport, and again we are not excluding or saying that they these should not be Federal employees. We are simply saying that the experts who understand this ought to be making the decisions and that they have a different idea about what works in Rapid City, South Dakota, than what works in Buffalo New York, and that that ought to be a decision they have the flexibility to make.

That is what the President has requested, I think it makes sense, and as we are going to have this discussion tomorrow, it is important that we debunk all the myths that will be put out by the other side who really want to convert this into a political debate rather than a debate about the safety of the traveling public.

So I appreciate the gentleman taking time this evening to discuss this issue. I yield back to him.

Mr. SHADEGG. I thank the gentleman. Let me comment. I want to thank the gentleman for bringing out some of the points that I think are so important to this debate.

As the chart here shows, the current system, which is what was attacked by our colleagues on the other side yesterday and today, just before we started, no doubt if there is an hour special order after ours it will be attacked later, that the current system does not work and that the companies operating it are corrupt.

That system is gone, and I appreciate the gentleman pointing out that the House bill is very, very difficult different from that.

I also think it is important that the gentleman has brought out the fine point, and it is an important distinction, that the House bill, the House Committee on Transportation and Infrastructure bill that some of us believe is the more thoughtful legislation, is being supported by editorials by the Wall Street Journal, the New York Times, the L.A. Times, USA Today, the Chicago Tribune, the Washington Times, the Arizona Republic and USA Today. That legislation importantly does not say that they cannot be Federal employees or that they must be Federal employees.

□ 1900

What it says, as the gentleman accurately points out, is that that is the kind of technical decision on the implementation of the legislation that should not be made by Federal mandate, should not be proscribed and commanded by the Congress as saying, we want the safest skies, but the only way to get there is this way.

I think the gentleman made an excellent point in saying that the Secretary of Transportation under the House bill could, in fact, choose to make them all Federal employees, make some of them Federal employees. Many of them will be Federal employees, but the discretion is left there.

I would quote from the Washington Post in its editorial. They said, referring to this issue of all-Federal or a mix of Federal and private that ''Security could work either way, as long as there is a government agency in charge dedicated to safety only and insisting on overseeing high standards in hiring and training.'' That is in the House bill. That is what we have. It goes on to point out that a number of European countries and Israel use a mix of private and public.

But I think the gentleman dealt very well with this issue in pointing out that in the House bill, we simply choose not to create a straightjacket saying we want a safe air system and oh, by the way, we, the Congress, know how to do that. Rather, we just say, we want a safe air system; you figure out the right mix and the right way to do that.

I thank the gentleman for his comments. I particularly appreciate his comments about the idiocy of charging people in small towns who have to fly multiple segments more money for the system and having, quite frankly, a different set of responsibilities for those.

If the gentleman wants to add anything further, please do.

Mr. THUNE. Mr. Speaker, I could not agree more. I think the gentleman is exactly right in his assessment in how this impacts different people in different parts of the country. Again, the debate will be shifted tomorrow, as the gentleman has noted, by the other side to try and make this about somehow codifying a failed system that is currently in place. That is absolutely untrue.

This is a system which creates the strongest standards, but I do not think, again, the gentleman made the point, that we as a Congress ought to be making that determination. Frankly, there are people who are a lot better equipped to make those decisions than we are.

Mr. SHADEGG. Mr. Speaker, reclaiming my time, let me yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I know the gentleman has a lot of transportation experts here, and unfortunately, I have an engagement I want to go to. But one of the central questions here is, do we want to support the President of the United States or not. It is that basic.

It amazes me, as I watch television on Sundays, that every week across the aisle, there is a new Senator born who is an expert on security. Yet, I do not recall them being named to any key security committee. They are not in charge on the homeland security. They have not been the foremost experts on terrorism. Yet, suddenly, there are 100 experts on terrorism in the United States Senate, and they want to second-guess the President's team.

I think at this time it is important for us to be supportive of the President and his team of experts, and nonpartisan because this is a nonpartisan issue. I am just appalled that every week there is a new Senator who seems to think he has a lock on all of the intelligence that we need to fight terrorism.

I feel real strongly that this House bill gives the President and future presidents, Democrat or Republican, the flexibility they need to secure not just the airways, but all modes of transportation in America. I thank the gentleman.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for participating. I think he makes an excellent point.

The President has said that the Senate bill has problems in it, and we have been talking about some of those problems. One of the problems is, it says there is just one way to do this. The President has said, no, he thinks there are multiple ways to do it. No less than the Washington Post, not exactly an arch right-wing organization, has said, yes, the House bill is a reasonable bill and it would do the job. We just need to get it passed.

I also commend the gentleman for pointing out that as sad as the debate tomorrow will be on the issue of partisanship and one side attacking the other side, saying that because we do not support the Senate bill it is because we are partisan or we are Republican or we love the companies that are currently doing the job, which is rather ridiculous, this really is not a partisan issue. This is about how we make our skies as safe as possible.

On that point, one of the arguments that has been made over here is that we really cannot ever delegate this kind of responsibility to anything other than Federal law enforcement personnel. Well, I came to the United States Congress having in a past life been a member of the Arizona attorney general's office. I spent my life in law enforcement, and my dad was a deputy sheriff before that.

I will tell my colleagues that I do not know many law enforcement personnel who believe standing in front of a screen looking at whether the image inside there reflects a knife or a gun or something is necessarily a law enforcement function, and certainly they do not think that as law enforcement officers, they want to spend their days saying, would you please empty your pockets of change and will you take your laptop out of your briefcase and put it on the shelf, the notion that every person at a checkpoint who says to you, will you please take out your laptop or the change out of your pockets has to be a law enforcement officer.

But on this point of whether or not some of these functions could be performed by a mix of law enforcement personnel and contract personnel who are not Federal law enforcement personnel, I think there is some precedence. I am glad we are joined by the gentleman from Illinois (Mr. KIRK), and I would like to yield to him to address that specific issue.

Mr. KIRK. Mr. Speaker, I thank the gentleman. I would also like to thank the gentleman from South Dakota (Mr. THUNE) for pointing out the difference between the House bill and the Senate bill in treating airports differently.

I represent a district which largely uses O'Hare. We are going to have the highest technical level of security. But we are a feeder airport, and if passengers arriving at O'Hare are coming from rural airports that are not protected, then we are not protected. So his point is exactly right, that the Senate bill does not offer the level of protection that the House bill does.

We want to federalize airport security, but not rigidly nationalize the system. I must note that all 19 hijackers of the September 11 attack were admitted to the United States by Federal workers. While most Federal workers are hard-working, idealistic Americans, their status as civil servants does not guarantee safety in our skies. We must do better. We need an airport security bill in this Congress; we cannot accept the current status quo.

I would note that 90 percent of the screeners at Dulles Airport were not American citizens. Some of the screeners in our country who let terrorists aboard were illegal aliens.

Our bill would replace those screeners with American citizens, and we stand for the basic principle that U.S. citizens should protect U.S. citizens at U.S. airports.

Our bill also requires that all screeners be deputized, Federal transportation security agents. They will have a common uniform, badge, and arrest powers. Their mission will be clear: As Federal transportation security agents, they will ensure that when we fly, we fly safe.

We want these agents to have arrest powers under rules in which they are highly paid and trained. Our models for such security arrangements are two: Israel's El Al Airlines and the U.S. Marshals' Court Security Officer Program.

With regard to El Al, El Al Airlines has operated under a 30-year threat from terrorism. The combined El Al team has defeated attempts by the PLO, the PFLB, Black September and Hezbollah to hijack Israeli airlines. El Al has evolved into a public-private partnership, and its partners in the Israeli Government, as well as its contractors, Israeli Security Agency and Mossad, have formed a team that has defeated all terrorist attacks in the past. I will note that Mossad regularly tries to screen weapons and explosives aboard Israeli aircraft to test the screeners, and if those screeners fail, they are discharged.

Similarly, let us look at a U.S. program, the U.S. Marshals' Court Security Officer Program. This program started in 1983 and currently employs over 3,000 court security officers. They are privately contracted employees, but they are recruited exclusively with 3 years' minimum police experience. Unlike the current airport screeners that failed us, these court security officers are paid $16 to $24 an hour. Their mission is to protect judges, witnesses, juries, prosecutors, and courthouses.

In the courtrooms they face a daunting security threat, a much higher threat, I would note, than what screeners face at airports, and we can think of who would come to a Federal courtroom: mobsters, terrorists, drug gangs, mass murderers. But these court security officers perform their function and perform it well with one key difference between them and civil servants. Court security officers can be discharged immediately for allowing weapons and explosives into a courtroom.

We provide for all screeners in our bill to be U.S. citizens and to be deputized Federal transportation security agents. We give them standards, supervision, and training, but we do not protect them from their own criminal activity or incompetence. Worse than having no screener is a screener who has job protection that would allow him to permit weapons to kill more Americans aboard an aircraft.

Mr. KINGSTON. Mr. Speaker, if the gentleman would yield, I wanted to insert into his remarks actually a direct quote from Frank Durinckx, the director of the Belgium Aviation Inspectorate, and he is the guy in Belgium who oversees their security. He says, ''It is harder to do quality control on our own government people.'' And the reason he said that is, government agencies do not like to criticize themselves or one another, and civil servants are hard to get rid of if they are not performing.

He goes on to say, ''If we give the work to a private contractor, we have control over them. If we are not pleased with the screener, we can withdraw his license. If we are not pleased with a company, we can get rid of a company.''

That is exactly what the gentleman is saying. It gives the United States far more flexibility, and this is security we are talking about. This is not politics, this is not creating jobs; this is a security program.

So I appreciate the gentleman for letting me stick that into his comments, but I thought it was very relevant.

Mr. KIRK. Mr. Speaker, I thank the gentleman.

I will note that European security officials have started out exclusively with public employees, but they have modified their structure into a public-private partnership, so that now 31 of 35 European airports are this public-private partnership, to ensure the quality of the screening personnel. This was a mixture that allowed them to defeat terrorist threats from the Bader-Meinhof Gang, the Red Brigades, the ELP and the IRA, and it has been a very effective tool used by both our European and Israeli allies.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield further, what is so relevant to this is that we are not alone in this. We do not have to go out and invent something, we just need to follow the model in Europe and in Israel and in Ireland, because they have been living with terrorist threats for 20, maybe, years, or even 30 years. So we have a tried and true method. It is not speculation. They do know because they have experimented.

Mr. KIRK. Mr. Speaker, I thank the gentleman. I will note that it has been 25 years since an Israeli aircraft has been successfully attacked.

Mr. SHADEGG. Mr. Speaker, reclaiming my time just a moment, if I might, maybe the gentleman would want to refer to these charts, because they make the point he is making.

This is the private-public partnership that is in place in Europe. If we look at this chart, we will see that it shows the countries that have switched to, instead of a 100 percent government employee operation, to a mix of government supervision and training, but with some private-sector employees actually doing some of the work. It began in, I believe, 1982, and if we look at the dates on here, it shows the dates on which all of these countries switched to that private-public partnership.

This is a second chart that kind of follows on to that, and it shows the mix of what we have. That is, for example, this is the number of private-sector employees and the number of public-sector employees in each of those locations. So we look at this and we see that in Norway necessity has 150 private-sector employees supervised by 20 public-sector employees, and in various other countries, across the map we can look at that in Brussels, it is 700 private-sector employees supervised by 50 public-sector employees. It illustrates precisely the points that the gentleman has been making.

Then I think he was just about to talk about what the effect of that was going to be. This shows the trend beginning in 1982 of how they went to this private mix, and I think the last point, maybe I will let the gentleman discuss this chart, which I hope he has seen, which shows what is happening. The gentleman was about to say it has been quite some time since there has been a hijacking in Israel which uses this kind of mix.

Mr. KIRK. Mr. Speaker, it is. I was very honored to be able to contact Israel's Ambassador David Ivry who dispatched a team from Israel to brief the Congress and the Committee on Transportation and Infrastructure in particular on this.

□ 1915

We had six to nine Members there, about 70 staffers. We looked at not just the screening problem, but they took the airport security problem as layers of an onion. Each layer had to work. Transportation security, El Al, had to be able to task Mossad with tasks to collect foreign intelligence. We had to take care of the tarmac, the ramp, the gates, and then the aircraft itself.

Mr. Speaker, this is a life or death function. We need to be able to discharge screeners who allow weapons aboard the aircraft. We have the models. We have looked at El Al. We looked at the Marshal Court Security Officer Program, and we have learned the lessons of security that have worked well against Hezbollah, the PFLP, the El Rukin drug gangs and the Mafia.

Our bill ensures highly trained professionals with a badge will protect us, but also that their supervisor will have the power to be able to replace screeners who fail us in this life or death mission.

I will also note that our bill makes one other change. In the chairman's amendment we have a deadline that by December, 2003, all baggage will be screened. The Secretary of Transportation has focused particular attention on the government's deployment of the CTx 550 machines that will enable us to reach our goal of having all the baggage entering not just the passenger compartment but also the cargo hold to be screened for weapons and explosives. That gives us the critical edge in security that this bill would provide.

I thank the gentleman for organizing this special order.

Mr. SHADEGG. Mr. Speaker, let me just ask the gentleman a couple different points to make sure I understand this.

This screening requirement for baggage says all baggage must be screened by December 2003. That is currently not being done. I heard our colleagues on the other side railing about the fact that that is not currently being done, but if I am not correct, and I would yield to the gentleman to answer this, that requirement that 100 percent be screened by December 2003 is nowhere in the Senate bill whatsoever, is it?

Mr. KIRK. Correct. In fact, this bill will give us a security system that is even stronger than Israel's. Even El Al at this time does not screen all baggage that enters the cargo hold for weapons and explosives. But under the House Republican bill, we have a deadline of December 2003 that, when using the CTx 550 and other technologies, all bags will be screened. That will give us the world's highest level of security standard.

Mr. SHADEGG. That requirement is not in the Senate bill, which we are going to be urged to pass?

Mr. KIRK. It is not.

Mr. SHADEGG. The gentleman referred to the requirement that all screeners be U.S. citizens. Is that in the Senate bill we are going to be asked to pass tomorrow?

Mr. KIRK. That is, but that is a critical difference from the current status quo, which we are against. Over half of all the screeners in the United States are not American citizens. Over 90 percent of the screeners at Dulles were not American citizens. In fact, prior to the September 11 attack, the Department of Transportation Inspector General was leading an investigation of illegal aliens who were serving as airport screeners.

All of this will come to a stop under our bill.

Mr. SHADEGG. So when somebody attacks the current system in the debate later tonight or tomorrow and says, well, the other side, our side, the House Committee on Transportation and Infrastructure majority side wants to retain the current system, on that point they would be dead wrong and that argument would be unfair, would it not?

Mr. KIRK. No. Well over half of the 20,000 screeners, by the terms of our bill, would automatically be discharged from their duties because they are not American citizens. We would have to upgrade to the new system under regulations and supervision by the Department of Transportation under the Secretary for Security, and these people would be badged Federal transportation security officers with full arrest powers at the screening site.

Mr. SHADEGG. My understanding is that also there is no requirement in the Senate bill that they have to speak English. Is that correct?

Mr. KIRK. That is correct, as well. We stand for a key principle: that U.S. citizens should protect U.S. citizens at U.S. airports.

There is a critical danger here in the war on terrorism which will take quite some time. The al-Qaeda organization, with its vast network and resources, is able to put sleeper agents into countries who could then take jobs as airport security agents. But I will note of the hijackers, none were American citizens. We would give the flying public that extra level of security by making sure that only people with a U.S. passport can even apply for these jobs.

Mr. SHADEGG. Mr. Speaker, the gentleman made an interesting point. He said none of the hijackers were U.S. citizens. That means that all of the people who got here made it through some government employee, through some government process to get here in the first place. And if mistakes were made, those mistakes were made by government employees.

Now I am a fan of government employees. I have a lot of great government employees who are personal friends. I do not think because one works for the government one is better or worse. I do not think if one's paycheck comes from the government, as mine does, one is somehow bestowed with special powers or less than special powers. I think we are all human beings.

But the notion that government employees cannot make mistakes is kind of belied by the fact that a number of the hijackers were here in violation of their visas or had obtained visas falsely, or had otherwise slipped through a system run by government employees already.

Everybody makes mistakes; I certainly do. That is why I think the requirement that we just say, oh, well, everything must be done by a government employee and that is the sine qua non really kind of misses the boat.

To that point, I just want to reemphasize something the gentleman said. This Marshals Court Service or Court Security Program, those individuals are in fact private sector employees; is that what I understand the gentleman to say?

Mr. KIRK. Yes. They are badged, uniformed, armed deputized U.S. Marshals.

Mr. SHADEGG. So the notion that we have never delegated this kind of authority to anyone other than a Federal employee is simply wrong?

Mr. KIRK. Correct. And there is another thing. In the current airport security program, turnover can reach 400 percent, but in the U.S. Marshal Court Security Officer Program, turnover is less than any normal civilian, 4 percent. So we have a stable, highly-trained force with law enforcement experience that protects that critical Federal courtroom where many criminals are asked to come. That is delegated to deputized Federal agents.

Mr. SHADEGG. An even perhaps more dangerous environment than otherwise.

We are joined by our colleague, the gentlewoman from Pennsylvania (Ms. HART). I would hope she would join in this debate and express her concerns on this issue.

Mr. Speaker, I yield to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. I thank the gentleman for yielding to me. It is an honor to be here.

I want to add something that the gentleman from Illinois had said regarding the issue of technology. The fact that currently not all baggage is screened is a serious problem, but it is the way it is now. The fact that the House bill would require all baggage to be screened by a date certain is extremely important.

But beyond that, one of the reasons that I think it is important that we maintain this mix of public and private involvement in the actual security is that we will encourage competition among those firms that wish to participate.

I had a discussion in my district just last week with a gentleman who is the chairman of a company that produces high-technology optical devices and x-ray devices. I had spoken with him about what they use those x-ray devices for now. He said that some of it is comparable to the kinds of things we will need in baggage screening down the road.

The more advanced optics of a company like this, every time we have competition and opportunity for a better product, it is going to only make us safer and everyone who flies safer.

So I am pleased to join in the discussion with my colleagues, and I am pleased that the gentleman allowed me some time.

I did want to shed some light on some of the issue of really why we are here in the first place. I am from Pittsburgh. The area that I represent is a hub. We have a lot of people who not only work for the airlines, but who live there because they fly often as a matter of their daily life, for their living, to support their families.

This issue is, yes, about the things we have been discussing tonight. It is about why our plan is better. But the ultimate concern and what we are looking to address is the safety of the American public.

Our interest, and the reason that we have spent this hour with America tonight, is to explain why what we are doing is better. It would certainly be much easier for us to take the path of least resistance and to support the bill that passed the Senate, but we know it is not the best we can do.

That is why we are here. It has to do with safety, it has to do with concern for those people who fly every day as a matter of their living, for their families; and those people who want to take a vacation and fly on a plane; and also those on the ground who, as we saw on September 11, could all too easily be harmed or killed as a result of bad screening and bad safety precautions.

Mr. Speaker, one of the things I want to talk about regarding that that is so much superior in the bill that the House has produced is the mobilization of the new security system. We all know as Federal Government employees how long it takes to get a new system up and running. If the Federal Government wants to start a new system that is completely federalized, it will take a while.

Our goal is efficiency. Our goal is delivering that safety, conveying that safety to the public as soon as possible and have it be as safe as possible.

Having a new Federal bureaucracy put into place and forcing that whole thing, with every employee to be a Federal employee, will take much longer than mobilizing a brand new system, yes, a brand new system, but with people who are highly trained, a combination of Federal, law enforcement people, Federal security people, and people in the private sector who do this, who compete with each other to do the best job. Otherwise they will not get the contract. That can be put into place much more quickly.

In my opinion, the mobilization of the system is paramount, and we need to support the House bill, because it will get us there sooner.

The House bill is also very organized. The way the system will work is so much better. It creates a new Transportation Security Administration within the Department of Transportation, because this is all about transportation. It is not just airplanes, it is also trains, it is other public modes of transportation that we need to keep safe.

So there will be within the Federal Government under our bill, but not under the Senate bill, this center, this brain center of security. It is important for us to have that, because that will provide for us someone to go to, the accountability that we need to be secure that we will be safe.

Mr. SHADEGG. Reclaiming my time for just a moment on that point, Mr. Speaker, as I am sure the gentlewoman is aware, the Senate bill is very confusing on that issue. It says that overall transportation safety goes to a Deputy Secretary of Transportation, but says that airline safety or airline security goes to the Attorney General, and it fails to sort out who has the ultimate authority.

It seems to me that is a serious problem with the Senate bill, and I think the gentlewoman has said it quite well, that the Senate bill, although a good bill and well-intended with some good provisions, is not the best we can do. We can improve upon it in this body.

I would be happy to continue to yield.

Ms. HART. I think that is why we have a bicameral legislature. The Senate did a very good job and did it first, and usually, doing it first, you take a risk that someone will look at the bill and find things that can be done better. That is what we have done.

The gentleman's point about the Department of Justice having some authority and the Department of Transportation having some authority is actually extremely important, because if we do not know who to go to to be ultimately accountable for the security on our transportation system, on our planes, on our trains, then we will not be able to enforce it, and enforcement is going to be extremely important.

The other issue I wanted to touch on quickly was that we do get the best of both worlds by having a system. I mentioned earlier about competition. When we have the opportunity to bring in specialists from the private sector and have them offer their professionalism to us as a Federal agency, I think we will get the best of both worlds.

Again, as I said, our concern is ultimately the safety of every passenger. In order to get that, I think we need to bring in a mix of the finest we have to offer: Federal agents and private specialists.

Mr. SHADEGG. Mr. Speaker, I want to thank the gentlewoman for participating. We are about down to the last minute-and-a-half. I would kind of like to summarize.

I think she makes the point very, very well. The reality, as the gentlewoman said, is that at the end of the day this is not a partisan debate. This is not Republican and it is not Democrat. There is not a Republican or Democrat way to make our skies safe.

But it is a very, very serious debate. I think the gentlewoman has said it well, and I appreciate her and all of my other colleagues who have joined us tonight. Our number one concern and the challenge before us in this debate is to create the safest and most secure aviation system in the world, and we can do that.

There are many, many good things in the Senate bill. It has many good pieces, and I commend the people who wrote it. I think they did a great job, and much of it is in the House bill. If we go to conference, much of it can be put into the House bill.

But the question tomorrow is, should we just pass the Senate bill, or should we look at where it is flawed? And sadly, I am afraid that the debate tomorrow is going to sink into some partisanship, with some people saying, well, it is just House leaders that do not want a new system.

As we said earlier, and we began this debate and I want to end this debate by making this point, the demagoguery and the rhetoric we will hear on this debate on the floor here tomorrow saying that the current system is what we are trying to perpetuate could not be further from wrong. It is absolutely wrong.

Under that current system, airlines hire private companies to do the job. Under the House bill, the Committee on Transportation and Infrastructure bill, that authority is given to the Federal Government, to Federal law enforcement officials who are at every single gate and every single checkpoint and who have total responsibility.

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But there are serious, very, very serious flaws in the Senate bill. It gives different responsibilities to two different airports and says we are going to treat the big and the small differently. It has vague language on accountability.

We owe it to the American people to conscientiously legislate and to create the best possible legislation. That is what we will be arguing for here tomorrow.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3150, SECURE TRANSPORTATION FOR AMERICA ACT OF 2001

Mr. REYNOLDS (during special order of Mr. SHADEGG) from the Committee on Rules, submitted a privileged report (Rept. No. 107–264) on the resolution (H. Res. 274) providing for consideration of the bill (H.R. 3150) to improve aviation security, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DOMESTIC VIOLENCE AWARENESS MONTH

The SPEAKER pro tempore (Mr. SIMMONS). Under a previous order of the House, the gentlewoman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I am pleased to be able to join in extension of remarks that were made earlier this evening by many in the Women's Caucus to stand to speak out this evening against domestic violence and I am graciously thanking my colleague, the gentleman from New Jersey (Mr. PALLONE) for yielding time for me to enter into this dialogue with my other colleagues earlier this evening. I thank the gentleman for yielding that time to me as well.

October is Domestic Violence Awareness Month. This is the last day of that month. It is a time when battered women's advocates, policy makers and grassroots activists across this Nation focus the public's attention on the insidious epidemic of domestic violence. Of course, we can call attention to this fact and these matters in October. The challenge is before us every single day of the year.

In the United States alone, nearly one-third of American women report being physically or sexually abused by a husband or a boyfriend at some point in their lives. For this reason I am introducing legislation which would provide women of all ages and backgrounds with preventive services such as domestic violence screening and treatment. With a simple screening test that can be administered by any health care provider such as a personal health provider, a doctor, a clinic, an emergency room provider, red flags and signals can be given and referrals can be made which can pick up more instances and get people into prevention and treatment much earlier.

I believe that it is vital that we begin to educate young women and men in an effort to prevent the incidence of domestic violence and to curb its devastating effects.

Not surprisingly, current Department of Justice statistics indicate that women in their high school years to their mid-twenties are nearly three times as vulnerable to attack by husband or boyfriend or former partner as those in any other age group. So we must keep in mind that domestic violence has ramifications for more than just those parties who are involved. It affects every family, every workplace and every community.

For these reasons it is essential that we all play a role in combatting the prevalence of this epidemic. If we can take responsibility and action, we can prevent this criminal act from occurring. Action can be as simple as contributing money or clothing to a local battered women's shelter, volunteering time to a program that aids victims of abuse, talking to a child or to a classroom about relationship violence, posting awareness materials in public places.

I stand here this evening in recognition and to honor the many people in my community on the central coast of California who work diligently each day staffing shelters, raising funds to keep the shelters going, working to develop materials within nonprofit groups that serve young women, Girl Scouts and Girls Clubs and Boys Clubs entering our school places and working with classroom teachers to create a climate of awareness and acceptance and referral possibilities.

This is diligent work that goes on day in and day out in my community and across this Nation. This is the way we will get to the heart of the matter and the way we can hope for raising a generation of young people who can speak out against violence, can learn alternative ways of conflict resolution and protecting themselves and their friend and others, and that we can hope for a time when domestic violence will be a thing of the past.

At the close of this month, we must remember that each citizen has a duty to help end domestic violence, not only nationally but also globally, and we think and are mindful of the Afghan women who are now subjected to the Taliban regime for whom this is an ever-present part of their lives.

But our work does not stop today on the last day of October. We must continue to work diligently every day, every hour and every minute to put an end to domestic violence and all violence against women.

VIOLENCE AGAINST AFGHAN WOMEN

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

Ms. NORTON. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) for yielding.

This morning a very important development occurred in the work of the world to build toward a post-Taliban regime in Afghanistan that will be democratic. A group of Afghan women asked to be included in talks concerning a new democratic government in Afghanistan.

Women are the oppressed people of Afghanistan. There can be no freedom there if the United Nations and the United States do not yield to this plea of Afghan women.

I believe I know what segregation, racial segregation is because I grew up in the segregated District of Columbia. I believe I know what racial apartheid was in South Africa. I was one of the first four people to go into the embassy which led to many people being arrested and finally sanctions and the end of apartheid.

But what we are seeing in Afghanistan is something I have never seen up close before. It is gender apartheid. That is very different from gender inequality which is, of course, universal. Gender apartheid as we are seeing in Afghanistan is much like the stigmatization we saw in Nazi Germany or to slavery. Indeed, the women in Afghanistan have been essentially converted into slaves. All the elements of slavery are there. They cannot work. They cannot go to school. They cannot go to universities. They cannot even leave home except in the company of a man. It has become shameful to be a woman. You are covered from head to toe, not just your face and head as so many religions require, but every part of you. It is shameful to be seen as a woman.

All the physical aspects of slavery are there, public flogging, selling into prostitution, women taken by commanders as wives, killing, indeed, for those who violate Taliban decrees.

What makes this especially tragic in Afghanistan is that pre-Taliban, in some way, Afghan women were more advanced than women in most advanced countries. Half of the university students were women, 40 percent of the doctors, half the health care workers, 70 percent of the teachers. All that is gone. That is all merit and hard work brought down.

The Afghan Constitution guaranteed freedom and equality to women, as our Constitution does not explicitly. That was suspended in 1992. Now, 75 percent of the refugees are women and children.

I am not surprised that a regime propped by people who use planes as missiles to take down innocent people would treat their own women as chattel. I would be surprised, I would be very disappointed and I do not believe we can let happen if our government does not insist that the liberation of

Afghanistan must include the liberation of its women. Any future government talks must have the women of Afghanistan at the table.

AVIATION SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I may be joined by other colleagues. I am not sure at this point. This evening I wanted to talk about the issue of aviation security in the aftermath of the tragedies of September 11, and I must say that in many ways I would like to start out by responding to the special order given by some of my Republican colleagues just a few minutes ago.

I want to express my disappointment in what they said, and basically almost emotionally if I could explain why I am so disappointed in the statements that were made by some of my Republican colleagues just a few minutes ago.

In my district in New Jersey, I represent right now two counties. We had about 150 victims of the World Trade Center who died. We have been to a lot of funerals. We have been to a lot of vigils. We have been to a lot of services over the last 2 months or so. I have to say my constituents really have lost patience. They no longer believe that this House of Representatives is going to do anything effectively on the issue of airport security. They wonder why we are even debating this issue tonight and why this issue was not disposed of within a week or two of those tragedies.

It is now October 31, about a month and a half since September 11. In fact, it is about 2 or 3 weeks I believe since the Senate took action on the bill that my Republican colleagues have been criticizing, and I would ask initially this evening as I begin, why have we waited? If they do not like the Senate bill, why did not they bring up a bill in the House the next day, 2 or 3 weeks ago, to address this problem? Why have they waited for a month and a half to even address the issue? I sincerely doubt their willingness to address the issue of airport security.

I believe that what they are doing now, what the House Republican leadership is doing now in bringing up this bill tomorrow is nothing but a ruse. I do not think that they want to change the status quo at all. I believe that they like the status quo, and I believe that the reason they are not bringing up the Senate bill tomorrow and they are bringing up a new House Republican bill is because they hope that they can pass that bill on a partisan vote, send it to conference, and because it disagrees significantly from the Senate bill, they will simply kill any legislative initiative to try to address the airport security issue, and as a consequence, those corporate interests, those airline interests that do not want to see any changes in the status quo will triumph. That is what is going on here.

No one can tell me that this House of Representatives cannot act quickly in the aftermath of the type of tragedy that we had on September 11. No one can tell me that if the Senate bill passed 2 or 3 weeks ago that we could not have passed a bill within a few days of that.

What is happening now is that the momentum is building in my State and around the country where people are outraged over the fact that we have not taken action on this measure, and the Republican leadership knows that the public wants something like what passed in the other body, like the Senate bill, and that they want a Federal workforce and that they do not like the status quo.

So now the Republican leadership in the House feels that they have to bring up something, even a fig leaf. So they will schedule a vote tomorrow and they will start a debate, knowing full well that once that bill passes, it will go to conference and nothing will happen and the status quo will continue.

I heard some of my Republican colleagues talk about the fact that they do not like Federal workforces. I do not really care whether they like or do not like Federal workforces. I mean they can stand up here and they can talk about whether they like the Postal Service or they think it should be privatized, whether they like the Border Patrol or they think it should be privatized, whether they like the Customs Service or they think it should be privatized. The bottom line is that we know that whatever system, and in this case a private corporate system that was in place on September 11, failed, and it failed miserably.

The fact of the matter is that it has not changed. I have my constituents come to my town meetings. Because I am not very far from Newark airport, we are maybe half an hour away, if not maybe less, and they tell me when they go to the airport nothing really has changed. Their baggage is not being screened. They are able to get through with devices to bypass the screening machines, and they are very, very disappointed in the quality of the workforce.

I heard my colleagues say that they do not like the existing workforce. Well, the existing workforce is a private workforce that is put in place by the airlines, and there is no way in the world that we are going to create competition and create some sort of private enterprise system that is going to correct it. There is no money available.

I heard one of my colleagues say, well, maybe they should be paid $16 an hour, they are only being paid minimum wage, maybe they should be paid $16 an hour. Is he going to mandate in the legislation that they get paid $16 an hour? The problem we have now is that the airlines, many of them, are bankrupt. Many are in very bad shape. They have no incentive to go out and hire people and pay them a living wage. They have no incentive to do the type of training that would be effective.

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And the people who are manning these screening devices do not have any esprit de corps. They do not have pride in what they do.

If my colleagues were to go to Newark Airport, they could go to the screening device and look a few feet away and see some of the fast food restaurants. Some of the people working in the fast food restaurants are being paid more than the people manning the screening devices. Why should they have any more pride in what they do if they are not getting properly paid and they have no benefits? They are not going to have pride in what they do.

One of my Republican colleagues said, well, 80 or 90 percent of them are not even U.S. citizens. What do my colleagues expect? Should we expect that U.S. citizens are going to take minimum wage jobs under the conditions they have to work with these screening machines? Of course not.

The only way that we can do anything is if we make a radical change. And I say ''radical'' because I understand that putting together a Federal work force something like the Customs Service or the Post Office or the Border Patrol, I understand that is a radical change from what we have now, but I do not have a problem with it. Not because ideologically I think a Federal work force is superior, but just because I know the current system does not work and we cannot just tweak it.

One of my Republican colleagues said, well, we will make sure that at every entrance to the airport there is a Federal employee, but I do not want the people manning the screening devices to be Federal employees. What are we afraid of? Is it some sort of ideological nonsense or something in my colleagues' minds that somehow this is socialism or communism or something? I just do not understand it. I just think that this is a practical problem that needs a practical solution and that we cannot wait for some tweaking of the system when we know that we have to do something dramatic to change it because the status quo is currently not working.

I just wanted to mention, if I could, a few talking points about the Senate bill. I call it the House Democratic Aviation Security Bill, which I understand will be the alternative tomorrow, the substitute, that hopefully we will be allowed to vote on in lieu of this House Republican bill.

If I could just talk about this bill, first of all, understand that this passed the Senate, the other body, 100 to nothing. In the other body they were not being partisan. There were a lot of people in the other body, in the Senate, who are very right-wing ideologically, but they were willing to join together, Democrat and Republican, 100 to nothing, unanimously, to say that we need to make some major changes, we need to have a Federal work force, we need to create a new body of people that are going to screen and do the security and who will take pride in what they do.

I do not understand why if the other body, the Senate, could eliminate all the ideology and do something on a bipartisan basis, why the House Republican leadership cannot do the same here.

The Senate bill, and now the House Democratic alternative, ensures that Federal security personnel screen and check all individuals and baggage before boarding a plane. Specifically, the bill federalizes all security screening functions at the 140 busiest airports to ensure a professional, well-trained and well-qualified air security law enforcement force.

Now, some of my Republican colleagues said, well, why are we only dealing with 140 of the busiest airports? For over 250 smaller airports the legislation would allow the Justice Department the flexibility to use Federal law enforcement personnel or State and local law enforcement under strict Federal oversight as screeners. My colleagues said, that is not fair, we have different systems, different standards for the larger airports than the smaller airports. I think the reason is basically recognizing the fact that the smaller airports do not have, maybe, the same responsibilities.

But if my colleagues on the Republican side do not like the two-tiered system, then let us federalize everyone. Let us not say that because the Senate bill does not allow the smaller airports to have a Federal corps of employees that we should not have them for any of them. I think the answer is, if there is strong objection to a two-tiered system, make them have Federal law enforcement officers at all of the airports, small and large combined.

What we are trying to do, and I want everyone to understand this, what we are trying to do with this Federal security screening work force is to ensure that the security screeners are more highly paid, rather than continuing the practice of private contractors hiring personnel at minimum wage basically. Experts, including the General Accounting Office, the Federal Aviation Administration, the Transportation Department have all indicated that low wages and high turnover are the major problems in aviation security.

Under the bill, under the Democratic alternative, the Senate bill, screener applicants would be required to pass a rigorous selection examination and complete classroom and on-the-job training. It also gives the government flexibility to suspend or terminate underperforming employees.

Under the Democratic alternative, there is a mandate that all checked baggage be screened by explosive detection equipment. We require screening of all persons, vehicles and other equipment entering secure areas, including catering and other companies with access to secure areas. All current air carrier, airport and screening personnel have to submit to background checks and criminal history record checks.

There are many other things that we do, and I would like to go into some of them, but I see that one of my colleagues is here, and I know that he is very interested and has been involved in this issue, so I would like to yield now to the gentleman from Texas.

Mr. RODRIGUEZ. I thank my colleague for yielding to me and for being here tonight. I know it is late tonight and the gentleman is working out here making things happen for our communities, and I know this issue is a key issue.

Aviation security is a national security issue, and it is something that we need to take a look at from that perspective. The current system is broken, and we do have a lot of problems with it and we need to begin to do a lot of things. This bill brings it in that direction, begins to open it up, begins to look at one of the key problems that we have, and that is that we have in the past privatized some of the inspection efforts.

As the gentleman well knows, some of the companies have not done a good job of hiring people. They have not been doing background checks, and their turnover rates in some cases are over 400 percent because of the fact that they pay very low wages. So there is a real need for us to get professionals there. Just like in law enforcement, we want people that are well-educated, that are professionals, and we should have nothing less to make sure that we secure the airports.

When we look at the security of our President and the security of our Nation, we would not even consider privatizing that. So when we look at securing our airports and the public, we should consider nothing less than the most important thing, and that is to make sure we provide the best in security.

When we talk about privatization, yes, sometimes things are improved upon. Private companies might do a lot of things a lot better. But with time, one of the basic principles about that system is that it is a for-profit system, so sometimes they will start cutting corners to make a profit. So when we look at that issue, I think it is important that we federalize our screeners and we make them part of the system.

We have great professionals at Customs; these people check baggage, and I can share a couple of incidents. We caught a terrorist on the Mexican border because, as they were crossing back into Mexico, one of the persons was just asked where he was headed, and the individual hesitated in terms of responding. That was a clue that there was something wrong. These people that are professionals are able to catch them, and that is what we need to do.

We are hoping that we do not politicize this bill, that we do the right thing on behalf of all the people in America, which would be to federalize those workers. I know that the Senate, 100 percent of them, voted for it. I know Senator HUTCHINSON, Senator GRAMM from Texas, both Republicans, supported it, and I am hoping that we can pass it out of the House.

It has been almost 7 weeks since September 11. We need to move forward on this and hopefully make this happen, because we have a lot of work, as the gentleman well knows, that we still need to do in a lot of other areas where we still feel very uncomfortable.

And I just want to thank the entire Nation as a whole, because I know we have come together after this incident. This is a war that we have to win and this is a war that we have no other choice but to go forward with and make sure that we pull it off. I know that we can, but we have to continue to work together; and one of the first things we have to do, as we all know, is secure our borders. We need to secure our borders. Airport security is part of that effort.

There still are a lot of other efforts. I know we filed, as Democrats, other pieces of legislation on bioterrorism that talk about making sure that we have those first response teams also. That is also extremely critical. Throughout this country a lot of our towns and cities and communities are having a lot of difficulty. Some might not have as many qualified as they should to do that first response, but that will be very important, that we provide those resources.

So we need to look at that piece of legislation that is very comprehensive, that looks at our borders and at a lot of our agencies.

As we move forward, there will be a variety of other pieces of legislation, and I want to thank the constituents out there because they have been providing us with ideas as to what we need to do and not do. Most of these ideas have come from back home, our constituents, who have the answers to a lot of these questions.

As we move forward, we are hoping that we can come to grips with this. Yes, a lot of it is trial and error. We have never been in this kind of situation before. But I know that we can

begin to solve these problems and, working together, we can make some good things happen.

I am looking forward to pushing forward on this particular piece of legislation on aviation, on national security at our airports, because this will be one bill that would allow that sense of security. We still have a lot more, but it is definitely going to be helpful in moving in that direction.

We also need to do a lot when it comes to our infrastructure. I know the GAO just came out with a major report talking about our bases throughout this country and the fact that a lot of them are vulnerable. We have started in that area. We need a lot of resources to make sure from an infrastructure perspective there are safeguards at all our bases, not to mention our facilities and where people meet.

There have been a lot of comments from people as to, what can I do, what is the best thing that we can do; and I would just say, educate yourself. Let us continue to move forward. It has been an educational process for all of us. I think that we need to learn how to act and be able to react appropriately to certain crises and certain things that occur. Part of that is doing the right thing, and the right thing is making sure that we have good, qualified people and that we just do not go to the lowest bid when it comes to our security people in the airports. So I am hoping that we will be able to pass that legislation.

And once again I want to thank the gentleman for allowing me to be here with him tonight.

Mr. PALLONE. I thank my colleague from Texas.

When the gentleman started off and he was talking about the federalization of the work force, he made me think about my Republican colleagues that were here for the first hour tonight. I was wondering, if we proposed that the Capitol Police, for example, if they should be privatized, whether they would support that.

It is sort of ironic, because here we are and we are protected by a Capitol Police force. They are not contracted out. We know that there is a certain pride that we see with the Capitol Police officers. My colleagues have no problem with the force here that is federalized, but they do not want to see it for the average person at the airports.

Mr. RODRIGUEZ. I apologize for interrupting, but our leadership here is also protected by Federal workers. Our President is protected by the Secret Service that are Federal workers. We should not expect any less when it comes to our airports. It is a national security issue. It should require Federal workers that are well-trained, well-equipped and well-paid to make sure they do the right thing.

And I was told, well, what about if they make a mistake; we are not going to fire them. We have made some stipulations on that. If they are not doing their work, they are going to get fired. So it is important for us to move forward on that versus what we have right now, which is a shambles, a 400 percent turnover.

And by the way, 82 percent of the people, based on what the Washington Post says, say that they want Federal workers there making sure they check our baggage and making sure they check on people as they move forward.

So I think if we expect that for our President, and we should expect the best, then we should expect it for our public and for our airports throughout this country. So I am hoping we can make that happen. And I am optimistic that we will get a lot of Republicans like we have on the Senate side where we got over 49 Republicans to vote with us.

Mr. PALLONE. I want to thank the gentleman again for his comments, and I want to now yield to the gentlewoman from Florida.

Ms. BROWN of Florida. First of all, I want to commend the gentleman for his leadership on this matter. I really stand with my colleague and all of the people from his area, all those families, who after 9–11 their lives will never be the same.

I hope the gentleman will take a look that I have on black and orange for Halloween. This is October 31. But, my colleague, we might be in for another trick tomorrow. Tomorrow, the House leadership may not bring up the aviation security bill after all.

□ 2000

Would that not be a horrible trick on the people of the United States?

After September 11 we all pulled together to stand by this country and to make sure that we moved forward together with one voice. I cannot believe that 7 weeks after September 11 we have not had an opportunity to vote on an aviation bill. When we were passing the airline bailout bill, I told my colleagues then that we should have included airline security in that bill. We should have made sure, as the airlines were getting $15 billion and not a dime for the workers, and to this date not a dime for the workers.

In addition to that, I have not heard anything about those schools that train pilots. As we speak here on the floor, there are aviation schools training pilots today, terrorists, today. Mr. Speaker, I cannot believe that people can walk into a school and give $25,000 cash, and they will train pilots; for what? It is ironic that one of the planes that went down in Pennsylvania on September 11, that the people on that plane pulled together. They took a vote and they voted that they were going to stop this plane and those people. They are heroes.

Here we are in the House of Representatives, the people's House, 7 weeks after September 11, and we have not had a vote. We have not had a discussion on the floor. The Senate on a bipartisan vote of 100 to zero passed the bill. We need to take up that bill and pass that bill. By tomorrow afternoon that bill can be on the President's desk. He can sign it and we can move on to other things.

Aviation security is just one area that we need to work on. We also need to work on port security, rail security, bus security. We need to change the way we do business in this country. The economic stimulus package which passed this House, the same old big dogs were eating. Nothing in there for all of the areas of security that we need to address, like the United States Coast Guard, giving them additional monies to patrol our ports. The list goes on and on.

A lot of people during election times say it does not matter who is in charge. It does matter because if the Democrats were in charge, we would have had an aviation security bill on this floor, and not one person would be delaying and delaying and delaying that bill.

Mr. Speaker, I am outraged that on October 31 we have not yet discussed or debated an aviation security bill and what should be included in the bill. One of the things that should be included is cockpit security. The pilot and the flight attendants all agree that is one of the things that should be included, one of the things. In addition, marshals, U.S. Marshals on all of the planes.

The only question it seems is whether or not the people that screen the luggage should be Federal employees. We have Members here who say they do not like Federal employees; but more than that, they might join the union. They might join the union.

I have something to say, Mr. Speaker. We have been honoring some great Americans, the pilots that went down on September 11, the flight attendants, the police and firefighters, every single one of them were union men and women who were fighting and died for this country on September 11. We have not done one single thing to make sure that does not happen again. I am very disappointed in the leadership of this House. This is the people's House. We should have been first in addressing the needs of the American people.

One of my colleagues said that the big dogs always eat first. A lot of people want to know what do we mean by the big dogs. I am talking about the lobbyists with the money. That is what is driving it. There are some people that want to make sure that the companies that really failed us on September 11, those are the ones that are going to continue to have the business and pay minimum wage. Minimum wage with no training, what do Members expect. America is better than that.

I am hoping tomorrow we will pass an aviation security bill, and that tomorrow evening at this time that bill will be on the way to the President's desk and that we can move forward and look at other security needs in this country. It may not be a perfect bill. I have been here for almost 10 years, and we have never passed a perfect bill; but it is a perfect beginning. Let us pass that Senate bill tomorrow and move forward for the American people.

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman, and if I can comment on a few things she said.

I am embarrassed when I have town meetings, and I have had a town meeting almost every weekend, and my district is about a half hour from Newark airport. I talk about aviation security, and they do not want to laugh, but some literally laugh when I talk about what we are going to do. They go to the airport and they witness the same problems that existed before September 11. They cannot imagine how the tragedy of September 11 does not spur us to action.

Ms. BROWN of Florida. Mr. Speaker, some of the changes are just cosmetic. Unless we agree to screen all of the luggage, have background checks and communication between the FBI and CIA and the airport security, it does not work. We need to put a system in place that protects the American people. This is not a game. We talk about bipartisanship. I am for it. I am for it as far as it goes, but that is not what we have. It is my way or nothing at all. That is the rule of the House of Representatives. It matters who is in charge of the House of Representatives. This is the people's House. The people should have an opportunity to put their issues on the floor and have an up-or-down vote.

Mr. PALLONE. Mr. Speaker, the gentlewoman points out so well that if this Senate bill was taken up here tomorrow, if it passed, if the Republican leadership did not do whatever they could to try to prevent it from passing, it would immediately be signed by the President. There is no question about it. Our colleagues this evening were talking about the conference.

Ms. BROWN of Florida. Mr. Speaker, it was disgusting. They were talking about why were we rushing. I would have passed the bill on September 12. Here we are 7 weeks later and we are rushing? I am on the House Committee on Transportation and the Infrastructure. We have not had a discussion, a debate. What we passed out should have been on the floor. But we have the leadership refusing to take up a bill. The Senate passed a bill on October 11, I think.

Mr. PALLONE. It has been several weeks.

Ms. BROWN of Florida. Yes.

Mr. PALLONE. And our Republican colleagues were talking about the conference. It was a foregone conclusion that they were going to conference, which the gentlewoman knows can take weeks.

Ms. BROWN of Florida. We understand who runs the House. People talk about we are working together, but the proof is in the pudding. Let us pass an aviation security bill for the people of the United States.

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman for her comments.

Mr. Speaker, I yield to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I have come to the floor tonight because we are in the cusp of a pivotal vote tomorrow. The vote will decide whether to make a full commitment of the United States to a secure and meaningful airline security bill or, at the bidding of some very well-paid lobbyists for some companies who have a large financial stake in this, will adopt a half-baked half-measure, a low-bid proposal that will continue the loophole driven, Swiss cheese, alleged security system we have at the gates of our airports.

I think the choice is that stark. In the last decade the United States has engaged in an experiment. That experiment involved having private companies who sent in their low bids to airlines that were routinely accepted, that as a result got the cheapest employees with the least training, with zero certification under FAA supervision, under the supervision of the Federal Government. That was the experimental system that we have had for the last 10 years.

That experimental system failed on September 11 big time, as someone said. Yet some of our colleagues, the leadership in the Republican Party, because of this fixation of anti-union sentiment, want to continue that failed experiment because the meat and bones of their proposal is this: Let us continue to have private companies with low-bid contracts supervised by the FAA handle security at airports.

Members have to understand that they have dressed this up with a few ribbons, but the proposal is to continue this failed relationship. The reason it is a failed relationship is because of something that is happening tonight as we speak.

The reason that this system has not worked is that every single time the FAA and the U.S. Congress has even talked about having meaningful training and standards for these employees, these employees with million dollar contracts, and to some degree the airlines, have gotten on the phone to the lobbyists and instructed them to go to Capitol Hill and tell Members to lay off. We do not want to spend another dollar on safety. It is going to cut into our profits.

As a result, Congress has not acted. The FAA has not acted, and we have had low bid, no certification, no training, no citizens, no speaking English, felons hired to do this job.

Our friends across the aisle, at least the leadership, want to continue this failed experiment. We are going to get the same result. If we do the same thing time after time, there is no reason to expect anything to change. Tonight we are seeing that same thing happen.

On Halloween, Members are going to hear the kinds of things that one hears on Halloween, but we are also going to hear the sound of arms breaking, because some arm breaking is going on by the Republican leadership. We have Federal employees who are our border guards and our Capitol Hill police, and there is no reason these airport security screeners are not Federal employees. Lobbyists for these low-bid companies are so afraid they are going to lose their contracts they want Members to back off and adopt this half-a-loaf approach.

These companies and their lobbyists who are asking our friends on the other side of the aisle to vote to continue their failure, they are afraid that they are going to lose their contracts, and they should be. They should lose their contracts and should be out of business. They should be seen as failures. We should not allow the Republican Party, at the largess and the request of their favorite lobbyist, to allow that continued failure.

□ 2015

We should go in there and do what we ought to do.

I have heard that they have said that some of the European countries, that there are some other countries that have some other systems, that have some private employees doing their work. I always kind of thought America was supposed to lead the parade, not follow it. If they pull this off in Lithuania or Germany, fine, but in Germany, apparently the companies cannot come in and tell the government not to enforce safety rules. They have been effective in doing that here, in part because of the effectiveness of their lobby. That is why in this country we need the same kind of safety we have with our border guards, to have government employees to be certified to do this job.

I will mention one other thing before I defer. We have been working, many of us have been working for the last weeks, to try to convince the majority party to have an insistence that the baggage that goes into the belly of an airplane is screened for bombs, because as you know, 90, 95 percent of it is not screened today. Why is it not screened? It is the same thing we talked about. They send the lobbyists down to the FAA and say, we don't want to spend a buck to do this and the FAA has backed off and they have had some of their friends on the other side of the

aisle back off. The same thing has happened.

Ms. BROWN of Florida. If the gentleman will yield, is the technology available to screen the luggage?

Mr. INSLEE. Yes. The good news is that these machines are built, many of them are in airports today, but unfortunately the airlines have not turned them on. They stick them in a corner. The U.S. Government spent $400 million 5 years ago for a technology called CTX–5000s; they are machines with a very good success rate of finding explosive devices. Many of the airlines took them, put them in a corner and did not even turn them on, literally. We have finally got them to turn them on, but the problem is, we do not have enough of those machines yet; we need to buy some more and we need to get them into these airports.

We have finally prevailed on the majority party to put some at least sugarcoating language to say they are going to do this to get these machines into airports. That is great. We have finally got them to put some language in there like that. But if you have people falling asleep working for these low-bid contractors at the machine, it does not matter how good your machine is if you have still got incompetent ex-felons who cannot read directions on the machines, how to run them.

So if we are going to do this, we need certified people to do it. We also need a way to pay for it. The Senate bill, which we are proposing, specifically allows the Airport Improvement Trust Fund to be used by airports to bring these airports up to speed. They do not have any way to pay for it.

I have proposed an appropriation that was rejected by the Republicans. The Senate bill allows the Airport Trust Fund to be used to help airports. We have got to find a way to pay for this. So what I am saying is, if we are going to have a real screening of bags to keep bombs out of the belly of airplanes, we have got to pass the Senate bill.

Ms. BROWN of Florida. I agree with the gentleman 100 percent. Following that up, I am just concerned that the Europeans, he mentioned them, they talked about their system. But I want to be clear. Those jobs in Europe and other places are not minimum wage jobs.

Mr. INSLEE. That is right. As the gentlewoman knows, that is exactly what we have ended up with. And as has been pointed out, with a 400 percent turnover rate.

Mr. PALLONE. If I could just mention one thing, one of the things that really irked me tonight was when we had the conversation among some of our Republican colleagues about the value of competition. They were talking about how, if we have a Federal work force, we are going to eliminate competition. All I kept thinking in my mind is, how can it be competition when you are paying people minimum wage, you are not providing them any benefits, they have no pride in the work force, you are going to create competition?

Half of these airlines are bankrupt or near bankruptcy. There is no incentive in a competitive process to do any better. The whole notion of competition in this atmosphere where there is not the money and they are not paying the wages is just nonsense.

Mr. INSLEE. To me, this is a relatively easy question. We can have arguments about what goes on in Europe and everything else, but the question is, are there certain functions that are so important to Americans' lives, the issue is if this job is done well, people live and if it is done poorly, they die; and are there certain functions that are so pivotally important to the continuation of human life that you make sure you have the government do it.

We do that in certain cases. Firefighters, we do not privatize firefighters because people die if it is not done well. Police officers, we do not privatize police officers; people die if it is not done well. Capitol Police, the same thing. Border Patrol, the same thing.

FBI agents, the nature of this function is a law enforcement function. It is not an administrative, baggage handling function; it is a law enforcement function. These people should be treated as law enforcement officers.

I will just leave by saying one thing. It is a well-established American value that our law enforcement people ought to work for Uncle Sam. I think that is the right thing to do. I hope the House votes in that way.

I thank the gentleman for letting me join him this evening.

Mr. PALLONE. I appreciate his comments.

I do not like to sound morbid, but as I started out tonight, people have died. We had 6,000 people die at the World Trade Center, many of them my constituents. It is just incredible to me to think that with all of that happening that we have not moved on this and that that does not move the House Republican leadership to take up this bill that was adopted unanimously, 100-to-nothing.

Ms. BROWN of Florida. Many of us went to Ground Zero a couple of weeks ago, over 100 Members of Congress, and everyone talked about the physical devastation. What stands out most in my mind was the number of people that lost their lives. We cannot put that back together. How many families got destroyed? We can rebuild the buildings, but we need to do what we can in this House to make sure that that never happens again.

That was my commitment. I wish it was everybody's commitment, in particular the people on the other side of the aisle. I do think it is not most of them; it is just a few people that are holding up our passing a meaningful aviation security bill. Shame on them. Shame on them.

Mr. PALLONE. I want to thank the gentlewoman. She expresses better than I do how I feel about this right now. I really appreciate what you have said.

I want to yield to my other colleague from California and stress that this evening part of the argument that I have been trying to make is not only that the Republican House leadership has refused to bring up an aviation security bill, but by contrast, they have instead last week brought up this so-called economic stimulus package with all these tax cuts that go primarily to corporate interests and wealthy people.

I think we estimate that of the money that is given back in tax breaks in that Republican economic stimulus package that was passed last week, very narrowly, by two votes, I think, of $100 billion in tax cuts in the next year, 2002, $70.8 billion benefits corporations and $14.8 billion benefits affluent individuals.

So here we have where two-thirds, I guess, of the money that they would like to allocate with these tax breaks is going to corporate interests, and then at the same time they will not pass a bill on aviation security because those same corporate interests refuse to spend the money or make a commitment to do the aviation security. It is part and parcel of the same thing. Where are the priorities? The priorities for the Republicans in trying to get the economy going again are to give money to the corporate interests.

I do not see how in the world that stimulates the economy in the way that they hope it to be stimulated. I think just the opposite occurs. Of course, the Democrats had an alternative last week, which did not pass because we are not in the majority, that does the opposite. It gives money back to the displaced workers, it gives unemployment compensation, it gives health benefits, it provides for a major component of funding for security not only for airlines, but for all other means of transportation as the gentlewoman from Florida said. That is the kind of thing that would create the economic stimulus and create the jobs and get people back to work, and they are not willing to do it.

Ms. BROWN of Florida. Just one last point. Recently, for the past couple of weeks I have been flying into Orlando. Orlando aviation has over 30 million people flying through there. It was very disturbing that nobody was there. Why? Because if you want to stimulate the economy, pass aviation safety so people will feel confident and secure in traveling again, so we can get the economy moving. Let us put the money, the economic stimulus, into security.

In closing, one of my favorite scriptures is ''To whom God has given much, much is expected.'' The people of this country are expecting a lot from the Members of the House of Representatives. They are expecting us to put aside partisan bickering and do the people's business in the People's House.

Mr. PALLONE. Well said.

I yield to my colleague from California.

Mr. SCHIFF. I want to thank the gentleman from New Jersey for yielding.

Mr. Speaker, I rise today to express my continuing concern over the economic stimulus package passed in the House and to urge my colleagues in the Senate to put forth a more balanced, effective stimulus that will stimulate our economy in the short and long term and provide help to those who have been most affected by the events of September 11. We need a smaller, more targeted, more temporary and more bipartisan stimulus package.

Congress should act to restore consumer and investor confidence in the safety, security and solvency of America. We cannot use the economic predicament or the war as an opportunity to merely revisit priorities and agendas we advocated before September 11, thus spiraling Congress into budget-busting deficit spending. This would threaten the fiscal discipline that prompted much of the 1990s' economic boom. Already, long-term interest rates remain high despite the Federal Reserve's cut in short-term rates because of market concerns that deficit spending is making a comeback.

We must concentrate on boosting the economy by doing everything possible to restore confidence in the management of our government, in the prosecution of the war, and in the development of a stronger and more secure nation. We should not be providing more of a tax cut for the wealthiest Americans, who have already enjoyed their fair share of tax cuts this year or for the Nation's most powerful corporations. Renewed fiscal discipline is important because we must maintain our standing in the world financial markets and ensure the solvency of the stock market.

Further, we do not know yet how much this war on terrorism will cost. We must make sure that our military personnel are well-equipped and well-trained and, as Secretary Rumsfeld has stated, this is a marathon, not a sprint. We need to be prepared to support the cost of a long war without spending erroneously at the outset.

But perhaps most importantly, we need to stimulate the economy by putting money in the hands of people who will spend it immediately. This is the true meaning of an economic stimulus.

We need to focus on ensuring unemployment relief, training and reemployment opportunities for workers laid off as a result of the terrorist attacks. We also need to help the unemployed maintain their health insurance and provide relief for laid-off workers who would otherwise slip through the cracks in the current unemployment insurance system. By providing unemployment benefits and health care coverage to those laid-off workers, we will be targeting those who are most likely to spend and, thus, most likely to help in reviving the economy.

If you give financial assistance, whether it is tax cuts or unemployment insurance, to people who can put the money in savings, they are not going to spend it; it is not going to stimulate the economy. If you provide unemployment or health benefits to a laid-off worker, they are going to spend it immediately. The rent is not discretionary. Food is not discretionary. Medicine is not discretionary. This is an effective economic stimulus.

I have introduced legislation that I believe can be an essential component of these efforts to help those affected by September 11. My bill, the COBRA Coverage Act of 2001, would provide a 50 percent tax credit toward COBRA coverage for laid-off workers. We simply cannot allow so many hard-working Americans and their families to go uninsured. We must find a way to make COBRA coverage more affordable for the thousands of laid-off workers trying to recover from the September 11 attacks.

This bill does exactly that. The COBRA Coverage Act of 2001 provides continuing health care coverage for laid-off workers at half the price. Under this legislation, laid-off workers would be eligible for a tax credit of 50 percent towards the COBRA coverage premium, receiving an immediate benefit, not having to wait till the end of the year to claim the tax credit. Nearly identical legislation has been introduced in the Senate by Senators JEFFORDS, LINCOLN, CHAFEE, BAYH and SNOWE. Our bipartisan effort will ensure that American families can afford to remain insured in case of sickness or injury.

We must take the lead in ensuring that the thousands of hardworking Americans who have fallen victim to the effects of September 11 are not further set back by a lack of health insurance. We must remain diligent in our efforts to protect the American people, and that starts right here in the U.S. Congress.

□ 2030

Our commitment to sound, effective government must be reflected in our ability to provide relief to laid off workers and jump start the economy during our war on terrorism.

I urge my colleagues to join me in this effort to make COBRA coverage more affordable for laid off workers and to offer the people of this country an economic stimulus package that actually works.

Mr. PALLONE. Reclaiming my time, I want to thank the gentleman from California (Mr. SCHIFF). I do not think there is any questions that what is happening with the Republican leadership in terms of this economic stimulus package is very similar to what is happening on the aviation security issue. And that is, nothing is happening.

We know that last week when the Republican leadership put forward this so-called economic stimulus package, they knew full well it was not going to go anywhere. They were barely able to get the votes. I remember at one point at the end of votes there were more votes against it than for it. And we saw some of the Republican leaders going around and strong arming their colleagues so they could turn around a few votes. I think it ultimately passed by one or two votes maybe at the end.

We know the way the procedure works around here. If a bill passes on strictly a partisan vote and then it goes to the other body, the Senate, where the Democrats are in majority and totally disagree with this bill because of the way that is structured, that nothing is going to happen. There either never is a conference where the two Houses get together or if a conference occurs, there is no meeting of the minds.

So once again, just like with the issue of aviation security, my major criticism of the House Republican leadership and my colleagues who spoke earlier on the Republican side tonight is that they keep talking about the need to go to conference, which really means the need to delay, delay on aviation security, delay on economic stimulus. Meanwhile, the economy does not get any better and the problems with aviation security at the various airports continue.

I just think it is very sad. People want action. Regardless of whether we agree or disagree they want action and we are not getting it. We are certainly not getting it on the part of this leadership on the Republican side of the aisle.

Mr. Speaker, I know there is only a few minutes left, but I just want to point out the contrast which you did so well on what the Republicans had in mind with this economic stimulus package. I mentioned of the $99.5 billion in tax cuts proposed for the next year, 2002, $70.8 billion benefits corporation, $14.8 billion benefits affluent individuals, and only $1.37 billion goes to workers with lower incomes who did not get the previous rebate. A lot of it is even going to finance multi-nationals so the money would not even be spent here, which is incredible to me. How can you have an economic stimulus package when you have a provision that allows multi-national corporations to defer U.S. income taxes on

profits from certain offshore activities so long as they are kept outside of the country. That is $260 million next year, $21.3 billion over 10 years.

Now, by contrast what we did, as was pointed out with our Democratic substitute, is provide rebates or tax breaks or unemployment compensation for displaced workers or money for aviation security and other investments in public infrastructure. That would be mean dollars immediately going into the economy either because the person who gets the unemployment compensation would spend it or because we would be hiring people for these various public infrastructure necessities such as the security that we talked about earlier this evening.

I do not understand. I do not know an economist on the face of the Earth who would suggest that what the Republicans tried to pass last week would do anything significant to benefit the economy. And I do not know what we do. I think the only thing we can do is to simply come here every night as we are, as Democrats, and demand action, demand that whether it is a security issue or an economic issue that the Republican leadership take some action, work in a bipartisan way so we can actually accomplish something. Nothing is being accomplished here. We just have to continue to demand that something be accomplished in a bipartisan way that can achieve some progress in these areas. But so far we are not getting it.

Mr. Speaker, with that I want to thank my colleague, the gentleman from California (Mr. SCHIFF).

CIVIL RIGHTS ABUSES UPON AFGHAN WOMEN

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

Mr. ROYCE. Mr. Speaker, the subject I was going to speak on tonight is the treatment of women in Afghanistan.

In 1996, I had the opportunity with Senator Brown on the Senate side to co-chair a hearing on what was underway in Afghanistan and that same year I organized a hearing on the House side here as well to call attention to the civil rights abuses that were occurring in that country and to call attention to the fact that Afghanistan was rapidly becoming a national security threat to the United States, and this is something that I have been speaking on over the years, the fact that in Afghanistan the terror and the chaos and the despair has become worse and worse year after year.

However, in the wake of September 11 and that terrorist attack on that day, many Americans are just beginning to learn about the horrific treatment of women in Afghanistan. The practice there of the Taliban of restricting the rights of women has even been explained by some as being in line with traditional practices and I have to say to the contrary. It is clear that the Taliban is at odds with Islam and Afghan society, especially in its treatment of women.

Prior to the Soviet invasion of Afghanistan, women there had the right to vote, along with other liberties enjoyed by most people around the world. But when the Taliban swept into power in 1997 that organization immediately institutionalized widespread and systemic gender apartheid. A government mandate made it unlawful for women and girls to go to work or to go to school.

This edict was a devastating blow to the women and to the country. And at that time women were a vital part of the Afghan workforce. They made up 70 percent of the school teachers, 40 percent of the doctors, 50 percent of government workers. They were 50 percent of university students. And with that edict none of them could continue to work or go to school.

Women under the Taliban regime have been subjected to remarkably harsh restrictions that impede their ability to move freely, to prevent them from socializing, to prevent them from seeking medical treatment. There is in place a complete ban on women working or receiving education outside the home. And to tell you how bad this is, the reality is that for one of the organizations that helped teach women how to read and write in the home, to be a member of that organization is to face capital punishment in Afghanistan.

If a woman leaves her home, she is required to don a head to toe garment known as a burqa, which has only a small mesh screen for vision. A designated close male relative also must always accompany her wherever she goes. If so much as an ankle is not covered she can be whipped in public.

There is a ban on the use of cosmetics. How is it enforced? Women with painted nails have had their fingernails pulled out by the Taliban authorities.

Women must paint their windows so that no one can see inside their home. Among other restrictions, women are banned from laughing loudly, from riding in taxis, from playing sports or entering a sport center or club, from riding bicycles or motorcycles, gathering for festive occasions, playing cards, riding public buses with men and appearing on the balconies of their homes. Even owning a kite, flying a kite or keeping a caged bird can become a criminal offense.

If a woman is accused of disobeying prohibitions, a severe punishment is often administered. Women have been whipped, they have been beaten, they have been verbally abused in the streets, but I am afraid there have been many worse Taliban abuses than that. Women who have been accused of adultery have been stoned to death. Women accused of prostitution have been hanged in public. And I think many of us have viewed the film of the women who have defied Taliban edicts who were taken into the soccer stadium in Kabul, and before audiences of men seated there publicly executed in the stadium.

A few weeks ago on CNN the anchor was interviewing a Taliban official and the anchor reporter asked why there is no more soccer at the sports stadium which the European Union helped build before the Taliban's rise. The official was so brazen to answer, ''If they build us another place to hold our executions, then we will play here.''

Mr. Speaker, I did want to bring this condition to the attention of the Chair and to the Members.

AVIATION SECURITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes.

Mr. MICA. Mr. Speaker, I am pleased to come to the floor tonight on the eve of consideration by the House of Representatives of the Aviation and Transportation Security bill, which is scheduled for debate and consideration tomorrow before the House.

Tonight is Halloween. It is a time when sometimes people are frightened. It is a time when goblins and ghosts and images are raised. Unfortunately, in some of this debate about aviation and airline security there has been some scaring on this Halloween eve.

I happened to hear some of my previous colleagues who spoke about the aviation security measure. And I want to say from the Republican side of the aisle, from the majority side, that each and every one of us want to pass legislation that will ensure the safety, the security of every member of the traveling public. We think it is absolutely essential that we pass the best possible legislation.

Part of being an American is being able to go anywhere you want at any time without any restrictions. And we want people to feel safe, to be able to take to the air if they choose and feel secure anywhere they have takeoff, whether it is a small airport in a rural area, in a small state or one of the metropolitan areas or one of the major hubs.

As chairman of the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, I have tried to work in a bipartisan manner. I have only had this responsibility for some 8 or 9 months and, of course, was thrust into the limelight by the events of September 11.

I have tried to approach my responsibility in a business-like fashion. Particularly since I took office, one of my

concerns has been aviation security. I have gone around and around about issues of aviation security with FAA from, I believe, February, when I first took on this position, and from the beginning I have been concerned that we have not properly prioritized the risk that the travelling public has taken. In fact, I have had communications back and forth to the Security Director of FAA, who has now been replaced and removed, but we went back and forth in regard to the deployment of equipment that sat idle in regard to setting priorities, in regard to instituting on a more expedited basis security measures.

Unfortunately, some of that was not done as of September 11. Now it is very important that this Congress act in a responsible fashion and craft legislation that deals with not just the political questions that have made the headlines and have been the center of some of the debate, screeners and their role as in any new proposed structure as either Federal employees or private sector employees, but looking at the larger picture of aviation security.

Even going beyond that, one of the things we have done is sat down, and it is amazing. When I sat down and looked at who is responsible for transportation security, under the current structure it is almost impossible to pinpoint who has that responsibility in the Department of Transportation.

□ 2045

Then we look at the other modes of transportation. Of course everyone is now focused on aviation, but when we look at highways and hazardous materials and trucking, we look at pipelines, we look at our ports, we look at any type of transportation security and we see that there is no one, if we look at a chart of organization, in charge with the specific responsibility and also the authority to move on issues of security. So that is one of the glaring examples that we all found lacking.

We find actually in the Senate proposed bill that they do create a new Deputy Under Secretary of Transportation Security in a measure that will be before the House tomorrow, and the House Republican majority proposal also has that provision. To start out, when we look at the problems of transportation security and see no one in charge, we know that someone specifically must be in charge of all modes of transportation security.

We have done that in the House majority bill. What is better than the Senate proposal, which was somewhat hastily crafted and put together, is, we have given some specific authority. If we look at the provisions of the Senate proposal, they create the position of a Deputy Under Secretary for Transportation Security, but that individual can only act when a national emergency is declared.

What is even more lacking in the Senate proposal, again that was hastily put together, is there is no ability for that individual who is charged with transportation and aviation security to put in place security rules on an immediate basis. In fact, that is the biggest flaw of the bill. That is why if that measure should pass, I would urge the President to veto the Senate bill.

It was hastily crafted. It is a nice cosmetic proposal that says we are going to make baggage screeners Federal employees and that is going to solve the problems. But I say to my colleagues, that is merely a cosmetic proposal. Whether those employees were under Federal supervision or all Federal employees or all private employees, it does not matter a bit. What matters is the standards that are put in place.

Most people, if we stop and just take a minute and look at what happened on September 11, baggage screeners were not at fault. Baggage screeners did not fail. Baggage screeners actually did their job according to the rules and regulations established by Federal employees and the Federal Government. The Federal Government was not able, even after two directives by Congress, to put in place standards for improving the quality, the qualifications, the background checks, and again, generally improving all of the requirements for being a baggage handler for more than 6 years. And, as of tonight, on Halloween night, we still do not have in place strong provisions for qualifications for baggage handlers.

That is for a very simple reason. That is because it takes, on average, in the Department of Transportation 3.8 years to pass a rule; in other words, to get a regulation to put in place newer standards. So today, some 6 years after Congress first directed FAA to get a rule into place, higher standards and regulations for baggage screeners and background checks, those qualifications are still not in place.

What is absolutely astounding is the Senate proposal does not even have a single provision giving the new Deputy Under Secretary any authority to put in place rules on an expedited basis, so that actually, if we pass the Senate provision, it puts us in a worse position than we were on September 10. And we have not learned very much by the experience, the horrible experience, that we never want repeated of September 11.

So, first, the Senate bill creates a position with really no authority, some limited responsibility, mainly to report to Congress, but the whole crux, the whole solution to the problem we face is getting rules into place on an expedited basis. So, on September 11, there were no high standards for baggage screeners. On September 11, there was no requirement, there was no regulation put in place to put in place the very best equipment we could, the very best technology. In fact, getting a rule in place was thwarted.

We have technology, and this will not show up to all of my colleagues who are watching, Mr. Speaker. I do not think my colleagues can see this, but this is technology that is electromagnetic technology. It is not x-ray technology. X-ray technology and the machines we see at most airports, that happens to be equipment from the 1970s and 1980s; it will detect metal.

On September 11 we believe that hijackers took plastic weapons, possibly plastic knives, they could have been ceramic knives, but the x-ray technology of the 1970s will not detect that. This shows a body outline and it shows plastic weapons, plastic guns, plastic knives and others that we are able to detect with this latest equipment. This technology has been tested, but not deployed, because we cannot get a rule passed to get the latest technology into place.

We can have a Federal employee, we can have a Federal employee as we require who is an American citizen, we can have a Federal employee supervised by a Federal employee, we can have a Federal employee with a college degree, we can have a Federal employee as a screener who has a Ph.D.; but he or she is only as good as the equipment that is issued. The Senate bill has not one word, again, or one ability for the new Deputy Under Secretary to get this equipment, this new technology in place on an immediate basis. So basically, if we pass the Senate bill, we would be just as bad off as we were on September 10, the day before the tragedy; and it will not make any improvement in the ability of the screener, be he or she a Federal employee, a contract employee or whoever.

So the Senate bill does not address the basic problems with the deployment of technology.

I heard the gentleman from Washington (Mr. INSLEE) and some others who were discussing some of the problems with getting legislation passed, and let me say again tonight there were some scary things said, and the American people should not be frightened to fly. The American people should understand, first of all, that the President of the United States acted immediately, and under his order, within just a matter of days now, every large commercial aircraft flying in the United States will have secure cockpit doors. The President acted, Secretary Mineta has informed me by, I believe it is November 5 or 7, but within a few days, every commercial airline or large aircraft, not all of the smaller aircraft, but the large ones, will have secure cockpit doors. That is one of the provisions of both the Senate bill and the House bill. That is a moot point. That has been done. It is in place and it is ongoing.

A second provision that is very similar, and the American people again should not be scared on Halloween or any other time, because the President of the United States has acted with due speed and he has required that air marshals be on flights.

I can tell my colleagues, as chairman of the Subcommittee on Aviation and former chairman of the Subcommittee on Civil Service, and we will get into that in just a second, but I can tell my colleagues as chairman with, again, the responsibility in the House on the aviation side, that air marshals are being trained every day, they are being deployed, they are on most of our flights, that hijackers will not know which ones; and whether the bill passes or not, they will be on almost every domestic and international flight. So that has been done.

I can tell my colleagues that Secretary Mineta acted yesterday, issuing additional orders for higher security and improvements and higher standards. So the administration has acted. The President has acted. It has never been safer to fly.

Now, is it impossible, or is it possible, I should say, to have some other incident? When we have people who are willing to give up their lives to destroy an aircraft, to go into a marketplace and blow themselves up as they have done in Israel, there is no place that can be totally secure. So we put in place the best provisions humanly possible.

What is important now is not for the Congress to rush and act, and everyone says, oh, the Senate passed this in a few weeks; and, yes, they did, and the product shows that it is a product of haste, it is a product of lack of consideration.

We, on the House side, held 4 weeks of public hearings, numerous public hearings. We held several closed hearings. We brought in experts from around the world and around the United States to hear what was going on. I do want to say that there has been a scare again by some of the previous speakers about baggage checking, and I can tell my colleagues that tomorrow, when the House votes on the package, the final package that the House majority has put together, it has the very best provisions for checking baggage.

Now, as the gentleman from Washington (Mr. INSLEE) has said, 95 percent of the checked baggage is not screened. He was correct in saying that. The problem we had, and he did attend, I will give him credit for attending one of our hearings, which is more than the gentleman from Iowa (Mr. GANSKE), who is the prime sponsor, has ever done. One of the prime sponsors of the Senate measure and a member of the majority never bothered to discuss with me or anyone else any of the provisions of our legislation, but at least the gentleman from Washington (Mr. INSLEE) did take the time to come to the hearing. I do not know if he heard everything that was said at the hearing about checked baggage; and he did repeat tonight on the floor some information about explosive detection devices.

What the House of Representatives cannot do is repeat the mistake they made in 1996 after the TWA 800 crash, after Oklahoma City, when all the attention became glued on explosive devices. We went out and we spent $443 million, almost a half a billion dollars, on buying explosive detection devices. Some of that sat in warehouses, some of it is not used. We had testimony to that effect in the hearings that we had. Why? Because some of it does not work, and Congress required the purchase of that.

We also heard from experts, technology individuals from a broad range of the sciences, who told us that the explosive devices, the actual materials, explosive materials are changing every 3 or 4 years. There are new products that can be used as explosive devices. So the last thing we need to do is put a provision in a law that requires us to go out, put in place in 3 years, or some specified time, equipment that will be outdated by the time that it all gets deployed.

□ 2100

It does not matter how we deploy that equipment, it still will take a number of years to get it deployed everywhere.

So in the House measure we have the tightest and the best provision. We do not repeat the mistake when we spend a lot of money, when the equipment is not used, when new technology is being developed, and we have spent the money on old technology, and we get this in place on an expedited basis.

The other thing that the Democrat side has lost is that we cannot get that technology in place without a rule-making expeditious provision in the law. The Senate bill has no provision. If we go through the normal rule-making to require this type of equipment, it could be some 5 to 7 years, as we have seen in the past, so the public is left in the lurch. Baggage checking at the level that should be done is not complete.

So we do not want to make the mistakes of 1996. Everyone says we must hurry, that this legislation should be rushed through. It passed the Senate 100 to nothing. The worst thing we could do is make a mistake tomorrow and pass bad legislation.

I do not want to be rough on the Senators, Mr. Speaker, but the Senate passed legislation, the other body passed legislation that primarily deals with the airline screening process. It is only a small piece of the total transportation security network, a small piece of the total aviation security network that we should be dealing with.

When they passed their legislation in haste, they moved it to the Department of Justice. The Department of Justice, let me read what the Department of Justice has said about the Senate provision.

It says: ''We also feel that attempting to divide the responsibility for aviation security between two separate agencies is not the most effective way to enhance aviation security.''

They also go on to say that right now, ''In light of DOT's strong capabilities and the Department of Justice's many responsibilities in fighting the war on terrorism, we feel that the resources would be better spent carrying out our current mission than developing a new transportation expertise.''

Again, that is in opposition to what the Senate passed. Their focus is on going after terrorism. Actually, the most important function, if we wanted to increase the number of Federal employees, we only have 11,000 Federal FBI investigative agents. This bill creates 28,000, now get this, baggage screeners, Federal baggage screeners. Would we not be much better off getting investigative personnel for the FBI?

If we look at the events of September 11, again, it was not the baggage screeners that failed. It is nice to make them the scapegoat, but to tell the American public everything will be fine if we just make them Federal employees, that in fact will not solve the problem. The problem is that we cannot get security in place with, again, a disjointed organization that is created by the Senate bill.

We have a plea from the Department of Justice not to send and create a two-tiered system. What is strange in the Senate bill, and I went through the Senate bill, the Senate bill in fact creates several layers of aviation security.

Now, if the traveling public and Members of Congress are concerned about a good aviation security system, they should read this bill. I would venture to say that 95 percent of the Senators did not read this legislation. This legislation by the Senate was put together so hastily they left the actual law enforcement functions, law enforcement functions, under the Department of Transportation, while transferring baggage screening to the Department of Justice.

Not only did they leave the Department of Transportation with the law enforcement responsibility, and it is hard to believe, but that is exactly how it reads. I went back and had the staff attorneys check this to see if in fact that is what they did, and it appears they did it by error.

However, what they did was they also created several levels of law enforcement. They only require one law enforcement officer at each airport

screening location at the 100 largest airports. There are another 270 airports for which they exempt security at small community airports, and they go on and say that at smaller airports with scheduled passenger operations, they should enter into agreements under which screening of passengers and property will be carried out by qualified, trained State or local law enforcement personnel.

So we might get in in Portland, Maine, as some of the hijackers did, and there would be one level of security. Someone might come to Boston and have a different level of security. Again, this is a fractured system that is far worse than what we have now.

Now, trying to make 28,000 baggage handlers Federal employees in even the most expedited fashion might take some 3 years. In the meantime, we would have created a disaster with some of the current services that have already been considered by private vendors.

I am not here to defend any of the private vendors who have not put in place already standards. Of course, FAA, a Federal agency and Federal employees, did not require the higher standards. We had no rule in place and could not get a rule for 6 years, and do not have a rule tonight. With the Senate bill, we have no hope of getting a rule because there is not an expedited rule-making process.

So again, the bill was hastily crafted by the Senate, sent over to the House, and I think that their intent was that we work on this measure as they have sent it to us. We have conducted, again, a much more comprehensive series of hearings, bringing experts in and trying to see how this would function best. A split system between the Department of Justice for baggage screeners, for some law enforcement to be under the Department of Transportation and for some screening to be done by State and local officials, is not the way to go. It is a fractured, disjointed security system.

The bill which we have proposed in the House is well thought out. It has one level of responsibility first of all for transportation and aviation security. That is an undersecretary of transportation level. That Secretary is responsible for all security measures in transportation and all in aviation; all elements, not just a few, not just the baggage issue.

There are also issues of airport perimeter security; there are issues of cargo security; there are issues of ramp personnel, those who have access to the airplane; there are issues of those who maintain the airplane and clean the airplane; there are issues of the FAA towers at each of these airports, and we have heard reports some of those may be at risk.

The Senate bill does not touch any of those issues. They only deal with the most visible, doing a cosmetic job on the public and convincing people that they acted in a hurry and they got the job done and sent it to the House and we did not act.

I can tell the Members that nothing is further from the truth. We acted in a very reasoned manner. We held hearings. We heard testimony from dozens and dozens of witnesses, the best experts. We looked at what was successful in Europe.

Today, there is an article from the former head of El Al Airlines. We had that individual come and testify before us. We said, ''What worked well?'' Do Members know, in Israel and Europe they tried federalization in the 1970s and 1980s and it did not work. They went to Federal supervision, Federal management, Federal oversight, Federal background checks, and Federal testing. That has worked. That is the best model. That is the model that we bring before the House tomorrow.

We also again go back to the individual responsible for all of these elements of transportation and aviation security, not only responsible, but with the authority to put in place security regulations on an immediate basis.

That is the biggest problem with the Senate bill. The Senate bill is a terrible measure, again taking us back to September 10. Have we learned nothing from the events of September 11?

So while screeners are the most visible, while we want them under Federal supervision, now the airlines have that responsibility. The airlines now are charged with that responsibility, and are also paid for airline and airport security.

The Republican measure, the House majority measure, takes that responsibility away from the airlines. It makes it a Federal process. We have made the Federal Government responsible for aviation security and transportation security, but not just making someone responsible, because we have done that in government before.

We have passed two measures, one in 1996 on aviation security, in a reaction to TWA 800, which incidentally turned out to be a technical malfunction in the gas tank, the fuel tank of the airplane. But we passed that legislation in 1996. We passed legislation a year ago, in 2000, directing that we have higher standards for baggage screeners, and it still is not, as of tonight, in place. So Members can have someone with the responsibility, but they must have the authority.

It is absolutely unbelievable. We have to take their bill and look at the bill. The bill has no provision for an expedited rulemaking, so we cannot get the rules in place, we cannot get the new technology in place. The mistakes of September 11 can be repeated. It would be years if we could ever get in place this latest technology that can scan the body.

Incidentally, we had this tested. We asked why we would not get this in place. Basically, they cannot pass a rule, so they might have the responsibility to get the latest technology in place, government, but they do not have the ability through the rule-making process, which is delayed or which people go into court and try to kill or stymie, to get this technology.

This technology can detect plastics, ceramics or other materials, and there will be even a later technology coming on board. Of course, this technology also has upset some of the civil liberties union. It is very invasive. It shows body parts in great detail, but it will detect materials. It would have, if it had been in place in Boston Logan, detected if in fact a plastic weapon was used on one of those flights.

The Senate bill does nothing to address the rule-making process. It again divides responsibility in an unclear split between the Department of Justice and the Department of Transportation. It leaves law enforcement in charge, actually under the direction of the Department of Transportation. Now, get this: They move baggage screening to the Department of Justice, but they leave law enforcement under the Department of Transportation.

Mr. Speaker, I said that we must have rules in place in an expedited fashion. We do not have the rules for high standards for baggage screeners in place. We do not have the technology in place because we have not had the ability to put a rule in place. No one has expedited rule-making ability under the Senate provision.

I have to repeat that, Mr. Speaker, because no one seems to hear it. It is nice to come here and pass legislation, but legislation that does nothing is a fraud on the American public. Legislation that does not enhance security or put in place security measures on an expedited basis is a fraud.

At this time it would be an abdication of our responsibility as Members of Congress not to put it in place, and if it takes another day, if it takes another week, if we have to go to conference, but this time to do it right so that we have a comprehensive transportation and aviation security measure.

This is not a bipartisan issue. Actually, we worked very closely the last 4 or 5 weeks with members of both sides of the aisle. The gentleman from Minnesota (Mr. OBERSTAR) worked with us. We crafted most of this legislation with the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and infrastructure. We crafted this legislation with the gentleman from Illinois (Mr. LIPINSKI), my counterpart, the ranking Democrat member on the Subcommittee on Aviation. We did this in a bipartisan fashion, and this is a good bill.

□ 2115

One issue deep-sixed the bill that the Democrats were going to introduce which was exactly the same as ours and one word. They said all screeners shall be Federal employees. We said all screeners may be Federal employees. We gave the option because again we think a public-private partnership can serve us best.

Let me say, I have no problem with having Federal employees handling the supervision. I have no problem with Federal employees handling the oversight. I have no problem with Federal employees doing the background checks, the testing, all of the other management responsibilities of the screening process, and that is what our bill proposes. It makes this a Federal process and then gives the President and also the DOT security administrator the option, and we think that is the best way to go.

One of the problems that has already arisen with the Senate bill is the language, when they passed this bill in haste, in trying to make it appear that they were doing something, they passed this bill in haste, and unfortunately, it has raised some questions about unionization of the potential Federal employees. Part of this was done by some of those who would like to represent the new Federal employee group of some 28,000.

A quote taken just the other day from AFGE, the American Federation of Government Employees, Legislative Director Beth Moten said the union could live with the measure; that is, the Senate measure, but litigation may be required to ensure most of the civil service obligations remain in place.

We were told that this would be a different brand of Federal employee, but it appears the way the language is written that every one of the constraints now and every one of the obligations that are now provided by law for a Federal civil servant will be imposed on those that may be employed of this force of 28,000.

My colleagues have to understand the size of 28,000 Federal employees. There are five agencies in the Federal Government, five Cabinet departments, that do not have 28,000 Federal employees. This will be larger than the State Department. It will be larger than the Department of Labor. It will be larger than HUD. It will have more employees than the Department of Energy, more employees than the Department of Education, and they will all be baggage screeners. So we will have a department basically of baggage screeners, taken away from the Department of Transportation and put into the Department of Justice with the Department of Justice saying today that they have no ability to handle them.

The Department of Justice only has 11,000 FBI agents in the entire agency and only has between 4- and 5,000 Federal marshals, but we are going to put them in charge of baggage screening. It just is a ludicrous idea. It may sound good.

What does it do? Here we create Federal employment with the possibility of getting into a brawl over the status of these individuals the way the language is poorly written on the Senate side.

I implore my colleagues, look at this. We cannot create a huge bureaucracy, and having been chairman for 4 years in the House of the Subcommittee on Civil Service, I tried on this floor on numerous occasions over my 4-year tenure to bring to the floor measures that would require performance standards for Federal employees, a performance-based management system, and I actually passed it in the House several times, and it was defeated in the Senate, and we still have nothing in place.

Let me say out of the 1.9 million Federal employees, and there are 8- or 900,000 postal employees, there are some dedicated employees. There are some great employees who go to work every day and do an incredible job in the country, serving their agency.

When I was chairman of Civil Service, I met so many of these dedicated individuals, but if you get these people aside and you talk to them about what would improve their agency, they will tell you what improved their agency is getting rid of the deadwood, and it is part of the problem we have with our Federal bureaucracy and sometimes government at every level is that we create an insular system, a system in which you cannot, as you do in the private sector, get rid of the deadwood.

We tried everything, including giving the employees the right to set up a performance-based system: Reward good employees and get rid of the bad employees, but it is almost impossible to do. In fact, it takes years to get rid of a Federal employee, and if they want to fight the system, it takes on average 38 months just to go through the normal complaint process. That is on average.

If we want responsiveness in those screeners that are out there doing a job, if we want the ability to fire somebody and get rid of the poor performers, then certainly the Federal model is not the way to go. I might say that there are Federal employees that try to do the best job, and even if they attempt to do the best job, they make mistakes, too.

Let me cite an example of a Federal prison in one of our States. A recent report said that in a maximum Federal prison facility, with Federal guards, Federal employees, Federal oversight, with strip searches, with body cavity searches, with searches of the personnel coming in, with detection screening equipment, still more than a hundred weapons entered the Federal security prison. So it can happen. We have the possibility of a weapon getting on to a plane, but we also have the possibility of weapons going into a Federal maximum secure facility.

What is important here, again, is when we create this position that we have someone responsible, who can act on an immediate basis, not just giving someone the responsibility but without the authority, and that is what happens if tomorrow they pass the other body's provision, the Senate's provision. They have the responsibility as they may define a partial responsibility in a new individual but no authority to move forward.

The other thing that we tried to do in this legislation is find a responsible manner to pay for aviation security. I have Republicans who do not like to impose any taxes. I have Democrats who can never find a tax high enough and they are trying to find a compromise. It has been a challenge but we did put a provision that allows up to a maximum of $2.50 per one-way trip in our legislation, and this money can only be used to pay for aviation airline security. It cannot be used for ads. It cannot be used for anything else.

We also do not let the airlines off the hook. Interestingly enough, the airlines have been anxious to get rid of this screening responsibility. They do not want this. This is a hot potato, but they also now pay for it, and they pay about a billion dollars out of their revenues, and heaven knows, we have tried to help the airlines get back on their feet. We may even have to do more because we are so dependent on aviation as a transportation system in this country. We felt that it was important and we asked questions to these airline representatives: Would you be willing to pay? They said they would pay.

Of course, they would like to get off the hook for aviation security responsibility because of the costs, but they have agreed, and under our legislation, the airlines can also be assessed part of the cost. The passenger can be assessed part of the cost. We tried to do a very fair measure.

With the Senate provision it basically lets the airlines off the hook. They get a billion dollar free ride, and the taxpayer is going to pay because it is going to come out of the national Treasury and the passenger will pay for the balance.

I think people are willing to pay. I have never voted for a tax. I do not consider this a tax. I consider it a user fee, and we do have specific provisions in our legislation that says the actual cost of the screening, passenger screening must be passed on, and we give an amount up to, but we also make the airlines partially responsible, which we think is very important.

What concerns me is not only the disjointed approach to aviation security proposed by my colleagues from the other side of the aisle and rapidly put

together and sent to the House by the Senate. What concerns me is that we have this disjointed part of the functions now in the Department of Justice, who has said publicly today they have no way of handling 28,000 more employees. They are not geared to that. They think it is best in the Department of Transportation.

It also takes out part of the Transportation function, one part of it, and leaves all the rest sort of to hang by itself, again leaving the public at risk. Who knows what is going on in the airport perimeter? Who knows what is going on with ramp personnel? Who knows what is going on with maintenance people? Who knows what is going on with the mechanics? Who is protecting the FAA tower?

So they do sort of a half-baked job with a split, undefined responsibility, having screeners in the Department of Justice, 28,000 of them, leave law enforcement under the Department of Transportation, which is just beyond me, having a different level of law enforcement for the hundred top airports. The smaller airports, well, they sort of fend for themselves, and we will take State or local offerings, and again, we do not believe that that is the way to go.

We need Federal standards across the board. We need someone with responsibility and someone with authority, which again is lacking in the measure that will be presented by the other side tomorrow.

The worst thing that we could do is have several levels of security at our airports. We have another measure in the bill for screening. Some of the screening at the smaller airports may or may not be done according to having Federal standards and Federal regulations in place that are even and across the board for small airports and for larger airports, and that is important. There must be a seamless security and comprehensive security plan or we are just fooling the American public and that would be a shame.

Most of what is being done by the Senate bill is cosmetic. Most of it was done in haste. There was a hundred to nothing vote on it to get it over here. The Senate has voted a hundred to nothing before. They voted unanimously, after the British burnt the Capitol in history, if you look this up, to move from Washington, and it was saved by a few votes in the House of Representatives. The House votes unanimously every day on issues. We had several votes today. I think that we were unanimous. Everything is done by unanimous consent and they unanimously tossed the ball into our court, and we tried to be responsible.

We held continuous hearings, both open and closed. We brought in the best experts, and we tried to put together the very best provisions possible.

One of the other provisions of the legislation that sort of surprised me, and I have the Senate bill here, and again I would venture to say very few Members have taken the opportunity to read this legislation, and that is the frightening part because they will wake up if they pass the wrong measure and see that we do not have in place the very best provisions for airline security, but one of the interesting things is that the Senate bill brings together all of the different intelligence agencies' and enforcement agencies' information, but the Senate measure does not have any way to distribute information about the bad guys. We do provide that that information be available to the airlines.

□ 2130

The airlines are the only ones that have the passenger lists. We have a requirement that every airline that flies into the United States must provide us with a passenger list.

If we want to avoid the mistakes of September 11, we need to at least allow the airlines to have some information about who the suspected terrorists are. The Senate bill puts together a committee, but has no requirement. It does not require that every airline coming into the United States provide us with a list.

So the very least we can do is learn by the mistakes of September 11, see that they are not repeated. The very least we can do is not make the same mistakes we made in 1996, when we passed knee-jerk legislation, and we bought billions of dollars' worth of equipment, made all kinds of changes, and addressed explosive devices. We acquired explosive devices, and we have unused explosive devices because we do not have rules to get in place the proper explosive devices.

The worst thing we can do is repeat the mistakes of 1996, so we do not want to do that.

Then again in 2000, when we saw we still did not have in place rules for baggage handlers, we passed another law directing the agency to do it. As of tonight, they still have not done this. So while the Senate bill, I think, was well-intended, they tried to pass something in a hurry and get it to us, but it was done in haste.

We need to proceed with caution. We need to proceed in an expeditious fashion, but also take the very best from others who have put into place the tightest possible security systems, to put people in place who have both the responsibility and, most importantly, the authority.

If there is no other reason to defeat the Senate proposal, it is because it lacks the ability to put rules in place relating to security on an expedited basis, and this brings us back to September 10, not learning one single thing, using airline screening employees as the scapegoats. Airline screening employees on September 11 did not fail; it was the lack of Federal standards put in place to check even their background. It was the lack of Federal agencies to do their jobs.

If we want to put more personnel someplace, we should put them in our visa department. I checked to see how many people work issuing visas around the entire world, and it is somewhere in the neighborhood of 5,000. Here we are creating a bureaucracy of 28,000 baggage screeners and what we may need are people who can identify a potential terrorist, a hijacker, a potential murderer who may be let legally into the United States.

Most of the terrorists used our border as a swinging door with a visa, with a permit. We can do all the checks, we can send the National Guard to do a check at the screening area, we can have a Federal employee or a contract employee, we can have the airline employees all become Federal employees and they can check the IDs. But if Mr. Adda comes to the counter, and they check him, and he has an ID and a visa, they let him go; and he goes next to the airport screener or to a National Guard person, whoever is checking the IDs there now, and that person checks it and say, oh, this is Mr. Adda, go forth Mr. Adda, you have a visa. A Federal Government employee has given him that visa; therefore he goes to the next stage and he gets on the airplane. Congratulations, Mr. Adda; welcome, get on the plane.

So if we are going to put Federal employees someplace where we need them, we need to put them at the visa locations. There are less than 500 INS inspectors and inspectors along our Canadian border, and that is where we understand the terrorists came in. We have 6,000 or 7,000 down in Mexico, but these terrorists picked our weakest point. If we are going to put employees there at the airports, 28,000, why not put a few in place to protect our borders to catch these people as they come in?

So we need the intelligence, first of all, about these individuals. We need someone checking the visas. All the protections in the world can be put in place, but they will be useless if we do not do this.

Again, look at the September 11 events. Plastic weapons were not in place because we did not have the most modern equipment in place. We cannot make the mistakes we have made in the past.

Tomorrow my colleagues will have an opportunity to debate this and, hopefully, we will do the right thing to ensure a comprehensive transportation and aviation security plan for the country. We must do it right. We must do it in a comprehensive fashion. I plead with my colleagues not to make this a partisan issue, but to make it a public interest issue and pass the very best legislation. The American people deserve no less.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FLAKE). Members are reminded to refrain from characterizing Senate action.

ABUSES SUFFERED BY AFGHAN WOMEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 60 minutes.

Ms. MILLENDER-MCDONALD. Mr. Speaker, once again we have come to denounce the ongoing abuse of Afghan women, and we will not stop coming here each week to highlight the atrocities of this attack on the very fundamental human rights of women and children, especially their girls. I want to ensure that the plight of Afghan women and girls is not forgotten, and in order to do so, we must continue to bring attention to their status.

The women of this House have constantly taken a stand for Afghan women, and some of the very sensitive men as well. Tonight I am joined by one of my colleagues who has been extremely sensitive and passionate about the Afghan women and their plight and the atrocities that they have had to withstand. But it is the resolve of the entire Congress that will help return civil society to Afghan women and children.

Women and children in Afghanistan have been the primary victims of the Taliban regime. Before the Taliban took control, women were leaders in public life and politics. For example, in Kabul, over 70 percent of teachers were women. Forty percent of the doctors and the vast majority of the health care workers were women. In addition, over half of the university students were women. In fact, in 1977, women made up over 15 percent of Afghanistan's highest legislative branch. Now, that is more than the 14 percent of women that serve here in the U.S. Congress today.

When the Taliban came to power, they banned women from working, prohibited women and girls from attending school, and forbade women from leaving their homes without being accompanied by a close male relative. Women have been brutally beaten, publicly flogged and killed for violating the Taliban decrees, decrees no doubt that the Taliban imposed and no one else.

Let me cite some of the horrific examples of the heinous acts of the Taliban. A woman who defied Taliban orders by running a home school for girls was killed in front of her family and friends. A woman caught trying to flee Afghanistan with a man not related to her was stoned to death for adultery. An elderly woman was brutally beaten with a metal cable until her leg was broken because her ankle was accidentally shown from underneath her burqa. Women have died of curable ailments because male doctors are not allowed to treat them. The two women who were accused of prostitution were publicly hung.

Mr. Speaker, these acts are unconscionable and inhumane and members of the Women's Caucus here in the House, of which I serve as co-chair, have taken on this project, along with my dear friend and colleague, the gentleman from California (Mr. ROYCE). Together, we are working to make sure that the women throughout this Nation and around this world help to empower Afghan women. We will continue to take action until we end this horrendous gender apartheid.

Mr. Speaker, tonight I am joined by this friend of mine who has been diligent in working to bring attention, to shed light, and has been most passionate about the plight of Afghan women. The gentleman from California is no stranger to this issue, as he is no stranger to the many issues surrounding women in this House. He has a bill that he has introduced, and I am one of the original cosponsors, which is the Radio Free Afghanistan Act. He is here tonight to share with me this hour to talk about the women of Afghanistan.

I now would like to yield to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentlewoman from California, and I very much appreciate all the effort she has put into calling attention to the plight of these victims.

The gentlewoman is right to say that women were leaders in Afghanistan. I think many people today, when they look at the situation there, they do not understand how that culture was hijacked, how the Afghan culture was hijacked by the Taliban and the consequences to that society. When we think about the fact that, as the gentlewoman correctly pointed out, the majority of the people in the work force were women, we should ask why that was. It was because so many men had lost their lives in the battles when the Soviet Union invaded Afghanistan. So women were typically the heads of household.

Because women had played a role in Afghan society, women had the right to vote. Women were in the work force, as the gentlewoman said. They were such a large percentage of the professionals, I think 40 percent of the doctors. So many university students were women, over half the student body.

Imagine for a society like that what a shock it was, since these were the majority of the people who were heads of household, bringing home a paycheck to feed children in an economy that was already in trouble, the day that edict came down that said women could no longer work in the work force. This was a death knell for many families. Starvation followed. People were subjected to unbelievable deprivation.

One of the things we wanted to do with Radio Free Afghanistan, and we have been working for some time to try to get some other voice into that society other than Radio Taliban. Radio Taliban comes on at night and tells people only what the government wants them to hear, and comes up with these proclamations, one after another, about what is to be interpreted as illegal under Taliban law. And as that list grows, so many of these restrictions are on women, I just thought I would share some of the restrictions that the Taliban have placed on society.

Women are not to laugh loudly; that is against the law. Women are not to ride in taxis or play sports or enter a sports center or ride bicycles or motorcycles or gather for festive occasions or play cards. Riding public buses with men is against the law. Appearing on the balconies of their home is against the law. When they are in the home, they are to paint the windows so that no one can see in.

But far more serious than these dictates are the costs paid in human lives for those women brave and bold enough to defy these laws and to go into homes and try to home school a new generation of young Afghan girls so that they will have the ability to read and write, so that they will have the capacity in life, someday, hopefully, if this iron control that the Taliban has over society lets up, so that they will have hope.

□ 2145

Those brave women are often put to death.

I mentioned earlier the response by the Taliban official that soccer is a game enjoyed for years in Afghanistan. There was a question put by a representative of the European Union about soccer returning to Afghanistan. The response by the leader of the Taliban was, if the European Union will build us another stadium, then we can have soccer; but we need this stadium for our public executions. I think all of us have seen photographs of the women brought into the stadium, the Taliban men filling the bleachers, brought down and publicly executed for not following the rules of the Taliban.

Since women are not allowed to work to support themselves in Afghanistan, thousands of Afghan war widows have reluctantly become beggars in that society. Because male doctors may not examine women, women are banned from working, Afghan women have no access to health care.

One example, one day while filling a woman's tooth, Taliban police stormed the office of a male dentist and began whipping the women present because they were not accompanied by male

relatives. The dentist was jailed and his office was closed for 2 days.

To cope with the overwhelming stress living under Taliban control like this, large numbers of women are turning to drugs. From 1995 to the year 2000, there was a 75 percent increase in drug addicts with no health care to support their addiction, to get them off of drugs. It is not surprising that the suicide rate for women in Afghanistan has escalated. Many women choose to take their own lives rather than live the life that the Talibans dictate that they live.

One female Afghan refugee told a reporter, ''Because of the Taliban, Afghanistan has become a jail for women. We do not have any human rights. We do not have the right to go outside and look after our children. We do not even have the right to go to the doctor. We always need permission.'' Those are the words of an Afghan woman.

The Taliban denial of women to have a job has created a flood of unemployment. These unemployed women face serious financial problems; and as a natural consequence, what happens to the children? The children suffer from hunger, from malnutrition and a chronic state of poverty. Most of them have lost their last recourse to income. They have sold most of their possessions to buy food. Those who could afford leaving the country, have already sold their assets to do so. Those who could not are making up the bulk of the beggars in Afghanistan today. Here we are with Afghanistan's brutal winter approaching.

A large number of these beggars are ex-teachers. A large number are ex-civil servants. This is the horror of what has been happening in Afghanistan. A false assumption by some is that Afghans in general back these practices. While the Taliban maybe by some was originally seen as a force for stability, and we have war-weary Afghans after years of fighting, they heard on Radio Taliban that a force for stability is coming. But that force for stability that those people thought might be stability soon wore out its welcome. Faced with a few years of this abuse, it is no surprise that Afghans now want to overthrow the Taliban.

In a recent poll conducted by Physicians for Human Rights, that poll found 90 percent of Afghan men and women rejected the Taliban's restrictions that exclude women from participating in education, employment, and other aspects of civilian life. 94 percent of women in the Taliban-controlled area said that the Taliban has made their lives much worse, and attributed their declining physical and mental health to Taliban policies.

Muslims at large do not support the Taliban's fanatical practices. Moderate Muslim governments oppose the Taliban's treatment of women and its false interpretation of Islam. The Taliban is a repressive political regime whose aim is to monopolize power in Afghanistan; and to do that, it practices pure terror.

President Bush recognized this in his speech to the Joint Session of Congress which we heard here on the floor when he said, ''The United States respects the people of Afghanistan, but we condemn the Taliban regime.'' The Taliban has demonstrated a blatant disregard for the well-being of Afghans, and by harboring terrorists, it has demonstrated a blatant disregard for human life, both within and outside the Afghanistan borders.

The U.S. is right, therefore, to seek to overthrow the Taliban government. This will rid the world of an evil regime and will improve the livelihood of the Afghan people and will put a stop to the violations of women's rights which in Afghanistan today is a more dire situation for women than anywhere else on this planet.

Mr. Speaker, I want to thank the gentlewoman from California (Ms. MILLENDER-MCDONALD) for organizing an ongoing effort to call attention to the plight of these women. My hope is that the world community becomes more involved and understands better why it is we have to make certain that this Taliban regime is replaced, and that the women of Afghanistan are again given a voice and basic human rights. I thank the gentlewoman for yielding to me.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank the gentleman. I am certain that we will continue this each week and will not stop until we see the improvements on women and children in Afghanistan.

We have been joined by another member of the women's caucus who has spoken out passionately about the women of Afghanistan, the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I want the gentleman to know that there are many women who appreciate his leadership on this issue and appreciate the gentleman coming to the floor and speaking out for the women in Afghanistan.

I also want to bring to the attention of my colleagues in Congress and others the leadership of the gentleman on the Voice of America, the voice for Afghanistan, to bring the truth to the people about what our country is trying to accomplish. The fact that we are also supplying humanitarian aid and that we are attacking terrorists, not Afghanistan and the people there, but the Taliban and the terrorists.

I would like the gentleman to explain his bill which I think is an extremely important one, which I support. Even though it is not the purpose of this Special Order, I think it is an important issue and one that should be highlighted.

Mr. ROYCE. Mr. Speaker, I thank the gentlewoman for this opportunity to explain what we have in mind with respect to Radio Free Afghanistan.

Basically the people of Afghanistan, and through this region, have not had the opportunity to hear information that contradicts the ongoing propaganda from the government in a way which was intended to explain the lies and to explain to the people what was actually happening inside the country.

So the concept behind Radio Free Afghanistan is to do what was done with Radio Free Europe in Poland or Czechoslovakia. When we talk with leaders of Poland or the Czech Republic, they say that the hearts and minds of those people in those countries were turned by the opportunity to listen daily to a radio broadcast which explained what was actually happening inside their society. These broadcasts which were done by ex-pat Czechs and Poles, and so forth, was able to explain and put in context what they would be hearing from the Soviet broadcasts.

Over time we know, from those leaders that we have talked to, that this was the most effective single thing that changed the attitudes of the average person in Eastern Europe, so much so that we all recall what happened with the Berlin Wall. We recall what happened in Poland with the solidarity movement, and part of this was because they had access to information.

What we are trying to do with Radio Free Afghanistan is to explain to the people of Afghanistan what exactly the Taliban is telling them and why it is false. Why is that important? Because the broadcasts in Afghanistan say this: They say bin Laden is innocent of any attack on the World Trade Center bombing. The assertion is on their information system that there were 4,000 Jewish workers who were absent that day from work because the Israeli government had told them that they were going to bomb the World Trade Center. Of course that is not true because we know how many people lost their lives and how many Jewish employees lost their lives. It is a lie, but it is a lie that is repeated over and over and over again, not just on that radio station, but on newspapers in this part of the world.

So the opportunity to explain the facts are essential. The opportunity to remind people that the Taliban has hijacked that Afghan culture is essential, reminding people that women used to have the right to vote and used to have the right to work and to learn to read and write.

Ms. MILLENDER-McDONALD. If the gentleman will yield, I really do think that the gentleman's bill is so crucial now given the fact that the Taliban is telling the people that the humanitarian efforts that we, led by our President is doing for that region, the food is poisonous and what they are saying

now and putting out that type of propaganda, trying to influence and bring a type of stalemate or trying to keep the folks from knowing that the United States is in there to help them as opposed to hurting them.

It is very clear that we need to have that bill passed so that we can get radios into the people of Afghanistan, especially the women, so they can understand what the real issue is and not be blind-sided by the Taliban and their barbaric regime.

I know that the gentlewoman wants to speak on this issue, and I yield to the gentlewoman.

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for organizing this Special Order tonight that really focuses on the plight of the women in Afghanistan.

Mr. Speaker, 2 weeks ago I came to the House floor to condemn the Taliban's appalling treatment of women. I relayed the tragic story of a 16-year-old girl who was stoned to death for going out in public with a man who was not her family member; and for a woman, for the crime of teaching girls in her home, was also stoned to death in front of her husband, children and students.

□ 2200

Sadly, these terrible acts are real, and they continue under the Taliban regime.

But tonight I want to highlight who the Afghan women are and how we must support them when Afghanistan rebuilds. Afghan women are neither weak nor helpless. They are merely being imprisoned by an oppressive and brutal regime. Many of those women behind the burqas are strong, capable women who once played a major role in Afghan society.

Women's rights in Afghanistan have fluctuated greatly over the years. Women have bravely fought the forces of extremism at various points in the country's turbulent history. At one time, women comprised 70 percent of the school teachers, 50 percent of the civilian government workers, 40 percent of the doctors, and 50 percent of the students in universities. They were scientists and professors. They led corporations, nonprofit organizations, and were very active in their local communities.

Extremist forces in the early 1990s, some of the same groups that are being proposed as potential leaders of a new government in Afghanistan, began to curtail women's freedoms. But when the Taliban came to power in 1996, it banned women from all public life. Working itself became a crime. Today, women who were once diplomats and judges can be beaten for improper dress. Women who were once army generals can be shot for leaving their homes without a male escort, even to receive medical care. The Taliban condone rape as an effective means of punishing women and rewarding soldiers.

Mr. Speaker, one of these days, we do not know how long it will be, but it will happen, we will end the Taliban regime for its support of terrorism; and we will be in a position to help Afghan women forge a better future for themselves and their families. We must begin to discuss the future of women in Afghanistan. It is crucial that any coalition that is assembled to run Afghanistan fully restore the rights of women. We will not need to construct a new, novel idea of equality between men and women. Instead, we can help reconstruct an old and better way of life.

Afghan women are proven leaders among their people. They can once again rise as thoughtful, powerful community leaders. Women in Afghanistan were guaranteed equality in their constitution, which they helped write in 1964. Women represent the majority of the Afghan people. We need to ensure that their voices are heard and their impact is felt.

Eliminating the Taliban will not automatically end the struggle for women's rights in Afghanistan. There are no angels waiting in the wings to deliver Afghanistan from all the evils of its checkered past. When the U.S. liberates Afghanistan from the Taliban, we must use our moral authority to ensure that power does not fall into the hands of a new regime with extremist views on women's rights. Any regime will surely be better than the Taliban, but our standard must be much higher than that.

President Bush has done our country proud in our war on terrorism and against the Taliban. I urge him to be mindful of this issue and vocal about it as he begins to lay the diplomatic groundwork for a new Afghanistan.

Ms. MILLENDER-McDONALD. I thank the gentlewoman from New York. We know how strong she has been and how outspoken she has been on the issue of empowering Afghanistan's women. We want her to come each week as we come to this floor to talk about this plight, to ensure that not only the American women, but women around this world and across this Nation take part in helping us to fight until these women have gotten their rightful fundamental rights, human rights restored back to them.

We do know that millions of people in Afghanistan are experiencing the most desperate poverty imaginable. In addition to the Taliban's barbaric rule, the region is suffering under the most severe drought in decades and military incursions continue to displace hundreds of thousands of Afghans. Seventy-five percent of refugees are women and children; the conditions in which they fight to survive are horrific. According to some estimates, every 30 minutes a woman dies in childbirth and one in four children die before 5 years of age.

During these uncertain times, women and families need safe havens. We must do everything within our power to guarantee humanitarian efforts and aid benefits for the women and children of Afghanistan who are suffering in this region. A significant increase in food, shelter, education and health care services is necessary to ward off starvation, disease and death and to prevent further regional instability that breeds terrorism.

You might recall, Mr. Speaker, for the past 6 years, Afghan women and girls have pleaded with the world to free them from the grip of the brutal Taliban militia and have warned that the Taliban's threat to humanity would extend beyond the borders of Afghanistan. In the wake of September 11, we have come to see the realization of their warnings.

Mr. Speaker, again I applaud the administration's commitment to $320 million in humanitarian aid and support, a dramatic increase in the United States' efforts to provide long-term humanitarian assistance. More importantly, I stand in full support of providing direct funding to Afghan women-led organizations like the Revolutionary Association of the Women of Afghanistan, known as RAWA, to ensure that the primary beneficiaries are women and children. As we cannot forget the tragic events of September 11, we must not forget the Afghan women and girls and children, the first victims of the Taliban.

I want to engage again my colleagues on some of those things that the Afghan women have been very prominent in, like in 1924, they had the first women's magazine and published that about Afghan women. In 1964, women were appointed to the advisory constitutional drafting committee. In 1977, Afghan women participated in the drafting committee of the constitution of Afghanistan.

As you can see, women were very much into the whole fabric of Afghanistan, and as my friend, the gentleman from California (Mr. ROYCE) was saying, and he certainly knows this history of the Afghan women, we must again fight to ensure and restore women in these pivotal positions, such as publishing magazines, advisory committees on the constitution, because we know that the constitution in 1923 guaranteed equal rights to all citizens of Afghanistan.

The Congressman from California knows this history better than I, but these were the absolute, entrenched women of Afghanistan doing these types of things that during those eras really a lot of women from other countries, including ours, did not have the ability to do.

So you might want to expound again on some of those things that I have outlined here.

Mr. ROYCE. Let me respond.

What is astounding here is the fact that, as the gentlewoman says, you had a culture in which women played such a pivotal role, especially in education, in the professions, in governance; and suddenly, because of the civil war, first the war to repel the Soviet invasion and then the country in turmoil, in despair, you had the Taliban appear on the scene that, through a ruthless effort, grabbed control, not only of the government, but grabbed control of the ability to communicate through radio to the people. What was unique about Afghanistan is that most people got their information from radio, 85 percent of the Afghan people.

Once the Taliban forces had seized the radio stations, the broadcasting stations, they were able to begin a disinformation campaign, a propaganda campaign, to direct the people with misinformation in order to try to have them follow the Taliban.

In 1997, I had suggested to the former Under Secretary for South Asia that we support in the United States a Radio Free Afghanistan at that time. Why? Because the Taliban were sweeping across the country and, with propaganda, the fact that they controlled the information system in much the way that Goebbels in Germany controlled the information system, they were propagandizing on a daily basis.

I said at the time, if we could get a Radio Free Afghanistan up in that society, we would be able to give people true information about what was actually happening, and probably it would head off this Taliban movement, because they thrive through the lies that they spread.

What we found was that once they got control of most of the country, of course they have never been able to take all of it, but once they got control of the lion's share of Afghanistan, they then, in addition to propagandizing, began to eliminate dissenters, began the process of rounding up and eliminating anyone who tried to disagree with them.

So how do you get information into a society like that? What you do, in my view, is recognize the fact television is already illegal, the Taliban passed a prohibition, it is a criminal act to own a television, so no one owns televisions any longer in the country. The thing you can do to reach these people, in my view, is a constant message on the air to tell them what has actually happened to them, why it has happened, who has done it to them, and why the United States is finally responding to Osama bin Laden. It took an attack on the United States to get us to finally act.

My hope is that we can commit ourselves, as the gentlewoman has correctly pointed out and as the gentlewoman from New York pointed out, not just to ending this cruel operation of al Qaeda and bin Laden, but also making certain that some measure of justice is done here to eliminate that Taliban control and to take the country to a position that it once had with a constitution, with rights.

There is such a dangerous precedent for human rights and for the rights of women especially, in terms of what the Taliban has been able to do, it demands the international community stepping in and making certain that a constitution and the rule of law come back to that country.

Ms. MILLENDER-McDONALD. It is amazing you would say the international community, because what we are trying to do as members of the Women's Caucus is to engage women around the world, ambassadors of various countries, NGOs, nongovernmental organizations, women organizations, to help us in this plight.

We applaud RAWA, because RAWA is right there in Afghanistan trying to bring about the type of human rights, the type of democracy and to bring empowerment back to women. We know that is a plight in and of itself, because the Taliban is quickly trying to denounce anyone who tends to want to give freedom and democracy to the people who are so distraught and who are in the throes of their very barbaric actions.

And so the bill, Radio Free Afghanistan, will really help to bring the type of information where the women, those others who are trying to do their level best to bring some sanity and some type of democracy back, will be more informed of what we are trying to do, what people around the world, this international community, is trying to do; and hopefully will help us to restore that type of democracy. Once that is done, I think we must ensure that women have a rightful place in any type of negotiations, any type of legislation.

Indeed, there should be types of elections where they are elected back into office and they get the education that they need so that they can be prominent in the whole fabric of that society.

We cannot stop once we restore the empowerment to women, and we will indeed continue that until we do that. But we must ensure that they continue to have their place and their seat at the table. In fact, we are asking here that Members of Congress include in all proposed legislation on the future of Afghanistan any language that assures the inclusion of women and women organizations in reconstruction of the country at every level of planning, decision-making and implementation.

□ 2215

We must do that. We have seen through the ages through the history of Afghanistan that women have played a very pivotal role. I think about in 1919 when Afghanistan women got their right to vote. In fact, that was a year before we were given the right to vote. A progressive king encouraged women to take part in the political process.

This is what we are doing here in America. This is what we must do with the women there and must ensure that the constitution that has been passed in that country be restored or be done in terms of ensuring that women get their equal rights back. It was written in 1923. We must allow that to be the sole document that encourages women to know that they have an equal right as a citizen of Afghanistan, and that this constitution that was deemed written and adopted in 1923 will encourage women to know that they have a right, a fundamental right and, therefore, should be given the restoration of their democracy and their freedom.

Mr. ROYCE. If the gentlewoman would yield, I would just like to second your observation that a return to the constitution and the rule of law in this part of the world is absolutely essential along with the development of a broad-based inclusive government in Afghanistan. We have to commit ourselves to that.

We have had an opportunity to see the terror that can result when rule of law, when Democratic principles are subverted, and that terror has given rise to an ability of Osama bin Laden and al-Qaeda to use a network of terrorist training camps across that country.

Now, if there had been a Democratic regime or if there had been a broad-based government there, there is no way that these types of terrorist training camps could be used in order to wage war ultimately on the United States.

Terrorists have a difficult time when they are on the run. But when they have a state, as the Taliban in Afghanistan presented as a state, the opportunity for terrorists to come and train and plan and prepare and be financed and to rehearse and not just rehearse attacks but to use gas and chemicals. All of this was offered to bin Laden and al-Qaeda by the Taliban. This is why it is important to us in the United States in terms of our own lives. Not only should we care about the human beings in the rest of the world that live under this type of tyranny, and tonight we have talked a great deal about just how bereft people are in Afghanistan of any fundamental rights and how women are treated worse there than under any other regimes in the world, but we should also recognize that when the world community and when the United States ignores this type of evil, it eventually, I think, catches up with us as well.

Ms. MILLENDER-McDONALD. Mr. Speaker, I could not agree with the gentleman more. And this is why the

bill authorizes, the gentleman's bill that he will be bringing to this floor, authorizes the funds that will allow a new transmitter that will roughly have 12 hours a day of broadcasting so that they can and in their local language where the Afghan people can really get the true meaning of what we are trying to do, get the type of information that will help to empower them, to get the type of support and to know about the support that it is not only inside RAWA, but on the outside with the international community, then this will help hopefully to further and to make the task a bit easier for us.

But we must ensure that the legislation that the gentleman is pushing, and I am the original co-sponsor of that with him, that we bring this about because we can ill afford to allow the truth not to be told to the people, especially the women of Afghanistan.

Mr. ROYCE. Mr. Speaker, we will be bringing that bill before the Committee on International Relations. We will be passing it out on Thursday. But after that the gentlewoman and I will be working to bring it to the House floor as soon as possible because I believe that time is of the essence.

We want the people of Afghanistan to understand why the United States is involved in this military action against the Taliban and against bin Laden. We want them to understand so that they will be our allies in this effort. And my belief is that their response, once they hear the truth, will be the same as the response by the people of Poland, the people of the former Czechoslovakia, the people of Hungary when they had that opportunity to listen to those Radio Free Europe broadcasts and when the people went to the street and said enough. It is time for tyranny to end. It is time for us to have our freedom.

Well, it is time for the people of Afghanistan to have their freedom and it is the time for the women of Afghanistan to have their human rights back.

Ms. MILLENDER-McDONALD. Mr. Speaker, that is the empowerment that we are trying to do.

As we looked on yesterday with Michael Jordan returning to basketball, I am reminded of the Afghan women who in 1961 had women basketball players win the national championship in Afghanistan. This just goes to show you that they were entrenched throughout that country and not only in education, not only in medicine, not only in application, as we have said, that they made up the largest legislative body than we do now presently in the U.S. Congress, but they were also in sports. So they had the freedom to move about.

We know that a lot of them traveled to Turkey to seek higher education. And so given all of this, 1996, the Taliban came in and they just disrupted the whole lifestyle of a group of women and children. Of course, we will continue to denounce this. We will not allow this type of thing to happen, not only to women of Afghanistan but to women around this globe, around this world, we will not allow that to happen.

So with men like you, with other men in this body who are passionate as we are about the women of Afghanistan, they too will help us rise up and will fight and bring back the dignity and the democracy that they should and have enjoyed in Afghanistan.

Mr. ROYCE. Mr. Speaker, I must again thank the gentlewoman for her efforts around the country to get the information out, the truth out about what has happened and this gross violation of the rights of women in Afghanistan. I do believe that there are more and more of our colleagues now who are committing themselves and saying we are not just going to try to attack al-Qaeda and then leave.

My belief is that unless we see this through and see the Taliban government catapulted out of power there, we risk having this cancer, that the al-Qaeda network and the Taliban expand beyond Afghanistan. I think for the hope of civilization, for the hope of the next generations, it is very important that this broad-based coalition that the President and that our Secretary of State Colin Powell have put together in order to wage this effort stay the course until we see that the Taliban rule is extinguished, and that we make certain that the international community plays a role in afterwards bringing peace and restoring fundamental rights and showing by example why the United States stands for principles of human rights, rule of law, the importance of liberty. We have to follow through.

I believe we did not do all that we should have done after the Soviet Union left Afghanistan. I believe that the United States at that time instead of adopting a strategy of benign neglect, which has basically been the strategy since the Soviet Union was defeated finally and pulled out of Afghanistan, allowed this outside group to develop this nucleus there and in this state of despair and anarchy that existed, they were allowed to grab control.

I think there is a lesson in this. We should have at the time made certain that people had access to information, not only inside Afghanistan about what was going on around the world. We should have been more attentive to what was happening. Well, now we know. There is no longer any excuse for anyone not to rally to this cause of bringing justice for the people of Afghanistan.

Mr. Speaker, I thank the gentlewoman again.

Ms. MILLENDER-McDONALD. Mr. Speaker, I thank the gentleman so much for being with me tonight. We do understand that we were encouraged to stay there once the Soviet Union had left, had really been defeated in their purpose, but we did not listen. I think the old adage of, ''If you do not know your history, you are doomed to repeat it,'' I think at this juncture we will not do that. Once we have defeated the Taliban, we will stay there and restore democracy and give the people the type of lifestyle they want they want to know.

We have to recognize that the Taliban, Mr. Speaker, took control and that is when women who were leaders in public life and politics, leaders in every aspect of that country were then thrown aside, were not permitted to go out any more without having this burqa, really were denied the basic human rights that they enjoy.

Mr. Speaker, as I opened tonight I said that we will be here each week. Well, continue to come here each week to talk about the Taliban's barbaric ruling, how they have destroyed or think that they have destroyed the women of Afghanistan, but they have simply given us the opening and the opportunity by the attacks of September 11, we have not seen that, the atrocities in Afghanistan, and we will not stop until we can eradicate that.

Mr. Speaker, with that I will say that while the tragic events of September 11 were eye-openers for some, they presented windows of opportunity into the lives of the women and children of Afghanistan, and we will not rest until gender apartheid is nonexistent not only in Afghanistan but throughout the world.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ABERCROMBIE) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Ms. JACKSON-LEE, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mrs. MEEK of Flordia, for 5 minutes, today.

Mrs. NAPOLITANO, for 5 minutes, today.

(The following Members (at the request of Mr. SOUDER) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today.

Mr. PAUL, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. SHAYS, for 5 minutes, today.

Mr. ROYCE, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on October 31, 2001 he presented to the President of the United States, for his approval, the following bill.

H.J. Res. 70. Making further continuing appropriations for the fiscal year 2002, and for other purposes.

ADJOURNMENT

Mr. ROYCE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Thursday, November 1, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4453. A letter from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting the Department's final rule—TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Payments for Professional Services in Low-Access Locations (RIN: 0720–AA58) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4454. A letter from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting the Department's final rule—Legal Assistance Matters—received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4455. A letter from the Administrator, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Exemption from Control of Certain Industrial Products and Materials Derived from the Cannabis Plant [DEA–206] (RIN: 1117–AA55) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4456. A letter from the Administrator, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Interpretation of Listing of ''Tetrahydrocannabinols'' In Schedule I [DEA–204] (RIN: 1117–AA55) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4457. A letter from the Administrator, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Clarification of Listing of ''Tetrahydrocannabinols'' in Schedule I [DEA–205] (RIN: 1117–AA55) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4458. A letter from the Principal Deputy Associate Administrator, Enviromental Protection Agency, transmitting the Agency's final rule—Interim Final Determination that the State of California Has Corrected Deficiencies and Stay of Sanctions, Ventura County Air Pollution Control District [CA 242–0292c; FRL–7067–2] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4459. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Redesignation of Areas for Air Quality Planning Purposes; Kentucky and Indiana; Approval of Revisions to State Implementation Plan; Kentucky [KY–117; KY–126; KY–129; KY–132–200202; IN–121–3; FRL–7082–9] received October 10, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4460. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Alaska Native Veterans Allotments [WO–350–1410–00–24 1A] (RIN: 1004–AD34) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4461. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes [Docket No. 2001–NM–257–AD; Amendment 39–12385; AD 2001–16–16] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4462. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 206L–4, 407, and 427 Helicopters [Docket No. 2001–SW–29–AD; Amendment 39–12443; AD 2001–13–51] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4463. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; General Electric Company (GE) CF34–3A1, –3B, and –3B1 Turbofan Engines [Docket No. 2001–NE–21–AD; Amendment 39–12441; AD 2001–19–02] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4464. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flightcrew Compartment Access and Door Designs [Docket No. FAA–2001–10770; SFAR 92] (RIN: 2120–AH52) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4465. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767–200 and –300 Series Airplanes [Docket No. 2000–NM–385–AD; Amendment 39–12444; AD 2001–19–04] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4466. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc. RB211 535 Turbofan Engines [Docket No. 2001–NE–22–AD; Amendment 39–12445; AD 2001–19–05] (RIN: 2120–AA64) received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4467. A letter from the General Counsel, National Science Foundation, transmitting the Department's final rule—Conservation of Antarctic Animals and Plants—received October 11, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

4468. A letter from the Secretary, Department of Transportation, transmitting a draft of proposed legislation, ''To authorize appropriations for hazardous material transportation safety, and for other purposes ''; jointly to the Committees on Transportation and Infrastructure, the Judiciary, and Government Reform.

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:

[October 31 (legislative day of October 30), 2001]

Mr. SESSIONS: Committee on Rules. House Resolution 272. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2311) making appropriations for energy and water development for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–260). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 273. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–261). Referred to the House Calendar.

[Submitted October 31, 2001]

Mr. BOEHNER: Committee on Education and the Workforce. H.R. 2269. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to promote the provision of retirement investment advice to workers managing their retirement income assets; with an amendment (Rept. 107–262 Pt. 1). Ordered to be printed.

Mr. BOEHLERT: Committee on Science. H.R. 2275. A bill to amend the National Institute of Standards and Technology Act to ensure the usability, accuracy, integrity, and security of United States voting products and systems through the development of voluntary consensus standards, the provision of technical assistance, and laboratory accreditation, and for other purposes; with an amendment (Rept. 107–263). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 274. Resolution providing for consideration of the bill (H.R. 3150) to improve aviation security, and for other purposes (Rept. 107–264). 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. 2269. Referral to the Committee on Ways and Means extended for a period ending not later than November 9, 2001.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HYDE (for himself and Mr. LANTOS):

H.R. 3189. A bill to extend the Export Administration Act until April 20, 2002; to the Committee on International Relations.

By Mr. SCHIFF (for himself, Mr. SIMMONS, Mr. MCDERMOTT, Mrs. MINK of Hawaii, Ms. LOFGREN, Ms. HARMAN, and Mr. FARR of California):

H.R. 3190. A bill to amend title 49, United States Code, to authorize the Administrator of the Federal Aviation Administration to establish a program to permit Federal, State, and local law enforcement officers to be trained to participate in the Federal air marshal program as volunteers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. ROUKEMA (for herself, Mr. LAFALCE, Mr. LEACH, and Mr. GREEN of Wisconsin):

H.R. 3191. A bill to provide home ownership assistance for public safety officers and teachers; to the Committee on Financial Services.

By Mr. GILMAN:

H.R. 3192. A bill to establish an advisory board to monitor the collection and allocation of relief funds by charitable organizations in response to a disaster; to the Committee on Transportation and Infrastructure.

By Mrs. BIGGERT (for herself, Ms. SLAUGHTER, Mr. QUINN, Mrs. MORELLA, Mr. STARK, Mrs. CAPITO, Mr. SHIMKUS, and Mr. THOMPSON of California):

H.R. 3193. A bill to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence; to the Committee on the Judiciary.

By Mr. CAPUANO:

H.R. 3194. A bill to expand the September 11th Victim Compensation Fund of 2001 to include individuals diagnosed with anthrax; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. JOHNSON of Illinois, Mr. TOWNS, Mr. RANGEL, Mr. RAMSTAD, and Mr. KOLBE):

H.R. 3195. A bill to extend the Medicare community nursing organization (CNO) demonstration project; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HERGER:

H.R. 3196. A bill to provide compensation to individuals who are injured by an escaped prescribed fire and to amend the tort procedure provisions of title 28, United States Code, relating to claims for such fires, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Resources, 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. LEE:

H.R. 3197. A bill to suspend temporarily the duty on certain machines designed for children's education; to the Committee on Ways and Means.

By Mr. PUTNAM:

H.R. 3198. A bill to respond to the vulnerability of the United States agricultural production and food supply system to international terrorism; to the Committee on Agriculture.

By Mr. SMITH of Michigan:

H.R. 3199. A bill to require congressional approval of proposed rules designated by the Congress to be significant; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 3200. A bill to require that the United States Postal Service issue a special commemorative postage stamp under section 416 of title 39, United States Code, in order to provide funding to the United States Postal Service for mail security enhancements, and for other purposes; to the Committee on Government Reform.

By Mr. TANCREDO:

H.R. 3201. A bill to prohibit any department or agency of the United States from transferring funds to any individual or entity that prohibits the display of the flag of the United States; to the Committee on the Judiciary.

By Mr. VITTER:

H.R. 3202. A bill to amend title 49, United States Code, to require air carriers to remove from a passenger aircraft any baggage that is checked by a passenger who does not board the aircraft, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DAVIS of Illinois (for himself, Mr. MCHUGH, Mr. BURTON of Indiana, Mr. RUSH, Mr. GEPHARDT, Mr. MORAN of Virginia, Mr. BROWN of Ohio, Mrs. MALONEY of New York, Mr. HASTINGS of Florida, Mr. CUMMINGS, Mr. CRAMER, Mrs. THURMAN, Mr. CARDIN, Mr. MCGOVERN, Mr. OWENS, Mr. WAXMAN, Mr. SHIMKUS, Ms. NORTON, Ms. WATSON, Mr. HOEFFEL, Ms. CARSON of Indiana, Mr. SABO, and Mr. SERRANO):

H. Con. Res. 257. Concurrent resolution expressing the sense of the Congress that the men and women of the United States Postal Service have done an outstanding job of delivering the mail during this time of national emergency; to the Committee on Government Reform.

By Mr. FORBES:

H. Res. 275. A resolution honoring the continuing service and commitment of the members of the National Guard and Reserve units activated in support of Operation Enduring Freedom; to the Committee on Armed Services.

By Mr. PETERSON of Pennsylvania (for himself, Mr. MURTHA, Mr. GEKAS, Ms. HART, Mr. KANJORSKI, Mr. HOLDEN, Mr. HOEFFEL, Mr. MASCARA, Mr. SHUSTER, Mr. PLATTS, Mr. DOYLE, Mr. PITTS, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. BORSKI, Mr. SHERWOOD, Mr. WELDON of Pennsylvania, Mr. ENGLISH, Mr. GREENWOOD, Mr. TOOMEY, and Mr. COYNE):

H. Res. 276. A resolution praising Joseph Vincent Paterno for his steadfast commitment to academics, service, and citizenship, and congratulating Joseph Vincent Paterno for his many coaching accomplishments, including his 324th career coaching victory; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

200. The SPEAKER presented a memorial of the House of Representatives of the State of Ohio, relative to House Resolution No. 118 memorializing the United States Congress that the State of Ohio expresses admiration and support for the President and the United States Congress, for the Governor of New York, the Mayor of the City of New York, and for the law enforcement, firefighters, and other emergency workers of the City of New York, Washington, D.C., and other parts of our nation, all of whom decisively responded to the terrorist attacks in the City of New York and Washington, D.C.; to the Committee on Government Reform.

201. Also, a memorial of the General Assembly of the State of Oregon, relative to House Joint Memorial No. 15 memorializing the United States Congress to abolish the Northwest Forest Pass portion of the Recreational Fee Demonstration Program and permit the citizens of Oregon to enjoy the national forests in the state without payment of a fee; to the Committee on Resources.

202. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resolution memorializing the United States Congress to support granting of posthumous citizenship to noncitizen soldiers who sacrificed their lives on behalf of our nation; to the Committee on the Judiciary.

203. Also, a memorial of the Legislature of the Commonwealth of Guam, relative to Resolution No. 125 memorializing the United States Congress that the People of Guam condemn the hijackings of American commercial passenger airlines by terrorist forces and wholeheartedly and resolutely support the promise and determination of the President of the United States; to the Committee on the Judiciary.

204. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Memorial No. 1 memorializing the United States Congress to extend the current Canada-United States Softwood Lumber Agreement; encourage the end of Canadian lumber subsidy practices; and enforce United States trade laws to offset Canadian subsidiaries and eliminate injury to the United States timber industry if the Canadian subsidies are not terminated; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII.

Mr. YOUNG of Alaska introduced A bill (H.R. 3203) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Caledonia*; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 747: Mr. DIAZ-BALART.
H.R. 826: Mr. PRICE of North Carolina.
H.R. 959: Mr. BRADY of Texas.
H.R. 968: Mr. PRICE of North Carolina.

H.R. 1354: Mr. KENNEDY of Rhode Island and Mr. TAYLOR of North Carolina.

H.R. 1436: Mr. BLUMENAUER, Mr. HOLT, Mr. PRICE of North Carolina, Mr. HONDA, and Mr. MENENDEZ.

H.R. 1475: Mr. MEEKS of New York.

H.R. 1504: Mr. BONIOR.

H.R. 1556: Mr. WATT of North Carolina and Mr. KANJORSKI.

H.R. 1616: Mr. SHUSTER.

H.R. 1645: Mr. FLETCHER and Mr. FORBES.

H.R. 2063: Ms. HOOLEY of Oregon, Mr. MORAN of Virginia, Mr. JEFFERSON, Mr. WATT of North Carolina, Mr. MOORE, and Mr. KUCINICH.

H.R. 2220: Mr. STUMP, Mr. SHUSTER, and Mr. STRICKLAND.

H.R. 2235: Mr. SHUSTER.

H.R. 2287: Mr. TOWNS, Mr. PALLONE, Mr. ENGEL, Ms. NORTON, and Ms. SOLIS.

H.R. 2354: Mrs. MINK of Hawaii, Mr. ROGERS of Michigan, and Mr. CONDIT.

H.R. 2357: Mr. FLAKE.

H.R. 2376: Mr. GEORGE MILLER of California.

H.R. 2623: Ms. HARMAN.

H.R. 2709: Mr. CAPUANO, Mr. STUMP, and Mr. LUTHER.

H.R. 2715: Mr. GEORGE MILLER of California.

H.R. 2783: Mr. CROWLEY and Mr. STARK.

H.R. 2839: Mr. BROWN of Ohio.

H.R. 2874: Mr. GREEN of Wisconsin.

H.R. 2896: Mr. BARCIA.

H.R. 2897: Mr. MCGOVERN.

H.R. 2955: Mr. WEINER and Mr. DEFAZIO.

H.R. 2991: Mr. WATT of North Carolina and Mr. LANGEVIN.

H.R. 2998: Mr. LANTOS, Mr. GILLMOR.

H.R. 3029: Mr. FRANK.

H.R. 3035: Mr. MCGOVERN.

H.R. 3058: Mr. LATOURETTE, Mr. LANGEVIN, Mr. BROWN of Ohio, Ms. VELÁZQUEZ, and Ms. PELOSI.

H.R. 3067: Mr. SMITH of Washington, Mr. TOWNS, Mr. LANGEVIN, Mr. MEEK of Florida, Ms. DEGETTE, Mr. FARR of California, Mr. MASCARA, Ms. RIVERS, Mr. WEINER, Ms. ESHOO, and Mrs. TAUSCHER.

H.R. 3111: Mr. FROST.

H.R. 3143: Mr. GIBBONS, Mrs. CHRISTENSEN, Mr. LARSON of Connecticut, Ms. RIVERS, Ms. ROS-LEHTINEN, Mr. BALDACCI, Mr. DAVIS of Illinois, Mr. CONDIT, Ms. SOLIS, Mrs. TAUSCHER, Ms. HOOLEY of Oregon, Mr. CROWLEY, Mr. ISRAEL, and Ms. VELÁZQUEZ.

H.R. 3150: Mr. SIMPSON.

H.R. 3164: Mr. TOWNS and Mrs. CHRISTENSEN.

H.R. 3166: Mr. MCNULTY and Mr. FROST.

H.R. 3167: Mr. HEFLEY, Mr. LAMPSON, and Mr. MCINNIS.

H. Con. Res. 162: Mr. HONDA and Mr. ISRAEL.

H. Con. Res. 197: Mr. TURNER.

H. Con. Res. 232: Mr. WU, Mr. LANGEVIN, and Mr. RANGEL.

H. Con Res. 254: Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. MURTHA, Mr. MASCARA, and Mr. GEKAS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 981: Mr. YOUNG of Florida.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

40. The SPEAKER presented a petition of Citizens for Lewis and Clark Development Site #1, Illinois, relative to a Resolution petitioning the United States Congress to support the development of the Lewis and Clark Memorial Tower to commemorate the Lewis and Clark experience in Illinois for generations to come; to the Committee on Resources.

41. Also, a petition of United City of Yorkville, Illinois, relative to a Resolution petitioning the United States Congress that the United City of Yorkville shall observe a moment of silence to express respect and condolences to the families and individuals who have experienced a loss during this national crisis; to the Committee on the Judiciary.

42. Also, a petition of the Council of the City of Kodiak, Alaska, relative to a Resolution petitioning the United States Congress to fully fund the United States Coast Guard's budget for operational readiness and recapitalization requirements to ensure the U.S. Coast Guard bases such as the one in Kodiak, Alaska, remain ready to protect and preserve not only the fishing community of this island community, but the greater national security and well being; to the Committee on Transportation and Infrastructure.

43. Also, a petition of Grand Lodge of Missouri, relative to a Resolution petitioning the United States Congress that all Missouri Freemasons hereby pledge their loyality, respect, admiration, devotion, and dedication to the United States of America; to the Committee on Veterans' Affairs.

44. Also, a petition of Gaston County Board of Commissioners, North Carolina, relative to a Resolution petitioning the United States Congress that they unanimously thrust all of its support to the President of the United States and Congress as they endeavor to seek out the perpetrators of this heinous crime and bring them to justice; jointly to the Committees on International Relations and Government Reform.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3150

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 1: Page 15, after line 24, insert the following:

''(7) a requirement that any private security firm retained to provide airport security services be owned and controlled by a citizen of the United States;

Page 16, line 1, strike ''(7)'' and insert ''(8)''.

Page 16, line 3, strike ''(8)'' and insert ''(9)''.

EXTENSIONS OF REMARKS

THE RETIREMENT OF REAR ADMIRAL JAMES W. EASTWOOD, U.S. NAVAL RESERVE

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. WELDON of Pennsylvania. Mr. Speaker, it is a privilege to take this opportunity to pay tribute to Rear Admiral James W. Eastwood, on his retirement from the United States Naval Reserve after more than three decades of distinguished and dedicated service to our nation. Rear Admiral Eastwood is a native of Philadelphia, Pennsylvania. Pennsylvania has a rich heritage of individuals who have made significant contributions to their communities, the Commonwealth of Pennsylvania, and our country. Rear Admiral Eastwood is part of this proud tradition which places him among those who exemplify the founding principles of this great nation.

In the way of background, Rear Admiral Westwood graduated from Villanova University's NROTC Program in 1968, and reported to the USS *Gyatt* (DD–712) as Main Propulsion Assistant. In late 1968, he became the First Lieutenant on USS *John W. Weeks* (DD–701) and while on operations in the western Pacific, he took over additional responsibility as Antisubmarine Warfare Officer. He completed his active duty tour as the Executive Officer of New London Test and Evaluation Detachment and immediately affiliated with the Naval Reserves in Philadelphia.

From 1971 through 1982, he served on USS *Lowry* (DD–770) and USS *Corry* (DD–770) and USS *Corry* (DD–817) as a Department Head, DESRON Thirty Staff and then Officer in Charge of a unit assigned to supplement DESRON Thirty. These 11 years with the NRF Program became the foundation of his entire Naval Reserve Career.

In 1982, upon promotion to Commander, he was selected to Command SIMA Phila DET 504 serving in that capacity for three years. After one year on COMNAVBASE Phila Staff, he was selected as Selected Reserve Coordinator for USS *Oliver Hazard Perry* (FFG–7) where his unit became the first primary SELRES crew ever to take part in an entire Great Lake Cruise. Subsequent to a very successful tour on *Perry* COMNAVSURFGRU Four selected Rear Adm. Eastwood to oversee all Reserve Activities on five Naval Reserve Force ships in Philadelphia.

After selection to Captain in 1989, he assumed Command of Naval Readiness Unit "A", followed by Command of SIMA Philadelphia HQ Unit 104 overseeing the activities of four local Detachments and eight outlying Augment units. He has also served on the CNAVRES Policy Board for two years, the FY92 and FY94 O–6 Selection Board and the FY93 O–5 Selection Board; attended the CINCLANTFLT senior Officer Orientation Course, the Leesburg Management Course and Strategy Forum 92. In January 1996 he was notified of his selection for his second star in the Naval Reserve and served as the Readiness Commander, Region Four Headquarters at Fort Dix, New Jersey. In addition, Rear Adm. Eastwood served as Commander, Region Four Headquarters at Fort Dix, New Jersey. In addition, Rear Adm. Eastwood served as the Deputy N86 on OPNAV staff. In May 1999, he was assigned as Deputy Commander, U.S. Atlantic Fleet.

Rear Adm. Eastwood has received numerous military medals and commendations. In addition to achieving the rank of Two Star Admiral, he has been awarded the Legion of Merit, two Meritorious Service Medals, two Navy Commendation Medals, the Vietnam Service Medal and various other unit and theater commendations.

In civilian life, RADM Eastwood is President of Granary Associates, a full service facility development firm located in Philadelphia, Pennsylvania and New York, New York. The Company provides architecture, interior design, planning, project management, relocation management and various real estate services to the healthcare, corporate and public sectors.

He lives in Bryn Mawr, Pennsylvania with his wife, Linda and has three children; Erica Lamontagne, who along with her husband David, graduated Villanova University in 1994, Jim a recent 2000 Villanova University graduate and Brooke a senior also attending Villanova University.

Rear Admiral James W. Eastwood has served his country with great ability, valor, loyalty and integrity. On the occasion of his retirement from the United States Navy and the United States Naval Reserves, I commend him for his outstanding service. He is Pennsylvania's finest, and I wish him well in the years ahead.

IN TRIBUTE TO ROB ROY

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to Rob Roy, who has worked tirelessly over several decades to make agriculture a safer, stronger and more viable industry in my congressional district, throughout the State of California, and across the United States of America.

I have had the pleasure of working with Rob for the past 25 years, both professionally and personally. He is a man of great talents and great integrity.

Rob Roy graduated from the University of California, Irvine, with a bachelor's degree in Spanish and from the California Western School of Law with a Juris Doctorate degree. Rob is admitted to legal practice before the California Supreme Court, the Ninth District Court of Appeals, all four U.S. District Courts of California, and the U.S. Supreme Court.

He has used his legal expertise to strengthen the agricultural industry, first as an attorney for the Western Growers Association and, for the past 25 years, as General Counsel for the Ventura County Agricultural Association.

Rob has participated in more than 25 published Agricultural Labor Relations Board decisions during his career, five of which were ultimately decided by the California Supreme Court. Cases Rob argued included one that led to the first Board pronouncement on the issue of secondary boycotts and another that was the catalyst for a complete transition to farm labor contractors and the end of the United Farm Workers in the local citrus industry.

In 1987, Rob pioneered the creation of VCAA Insurance Services to assist members in controlling workers' compensation costs. In 1993, he and former VCAA Chairman Ken Creason spearheaded an effort to create the District Attorney's Fraud Investigation Task Force, which Rob ultimately chaired. Today, the Task Force is fully funded by the State Department of Insurance.

For the past 14 years, Rob has also chaired the American Bar Association Subcommittee on State Agricultural Labor Law Development.

Mr. Speaker, Rob Roy also is no stranger to our nation's capital. For the past five years he has spent considerable time here working with other agricultural organizations and legislators in an effort to enact a guest worker program for U.S. agriculture. He has served as an Alternate Director and Director of the National Council for Agricultural Employers. He is also on the NCAE's Executive Committee.

I could go on for several more minutes about Rob's accomplishments and dedication to our agricultural committee. Let me just state that I have only provided a partial list.

Of course, I would be remiss if I did not mention the tremendous love and support Rob receives from his wife of 14 years, Marianne, and his children, Michael and Jenna.

Mr. Speaker, our agricultural industry is stronger and more viable today because of Rob Roy's passion and commitment. I know my colleagues will join me in recognizing Rob for his dedication to an industry that is vital to our nation's economy.

TRIBUTE TO STREAMS

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. SHUSTER. Mr. Speaker, I rise today to share the success of an environmental organization from Huntingdon Area Middle School, a

school in my district, that has shown determination to protect our precious natural resources. The students are members of Science Teams in Rural Environments for Aquatic Management Studies, or STREAMS. Members of the eleven year old organization, STREAMS, study watershed ecology and then apply their knowledge to resolving local environmental problems.

The members of STREAMS share a common belief that we need to protect and preserve our environment for future generations. Three members under the leadership of STREAMS advisor Fred Wilson recently completed a stream assessment of Standing Stone Creek. I commend students Kaleigh Selisberto, Amy Slicker, and Margo Wilson for their hard work on this project. Let me share some of the accomplishments of STREAMS members over the last few years:

Constructed a wetland—They helped design, pay for, construct, landscape and create partnerships to build the wetland completed in September 1996.

Built a shallow ditch known as a swale—550 feet long by 35 feet wide with a two-feet depth to stabilize the streambanks with vegetation and prevent erosion, completed in September 1998.

Created Riparian Buffer Projects—Planted vegetation along a stream to stabilize the 550 feet swale in March 1999, and a second project was completed along another 440 feet swale in October 1999.

Planted Street Trees—Since 1995, students planted over 100 street trees, costing $4,100, in Huntingdon Borough.

Completed Streambanks Restoration Projects—To encourage private property owners along Muddy Run stream to restore streambanks sections of the waterway, made a monetary contribution to help one homeowner place a 60 feet rip rap along an eroded high bank and donated large limestone rocks for a project on 24th Street.

Established a Tree Honorarium Program—In 1998, established a Community Tree Honorarium Award for people who have made significant contributions to improve the quality of life in Huntingdon. American veterans were the first recipients of this program.

Education—Delivered a paper document that they created to over 400 residences in the Muddy Run Watershed explaining how land management practices could help prevent storm water runoff, April 1998.

Started a School Recycling Program—The school district is now the largest recycler in the Huntingdon Borough.

Through their participation in the STREAMS organization the students of Huntingdon Area Middle School have learned the value of citizenship and stewardship in their community.

Mr. Speaker, I think each one of us has the right to enjoy the great outdoors either through camping, fishing, hunting, picnicking, biking, or any outdoor activity in which people choose to engage. Each one of us also has a larger responsibility to leave our environment cleaner than we received it so our children and grandchildren may enjoy the splendors of mother nature. The participants of STREAMS each deserve thanks for helping to improve our environment.

HONORING GORDON GILBERT

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to honor Gordon Gilbert for receiving the U.S. Department of the Interior Valor Award. The award is given to employees of the department who ''demonstrate unusual courage involving a high degree of personal risk in the face of extreme danger.''

Sequoia National Park Ranger Gordon Gilbert was recognized for his involvement in a December 25, 1998, incident in Yosemite National Park. Rangers were called to a Yosemite Valley home where an armed man had barricaded himself and threatened suicide. Gilbert was the first Ranger to respond to the scene, and part of the team of five rangers that diffused the situation and took the man into protective custody.

Gilbert's actions helped to ensure that nobody else in the park had their safety threatened by this dangerous individual.

Mr. Speaker, I rise to honor Gordon Gilbert for his courage and bravery. I urge my colleagues to join me in wishing Mr. Gilbert many more years of continued success.

FOOD AID FOR AFGHANS

SPEECH OF

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 30, 2001

Ms. MCKINNEY. Mr. Speaker, I know the American people want to help the suffering Afghan people. I'm sorry to say that we already stand condemned by Medecins Sans Frontieres for conducting nothing more than a propaganda campaign regarding our food drops.

Our brave young men and women are risking their lives to deliver this urgently needed food. But how will we be judged by this new blunder?

I'd like to ask you to take a look at this. . . .

And this. . . .

To more than just a casual observer, they might even get mistaken for being the same thing!

And that's what's got the US military quaking in their boots. Can you imagine the horror if this one gets mistaken for this one?

Well, one is life . . .

And the other one is death . . .

The squarish one is the food . . .

The roundish one is a cluster bomb.

That's what the poor, starving people of Afghanistan must now contend with. The US military is dropping little notes to inform people not to pick up this one, the cluster bomb thinking it's food because if they pick up this one, which is the wrong one, they'll get blown to smithereens.

Isn't it bad enough that our military is dropping cluster bombs on Afghanistan, anyway?

Well, it's really bad because in the war in Bosnia then-Air Force Chief of Staff, Major General Michael Ryan, refused to allow cluster bombs to be dropped because of the civilian deaths associated with cluster bombs, especially that of children.

But now our Air Force refuses to issue such a directive, it appears, as the US comes under fire from humanitarian organizations around the world for dropping cluster bombs on the people of Afghanistan.

I have written a letter to our President asking that we please refrain from using cluster bombs. But a funny thing about those cluster bombs. They have little bomblets that look like this!

And so when little kids see them, they think they're a toy or something.

Now, Afghanistan already has 10 million landmines and the unexploded bomblets from the cluster bombs add to that number.

So now if the food looks like this, what will hungry children do? But if the food looks like this, and the bombs look like this what will hungry people do? The military bets that they will try to find something to eat.

And so the Pentagon is concerned that people who are hungry for food that looks like this will confuse it with bomblets that look like this.

The Pentagon is now worried that hungry Afghan people will try to eat the bombs thinking it's the American food. So the Pentagon has sent messages to the Afghani people.

One message says, ''As you may have heard, the Partnership of Nations is dropping yellow humanitarian daily rations. Although it is unlikely, it is possible that not every bomb will explode on impact. These bombs are a yellow color and are can-shaped.''

Another Pentagon message is more to the point: ''Please, please exercise caution when approaching unidentified yellow objects in areas that have been recently bombed.''

Mr. Speaker, not only do innocent Afghans have to worry about the Taliban . . . not only do they have to worry about landmines left from the last war . . . not only do they have to worry about starving to death . . . and an approaching winter . . . they now have to worry about bombs that look like food.

I think I've heard it all now, Mr. Speaker.

HONORING AMERICAN LEGION POST 82 OF INGLEWOOD, TENNESSEE FOR HUMANITARIAN EFFORTS THROUGHOUT THE 5TH CONGRESSIONAL DISTRICT

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. CLEMENT. Mr. Speaker, I rise today to honor American Legion Post 82 of Inglewood, Tennessee, for humanitarian efforts on behalf of individuals across the Fifth Congressional District.

On July 3, 2001 the family of one of the members of American Legion Post 82 was involved in a tragic automobile accident in which his daughter was killed and two grandchildren were critically injured. This family had no insurance, no money for burial costs, and faced mounting medical expenses.

But members of Post 82 quickly came to the rescue of the Bayless family, by organizing a

benefit spaghetti dinner and auction which took place on July 22, 2001. The outpouring of support was overwhelming, as country music artists, local merchants, and the media all offered time and talent to make this event a huge success.

As a result of the community outpouring, Post 82 raised more than $10,000 for this family. Due to the hard work and compassion of the American Legion, a burden was indeed lifted from this gentleman during a time of personal crisis and loss.

I commend American Legion Post 82 of Inglewood, Tennessee, for thoughtfulness and sacrifice on behalf of one's fellow man. Individuals such as this exhibit compassion and charity at the very highest levels.

HONORING THE DIXSON RANCH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mrs. CAPPS. Mr. Speaker, today I would like to celebrate the consummation of placing the Dixson Ranch property in a Conservation Easement. This easement will ensure that the Dixson Ranch, which has been farmed for over a hundred years, will be in agricultural use in perpetuity.

The Dixson Ranch was purchased by Mr. A.W. Dlxson on October 2, 1905, for $12,000 in gold coins. The property consisted of 41 acres, and a farmhouse that was built in 1894. The Dixson family grew row crops on the farm, including several different varieties of lettuce, and eventually leased the ranch to the Kingo Kawaoka family, who farmed it until they were removed to the Japanese internment camps during World War II. In 1941, A.W. Dixson's son Gordon, Gordon's wife, Wilma, and their two young daughters, Sara, age 6, and Molly, age 4, moved to the farm.

After the war ended, Kingo Kawaoka's family moved back to continue farming in the area. A cousin of the Kawaokas, Noriharu ''Bill'' Kawaoka, managed the Dixson Ranch from 1954 until his death in 1992. In 1975 the ranch was designated as an agricultural preserve through a land conservation contract with the City of Arroyo Grande. This contract stated that the land would be used for farming purposes rather than property development. Additionally, the Coastal San Luis Conservation Resource District awarded the first annual Soils Stewardship Award to Wilma Dixson at age 89.

Today, the Ikeda Family leases and manages the farm, while Jim Dickens, the son of Sara Dixson, and his family live in the farmhouse, making them the 4th generation of Dixsons to live on the ranch.

The Dixson family is committed to soil conservation and agricultural land stewardship as well as sound economic planning. In order to ensure that they would be able to permanently protect their productive farmland, the Dixsons were awarded a grant through the State of California's Farmland Conservancy Program. The program promotes cooperation between government, non-profit organizations, and individual landowners in order to purchase agricultural conservation easements. This was augmented by a federal grant from the Natural Resources Conservation Agency of the U.S. Department of Agriculture. I believe this easement is a prime example of the public and private sector working together to ensure agriculture remains viable while simultaneously preserving open space, I am honored to have the Dixson Ranch in my congressional district.

PERSONAL EXPLANATION

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. RILEY. Mr. Speaker, I Was unavoidably detained for rollcall No. 408, H. Con. Res. 243, Expressing the Sense of Congress Regarding the Presentation of the Public Safety Officer Medal of Valor in Response to the Terrorist Attacks of September 11. Had I been present I would have voted ''yea.''

I was unavoidably detained for rollcall No. 409, H.R. 2559, the Federal Long-Term Care Insurance Amendments Act. Had I been present I would have voted ''yea.''

I was unavoidably detained for Rollcall No. 410, H.R. 2910, the Norman Sisisky Post Office Designation Act. Had I been present I would have voted ''yea.''

I was unavoidably detained for Rollcall No. 411, H. Con. Res. 233, Expressing Congress' Profound Sorrow for the Death and Injuries Suffered by First Responders in the Aftermath of the September 11th Terrorist Attacks. Had I been present I would have voted ''yea.''

HONORING THE DISTINGUISHED CAREER OF JOHN E. SIRLES III

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize and congratulate Mr. John Sirles for his 30 years of service to our nation as a civil servant with the U.S. Army Corps of Engineers. Since February 1999, he has served as the Deputy District Engineer for the Army Corps of Engineers' Chicago District.

Over the course of his career with the Corps, Mr. Sirles has received numerous awards. He's been awarded the Bronze Order of the deFleury Medal, the Special Act Award, and the Superior Civilian Service Award. He's also received the Exceptional Performance Award on four separate occasions and the PMRS Performance Award five times.

But Mr. Sirles' legacy will not be the countless awards and citations he's received—his legacy will be the public works projects he's worked on and the countless number of individuals he's inspired over his three decade long career with the Army Corps.

If any of my colleagues should visit Chicago, I would encourage them to take a look at the Chicago Shoreline project. Mr. Sirles oversaw and led the completion of the third Project Cooperation Agreement, a critical component to a $276 million project that will help protect downtown Chicago from flooding.

If any of my colleagues should visit Chicago, I would encourage them to take a look at the Tunnel and Reservoir Plan, an ongoing project with an extensive network of tunnels and reservoirs. This project will help reduce flooding to hundreds of thousands of households and improve water quality of the rivers and streams throughout Chicagoland.

Mr. Sirles helped champion these projects and many more during his tenure at the Chicago District.

I ask my colleagues to join me in honoring John Sirles. He's been an exemplary public servant, and his record serves as an example for others.

RECOGNIZING FOWLER PACKING COMPANY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Fowler Packing for setting a standard of excellence in fruit picking, packing and shipping. Fowler Packing's strict attention to detail and a willingness to try new innovations has resulted in the production of top quality Tree-Ripe fruit since 1966.

Sam Parnagian established Fowler Packing Company in the early 1950's. In 1966, Sam recognized an opportunity in the Tree-Ripe fruit industry and focused his company's attention to peaches, plums and nectarines.

Mr. Parnagian went on to influence major advances in western fruit packing. In the early 1970's he built and operated the first commercial hydro-cooler used in stone fruit packing. He was also a big promoter of plastic fruit trays, or ''Panapack,'' as they are commonly called today.

In addition to marketing their own fruit, grown on an estimated 2500 acres, Fowler Packing also packs and markets fruit for more than 50 Central Valley growers. The ''Sam-Son'' label was created by Sam Parnagian and named after his four sons: Dennis, Phillip, Randy and Ken.

Today, Sam's sons continue Fowler Packing's tradition of quality and innovation. Fowler Packing recently switched from wooden to plastic bins in order to reduce the potential for fruit damage. Progressive ideas like these have made Fowler Packing a leader in the Tree-Ripe fruit industry.

Mr. Speaker, I rise to recognize Fowler Packing for their commitment to producing quality fruit in the California Central Valley. I urge my colleagues to join me in wishing the Parnagian family and Fowler Packing many more years of continued success.

HONORING THE SANTA BARBARA GAY PRIDE FESTIVAL

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mrs. CAPPS. Mr. Speaker, I wish to honor the impending Santa Barbara Gay Pride Festival that will be held in Santa Barbara, California on Saturday, October 20, 2001.

This festival celebrates the advancements the members of the Lesbian, Gay, Bisexual and Transgender (LGBT) community have made. It has evolved over the years from a small picnic in a park to a major festival in Santa Barbara that more than 5,000 people are expected to attend. Gay Pride festivals are held in hundreds of cities nationwide, and this year the Gay Pride Festival will be celebrating the 31st anniversary of the world's first gay pride celebration.

This is the first year that the festival will be held in downtown Santa Barbara, rather than outside the city center. By moving to a larger venue, the Santa Barbara Gay Pride Festival hopes to educate the community at large, as well as to promote inclusion among many different religious, ethnic, social and business groups. Another goal of the festival is to promote awareness among the larger community, as it is hoped that with awareness comes respect.

Gay Awareness Day has been established to reflect on the progress made by the LGBT community, as well as an opportunity to celebrate acts of courage and determination in the pursuit of civil rights. The mere size of the festival demonstrates how much advancement the gay community has made over the last three decades and I can only hope that celebrations like this will continue for years to come.

CONGRATULATING AMERICAN LEGION POST 82 ON THE OCCASION OF THE NEW MEMBER INITIATION CEREMONY

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. CLEMENT. Mr. Speaker, I rise today to congratulate American Legion Post 82 of Inglewood, Tennessee, on its recent initiation ceremony welcoming thirteen new members.

On September 30, 2001, the President of Unit 82 hosted an initiation ceremony and reception for these new members alongside thirty longtime members. This was the first initiation for new members conducted by the unit in more than 5 years.

During the ceremony the principles of the American Legion are expressed using candles and the pledge of loyalty. These fundamental precepts include the promotion of justice, freedom, democracy, and loyalty.

Additionally, each new member was presented with an American flag, an auxiliary pin, a copy of the United States Constitution, and the by-laws and regulations of Inglewood Unit 82.

Through patriotic organizations such as the American Legion, Americans can be assured that democracy and justice will be passed to future generations and that the light of freedom will continue to burn brightly.

PASSING OF MR. LARRY D. CALLAGHAN

HON. CYNTHIA A. McKINNEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. McKINNEY. Mr. Speaker, I stand before you today to honor and remember Mr. Larry D. Callaghan for his tremendous contributions and a lifetime of servitude. Mr. Callaghan was a man who possessed a greatness of character and lived a dedicated and selfless life, which has served our nation and our nation's veterans in a most honorable way.

Larry's patriotism and valor became evident in Vietnam as a scout squad leader with the 11th Armored Cavalry Regiment, part of the 119th Infantry Brigade. In July 1968, while on a combat mission, he sustained a spinal cord injury caused by a land mine explosion. He was recognized for his service with the Vietnam Service Medal, Vietnam Campaign Medal, Combat Infantry Badge, and the Purple Heart.

Larry continued to distinguish himself as a leader aspiring to help others by joining the Paralyzed Veterans of America in 1968. During the past 30 years, he was actively involved in the New England Chapter of the Paralyzed Veterans of America and served on the Executive Committee as a national vice president from 1989 to 1994. Most recently, Larry served as PVA national senior vice president last year.

I offer my condolences to his wife Beth and his children John and Megan. I hope that they can take comfort in the fact that a nation is in their family's debt for the dedicated compassion and service that Larry has shown in his life—one that is marked with greatness.

Mr. Speaker, I hope that you and all of my colleagues will join me today to remember and honor the life of a very remarkable man.

NORMAN SISISKY POST OFFICE BUILDING

SPEECH OF

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 30, 2001

Mr. ORTIZ. Mr. Speaker, precisely because he was a man dedicated to the ethic of the working class, Norm Sisisky would be proud that a United States Post Office will bear his name.

As a patriot dedicated to justice, he would share the horror we all feel in the wake of the ongoing anthrax attack that has so profoundly touched the lives of our postal workers, their families and our communities.

Norm and I came to Washington together in the same class in the House of Representatives. We traveled together from time to time with the House Armed Services Committee.

On long trips to military interests around the world, you get to know people very well. For nearly our entire service together in Congress, we served on the House Armed Services Committee.

We sat beside each other for all of that time on the committee, and often put our heads together on issues witnesses addressed during their testimony. Norm was a constant source of inspiration and humor at our hearings.

At the same time, he was the consummate businessman. He could figure out quickly what the hidden costs were to taxpayers in any plan brought before our committee, and he could find the holes in plans any witness presented.

Norman Sisisky was dedicated to Virginia . . . to the Navy . . . and to the betterment of our fighting men and women. He was much beloved by his staff, his friends and the people he represented in Virginia.

Most of all, Norm was the ultimate patriot, whose highest calling was watching out for the interests of his district and the United States Armed Forces.

It is utterly appropriate that we honor his memory and the quality of his service by passing the Norman Sisisky Post Office Building Designation Act.

H.R. 1552—THE INTERNET TAX NONDISCRIMINATION ACT

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. ESHOO. Mr. Speaker, I rise in support of H.R. 1552, the Internet Tax Nondiscrimination Act, which extends the moratorium on Internet taxation. The current moratorium expires on October 21.

As we now know the Internet has had a global economic impact on the way business is transacted and some of the rapid expansion of the Internet is due to the fact that it has remained free from restrictive taxes.

There is growing concern, however, that as e-commerce continues to flourish, states and localities are losing more and more of their sales tax revenue because we lack a uniform system of collecting sales taxes on Internet purchases. Collecting these taxes is further complicated by the diverse and extensive web of taxing authorities throughout the country.

We need a nondiscriminatory tax system dealing with these complexities which will be fair to the states, and that at the same time continue to foster the expansion of e-commerce. The development of such a plan requires a thoughtful, careful, and innovative approach among participants at both the state and federal levels.

Extending the ban on Internet taxes for two years will give all involved entities more time to assess the impact of e-commerce on state revenues and to develop an equitable system of taxation and collection. By doing so, we can continue to reap the benefits e-commerce has to offer, while not sacrificing important and necessary revenue to states and localities.

RECOGNIZING JOSEPH DITOMASO

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Joseph DiTomaso for being named an Extension Specialist Award finalist by the Friends of Agricultural Extension. The Friends of Agricultural Extension will recognize Joseph at their annual awards dinner.

Joseph is a U.C. Davis Weed Science Extension Specialist. He has continually been developing his program on the subject of ''Control of Yellow Starthistle.'' The emphasis of his research has shifted from defining the biology and ecology of this serious pest to developing integrated system approaches to its long-term management, as well as to that of other non-crop weeds.

Mr. Speaker, I congratulate Joseph DiTomaso for being named an Extension Specialist Award finalist by the Friends of Agricultural Extension. I urge my colleagues to join me in wishing Joseph many more years of continued success.

HONORING DENNIS W. SHAUGHNESSY

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mrs. CAPPS. Mr. Speaker, I would like to pay tribute to Dennis Shaughnessy, who retired on September 14, 2001. Though his departure is a great loss, I would like to congratulate Dennis and thank him for 30 years of service and dedication to the County of Santa Barbara Probation Department.

Dennis Shaughnessy began employment with the Probation Department in 1971 as an officer assigned to the Santa Barbara Juvenile Hall. From the outset of his career, Dennis performed at an outstanding level and was identified as having management potential on his very first employee performance evaluation. He soon was promoted to Deputy Probation Officer in 1973, and began quickly moving up the ranks in the Probation Department from Senior Deputy Probation Officer to Supervising Probation Officer to Administrative Division Chief to his final position of Deputy Chief Probation Officer, the position he has held since 1996.

In addition to the innumerable hours Dennis has dedicated to the Probation Department, he also has found time to serve on various State committees, including advisory committees for the California Board of Corrections and several criminal information subcommittees with the Department of Justice. He has also initiated several programs that have been cited for outstanding merit by the local Juvenile Justice/Delinquency Prevention commission. Specifically, the Los Prietos Boys Camp, a program in his division, has received much recognition. The Los Prietos Boys Camp is a program that provides an opportunity for juvenile offenders to be rehabilitated. The program provides at-risk youths opportunities to refurbish computers for the Santa Barbara County Education Office's ''Computers for Families'' program, or provide forest maintenance services for the Los Prietos National Forest. The program has been so effective it was awarded the CSAC Challenge Award in November 2000.

Mr. Speaker, for his lifetime of service and commitment to community involvement, I recognize and salute Dennis Shaughnessy and thank him for all his efforts on behalf of the entire Central Coast community. I am confident that Dennis will remain a prominent figure in the community as he enters a new phase in his life. We all owe him a tremendous debt of gratitude, and I wish him the best of luck in all of his future endeavors.

NORMAN SISISKY POST OFFICE BUILDING

SPEECH OF

HON. ERIC CANTOR

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 30, 2001

Mr. CANTOR. Mr. Speaker, I rise today in support of H.R. 2910, the Norman Sisisky Post Office Building Designation Act, I am honored today to pay tribute to Norman Sisisky, who was a colleague and a familiar figure in Virginia politics for many years. It is fitting and proper that we should honor Norman today on the floor of this House where he acted so honorably as a public servant since he was elected to Congress in 1982 until his death earlier this year.

Norman Sisisky spent a lifetime serving Virginia and the United States, and we are all deeply indebted to this distinguished Virginia gentleman. Norman first displayed his love for this country when he enlisted in the Navy as a young man during World War II. His time in the Navy, though short, left a lasting impression and he never forgot that we must diligently tend to the needs of the men and women serving in the military.

At the conclusion of the war, he became a successful businessman and well known throughout the business community for transforming a small bottling company into a highly successful soft drink distributor. His business background and creative thinking proved invaluable when he later decided to enter elective politics. Norman served 'in the Virginia General Assembly for several years before being elected to the House of Representatives in 1982. Here in Washington, Norman was known as a staunch defender of our national security and worked tirelessly on behalf of the men and women who serve our nation in the military.

Norman was particularly effective in building coalitions in support for key programs and reaching across the aisle on matters of importance to Virginians. From ensuring adequate funding for aircraft carriers and submarines to modernizing our weapons systems, he was an ardent voice on the Armed Services Committee and an ally of every person who wears the uniform of the United States.

In his District, and throughout Virginia, his reputation as an outstanding Member of Congress was unparalleled. His legacy of constituent service, consensus building and selfless service is a model for all Members of Congress.

The people of the Fourth District, the Commonwealth of Virginia and the United States of America have truly benefitted from his dedicated service and at this time of national crisis his military mind and Congressional experience are sorely missed. Norman was successful in every aspect of his life and we rightly dedicate this post office in his memory today.

A TRIBUTE TO THE STUDENTS AT FRAZIER HIGH SCHOOL

HON. FRANK MASCARA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. MASCARA. Mr. Speaker, I rise today to recognize a very special group of constituents in my district, the students at Frazier High School, which is located in Perryopolis, Fayette County, Pennsylvania.

On October 29th, Frazier students Tricia Keefer, Amanda Wetzel, Carrie Sterdis, Kara Steiner, Toni Keffer, Sara Toth, Rebecca Harmon and Ashley Madorma, presented me with a check for President Bush and America's Fund for Afghan Children. The compassionate students at Frazier High School raised $616 for the needy Afghan children.

More than 10 million children in Afghanistan are suffering because of years of war and drought. One in four Afghan children will not make it to their fifth birthday, and one in three is an orphan. Remember, these children are innocent victims of a repressive government, a government that doesn't care about their suffering.

But thanks to the selfless efforts of the students at Frazier High School, and the efforts of hundreds of thousands of children across this country, fewer children in Afghanistan will suffer this winter. Every dollar raised will help make sure Afghan children receive the food, shelter and medicine they so desperately need.

Mr. Speaker, I know the entire House of Representatives joins me in saluting the hard work and dedication of the students at Frazier High School.

RECOGNIZING WILLIAM H. ARMSTRONG

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize William (Harry) Armstrong on the occasion of his 71st birthday.

Harry was born in Merced, California on October 28, 1930. He graduated from Merced Union High School. Mr. Armstrong served in the Korean War and is a member of the American Legion, Post 147. He began working in the dairy industry in 1960.

Harry has extensive public service experience, including: appointment to the Clovis

Planning Commission, election to the Clovis City Council, election as Mayor of Clovis, President of the League of California Cities, President of South San Joaquin Division of the League of California Cities Committee, Ex-officio member of the California Tax Credit Allocation Committee, Chairman of the Association of Metropolitan Water Agencies, and Vice-Chairman of the Fresno County Water Advisory Board.

Harry lives in Clovis with his wife Jeanine. They have three grown children: Tom, an attorney; Jim, a businessman; and Megan, a teacher.

Mr. Speaker, I rise to congratulate Harry Armstrong on his many years of public service and to recognize his 71st birthday. I urge my colleagues to join me in wishing Harry many more years of happiness.

SUPPORT FOR KAZAKHSTAN

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. SHERMAN. Mr. Speaker, following the terrorist attacks of September 11, the United States received a tremendous outpouring of sympathy from nations all over the world. One particular nation that has truly responded to the September 11 attack with an offer of real help for the United States is Kazakhstan.

Kazakhstan declared that it would support measures taken by the United States to combat terrorism and has offered the United States use of Kazakhstan airspace and the military infrastructure needed to wage the war against terrorism. With its strategic location, Kazakhstan's help is invaluable. I would like to add a statement made on September 15 by President Nursultan Nazarbayev of Kazakhstan to the record.

After declaring independence in 1991, Kazakhstan successfully dismantled what was once the fourth largest nuclear arsenal in the world. Additionally, Kazakhstan continues to serve as a model to the global community in its leadership on disarmament and non-proliferation.

I believe that it is in our nation's interest to continue to support Kazakhstan—a country whose actions have demonstrated a commitment to global stability, non-proliferation, and tolerance for ethnic and religious minorities.

Kazakhstan plays an important role in maintaining and ensuring stability in the region of Central Asia, and is dedicated to playing a role in the fight against terrorism. For these reasons, the United States should do its part to support Kazakhstan.

Mr. Speaker, I believe we have an important ally in Kazakhstan, and I call on my colleagues to show their support for this Nation.

STATEMENT BY PRESIDENT NURSULTAN NAZARBAYEV OF KAZAKHSTAN, SEPTEMBER 15, 2001

In these tragic days for America, the people of Kazakhstan are grieving together with the American people about the death of thousands of innocent people.

I am closely following the situation as it unfolds. We stand on the position that the terrorists must be punished, as well as those harboring the terrorists.

The United Nations and its Security Council have condemned the barbarian act of terrorism and called upon the world community to take resolute actions.

Therefore, Kazakhstan is ready to support the measures undertaken by the United States to fight against terrorism, with all the means available.

Kazakhstan has always been standing against terrorism and is ready to participate in creation of a real international coalition of countries to fight against the international terrorism.

We proceed from the assumption that retaliation should not only be effective, but also should be just. This requires that the state should act with great deal of responsibility. And we rely upon the wisdom of the American leadership. We were pleased to learn that the United States wants to know for sure who has perpetrated these barbaric acts and helped the terrorists before taking actions.

Today I sent a letter to U.S President George Bush. I expressed Kazakhstan's support for the U.S actions aimed at fighting against the international terrorism, the global evil that has developed across the entire world.

We hope that the American people will be able to quickly cope with the heaviest psychological blow and remain committed to their great historical values.

ST. JOHN THE BAPTIST ORTHODOX CHURCH CELEBRATES 90 YEARS

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the 90th anniversary of the dedication of St. John the Baptist Orthodox Church of Nanticoke, Pennsylvania, which is being celebrated over several days culminating on Nov. 4 with a Divine Liturgy followed by a banquet and celebration.

When the church was built, the Hanover Section of Nanticoke was still known as the village of Rhone, and immigrants from areas of Russia that are now part of Slovakia and Poland would walk many miles to Wilkes-Barre or to Newport Township to attend church after working long hours each week in the anthracite coal mines of the Nanticoke area.

To unify these groups of Carpatho-Russian settlers in a church closer to home, several families organized to build their own local church to serve their spiritual needs. These founders had family names such as Vancisin (Wanchisen), Cunder (Sunder), Bobak, Ducar, Motika, Pendle, Handoga, Sagan, Brenish, Chromoho, Hrinko, Mititka, Franchak, Sarochinsky, Gula, Franko and Huha.

Construction began in the summer of 1911 and the church was dedicated on October 29 of that year with Father Kieko from Russia performing the first services.

This year, several members of the church hierarchy will join the pastor, the Very Rev. Stephen Karaffa, and the parishioners in Nanticoke for the Divine Liturgy commemorating the dedication and sacrifices of those founding members. Among those on hand will be Metropolitan Theodosius, the primate of the Russian Orthodox Church in America and Archbishop Herman from the Archdiocese of Philadelphia and Eastern Pennsylvania.

As part of the 90th anniversary celebration, Susan Shiposki, a St. John's parishioner, has designed and created two new icons for the church: "The Mother of God" and "Christ the Teacher." Mrs. Shiposki is a noted iconographer who has created several works for the church. Her first icon was created four years ago in honor of her parents' 50th wedding anniversary.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the 90 years of dedication, faith and good works of the people of St. John's Church, and I wish them all the best.

TRIBUTE TO RICKEY R. DEAN, POSTMASTER, MANASSAS, VIRGINIA, AND ALL UNITED STATES POSTAL WORKERS

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. WOLF. Mr. Speaker, I am pleased to announce on behalf of the citizens of Virginia's 10th Congressional District the installation of Rickey Dean as the new postmaster in Manassas, Virginia on October 19, 2001.

Throughout his Postal career which started in 1983 as a letter carrier, Mr. Dean demonstrated the dedication and bravery which is seen in all our postal workers today. As a graduate of Fairmont State College in West Virginia, he has served in many positions since that time, including Supervisor, Branch Manager, and Superintendent of Postal Operations. In May 1996, he was appointed Postmaster of Warrenton, Virginia. He has served as Officer-In-Charge of facilities in Berryville, Falls Church, and Manassas. In July 2000, he served as the acting manager of Post Office Operations for the 226/227 zip code areas. Following that assignment, he was detailed to the Northern Virginia District Office as Manager of Delivery & Customer Service Programs.

My appreciation and admiration go out to Rickey Dean and his colleagues for the work and service they do on behalf of the people of the United States of America and the Commonwealth of Virginia. Postal workers everywhere deserve our support and prayers especially during these difficult times.

Mr. Speaker, I submit for the RECORD a prayer offered on Friday, October 19, at the installation of Rickey Dean, in support and appreciation of the public service postal employees provide to our great nation.

Thank you again to Mr. Dean and to all our nation's postal workers. You're doing a fabulous job.

PRAYER OFFERED BY FATHER LAWRENCE VIOLETTE

INSTALLATION OF RICKEY R. DEAN, POSTMASTER, MANASSAS, VIRGINIA, OCTOBER 19, 2001

God, our Father, you send your angels to give us the good news of salvation, and to

call us to repentance. Send your angels to guard the men and women of the United States Postal Service.

Remind them of their call to service for our community.

Console them in their troubles.

Protect them from all evil.

May those who receive good news through the mail give you thanks for your many gifts.

May those who receive bad news turn to you for consolation and support.

God our Father—may everything we do be ''first class.'' [Imprint your own loving ''zip code'' upon our hearts in that we may never go astray.] Provide in your gracious providence ''special handling'' for those of us who are ''fragile'' and keep us in one piece. We have been ''signed, sealed, stamped, and delivered'' in your image and likeness, and we beg you to keep us in your care as we go about our ''appointed rounds.'' And when our days draw to a close and we are marked ''Return to Sender,'' be there to greet us at heaven's door so that nobody may ever say, ''unknown at this address.'' Amen.

INTENT REGARDING SECTION 211 OF H.R. 3162, THE USA PATRIOT ACT

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. TAUZIN. Mr. Speaker, in 1984, Congress passed the Cable Act, which contained Section 631 to provide for the protection of cable subscriber privacy. Section 631 includes specific protection against the disclosure of personally identifiable information concerning a cable subscriber to law enforcement, by the cable operator, without the subscriber's notification. However, changes in technology that have occurred over the last seventeen years require that section 631 be clarified. Specifically, cable television companies now often provide Internet access and telephone service, in addition to traditional television programming. Confusion over whether section 631 of the Communications Act or the Electronic Communications Privacy Act (ECPA) applies to cable operator disclosures of information about their subscribers to government entities could hamper or delay government investigations. In the wake of the terrorist attacks against the United States on September 11, 2001, we as policymakers have examined ways in which to improve law enforcement's ability to trace, intercept, and obtain records of the communications of terrorists and other criminals with great speed, regardless of the mode of transmission. Clarifying which law applies when will greatly assist law enforcement in their antiterrorism, investigative efforts.

Therefore, as the committee of jurisdiction over this issue, the Energy and Commerce Committee worked with the Department of Justice, and the Senate Commerce Committee, to arrive at language now found in section 211 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, that clarifies that cable television subscribers continue to enjoy certain privacy protections, while also ensuring that law enforcement officials have the same ability to gain access to cable subscriber Internet and telephony information as they do with conventional telephone service.

The drafters of this language intend the phrase ''records revealing cable subscriber selection of video programming from a cable operator'' to mean information about which video programming service or services a cable subscriber has purchased from a cable company. It does not include information such as a cable subscriber's name, address, or the means of payment. Importantly, this language does not impose any new requirements on cable companies to maintain or collect additional records containing subscriber information.

''Video programming'' is intended to refer to traditional video programming services comparable to broadcast television, see 47 U.S.C. 522 (20), as opposed to the emerging types of video programming services that enable subscribers to communicate with other viewers or subscribers. Nor does ''video programming'' include streaming of content over the Internet.

Moreover, to the extent a cable company enables its subscribers to communicate with other persons through the provision of telephone service or Internet access service, it must comply with the same laws, found in title 18, governing the interception and disclosure of wire and electronic communications that apply to any other telephone company or Internet service provider. In these instances, Section 631 simply would not apply. Under Title 18, providers of these interactive services are not required to provide notice to their subscribers when disclosing information to a governmental entity, and in certain cases may disclose information without a court order.

With this clarification, cable companies will be in a better position to assist law enforcement with their anti-terrorism, investigative efforts without fear of violating other provisions of the law. Thank you.

CHILOQUIN DAM FISH PASSAGE FEASIBILITY STUDY ACT OF 2001

SPEECH OF

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 30, 2001

Mr. DEFAZIO. Mr. Speaker, nobody could have foreseen the devastating drought that has besieged Oregon over the past year. The lack of water has adversely effected agriculture, energy generation, recreation, and fish and wildlife habitat. The Klamath Basin in Southern Oregon and Northern California has suffered particular hardship through this drought. The snowpack and rainfall that supply the Basin with life-sustaining water are critical to the economic viability of the Basin, and have been significantly below normal. Because the federal government, through the Bureau of Reclamation, has encouraged the Basin's dependence with nearly a century of promised federal water allocation, this Congress has an obligation to take further steps to provide further funding for relief and mitigation.

The Chiloquin Dam, on the Sprague River, currently blocks as much as ninety percent of the spawning grounds for two species of listed as endangered suckerfish. This bill, H.R. 2585, to study the feasibility of increasing fish passage at Chiloquin Dam, would be a modest but important step toward providing a long-term solution for the Basin's water shortage.

Last spring, the federal government announced that many of the irrigators in the Klamath Basin would not receive their annual deliveries of water from Upper Klamath Lake. This decision was largely based upon the U.S. Fish and Wildlife's portion of the biological opinion stating that water levels in Upper Klamath Lake must remain at a certain level to protect the endangered suckerfish. By improving fish passage at Chiloquin Dam in the Modoc Point Irrigation District, we can be proactive in recovering suckerfish populations. Hopefully, working toward full recovery of the species will eventually result in a delisting, thus providing for fewer restrictions on lake levels and more flexible water management.

The situation in the Basin has been exacerbated by judges' rulings and the application of the Endangered Species Act (ESA). In 1995, as a member of the House Resources Committee, I voted in favor of reforming the ESA. The bill I supported, authored by a moderate Republican, would have maintained the core principles of the ESA, but could have prevented the fish versus people situation that we now have. The reforms would have involved the state in any proposed species listing. It would have allowed the state to propose an HCP or long term recovery strategy to prevent a listing. It would have also clarified the process to weigh social and economic impacts prior to listing. Unfortunately, the moderate, bipartisan reforms I supported were rejected by Chairman Young. Instead, he pushed for a virtual repeal of the ESA. The Chairman's radical approach to reforming the ESA was flatly rejected by the Republican leadership.

The ESA expired in 1992. With exception of the 1995 attempt, the Republican House leadership has scheduled no action to review, reform, or re-authorize the ESA. Unfortunately, it continues to be authorized year to year, without change, through appropriations riders. Hopefully, the dire circumstances in the Klamath Basin and elsewhere will be a catalyst for the House to properly re-authorize and reform the ESA.

I am pleased to be working with Mr. Walden, and many members of the Oregon and California delegations, to find reasonable short and long term solutions to the situation in the Basin. This bill can provide for one of those reasonable solutions. I urge adoption of H.R. 2585, the Chiloquin Dam Fish Passage Feasibility Study Act.

TRIBUTE TO MAE GRAYSON HAMILTON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. ROSS. Mr. Speaker, I wish to pay tribute to the life and accomplishments of my friend, Mae Grayson Hamilton, who passed away on October 17, 2001, in Little Rock, Arkansas.

A Dumas, Arkansas, native, Mae was a longtime teacher in the public school system in my hometown of Prescott. During the course of her career, she enriched the lives of generations of Prescott school children through her love for her students and dedication to teaching. As an educator, she was an active member of the National Education Association, the Arkansas Education Association, the Literacy Council and the Nevada County Retired Teachers Association.

Mae was also a devoted member of the Macedonia Missionary Baptist Church in Broughton, Arkansas. In the church, she served as a deaconess and a member of the Hospitality Committee, the Outreach Mission and the Women's Missionary Society. In addition, she gave of her time to be Children's Church Coordinator and Chair of the Program Committee.

Mae Grayson Hamilton was truly a role model not only to our young people, but to all those who knew her well. Her passing is a great loss to her former students, her church family, and all the people of Nevada County. I am grateful for her lifelong commitment to education and her community, and I was proud to represent her in the United States House of Representatives.

My heart goes out to Mae's husband, Johnny Hamilton, Jr., and her two daughters, Michele Hamilton Rhodes and Nicole Hamilton, and my thoughts and prayers are with all her family and friends.

TRIBUTE TO THE GOVERNMENT OF THE REPUBLIC OF TURKEY

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. WEXLER. Mr. Speaker, I would like to extend my sincere congratulation to the people and Government of the Republic of Turkey as they celebrate the seventy-eighth anniversary of the founding of their nation by Mustafa Kemal Ataturk on October 29th. This celebration is an important opportunity to highlight the incredible accomplishments of one of the world's most dynamic nations. I know I speak for many Members of Congress and the American people in extending our wishes for the continued strength and success of the Republic of Turkey.

Over the past seventy-eight years, Turkey has emerged as the secular and modern democracy that Kemal Ataturk envisioned in 1923. Turkey has proven that democracy and Islam are compatible concepts and that freedom and tolerance are universal ideals that should be embraced by all peace-loving nations. As Turkish President Sezer said in a speech commemorating the foundation of the Republic of Turkey on Sunday, ''The Republic which was founded as a result of Great Leader Mustafa Kemal Ataturk's foresight after our nation won its War of Independence is an idea of enlightenment and modernization.''

As America faces her toughest test both domestically and internationally since World War II, it is reassuring to know that we have the unconditional and unequivocal support of the Republic of Turkey in our counter-terrorism efforts. Turkey's support and sympathy for the American people following the September 11th attacks are testament to the strength of our nations relations and our common commitment to democracy and freedom. As Turkey celebrates her national day, it is important for the United States to recommit to strengthening our strategic partnership with our NATO ally.

As Co-Chairman of the Caucus on U.S. Turkish Relations and Turkish Americans, I believe that we would be remiss if we did not mention the significant contributions of the Turkish American community to our nation. This growing and increasingly important American community has enjoyed unparallel success at every level of American society and in every profession. As American ambassadors of Turkish culture and history, they are without a doubt the Republic of Turkey's greatest asset in the United States and have enriched America.

Mr. Speaker, as the people of the Republic of Turkey celebrate their nation's seventy-eighth anniversity, I know that they will continue to build on the political, economic, and cultural success envisioned by one of the twentieth century's greatest leaders, Mustafa Kemal Ataturk. Again, I congratulate the government and people of the Republic of Turkey as they celebrate the founding of their nation.

FUNDING FOR THE FREEDMEN'S BUREAU RECORDS PRESERVATION ACT

HON. STEPHEN HORN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. HORN. Mr. Speaker, I am pleased that the Treasury-Postal Appropriations Bill, H.R. 2590, includes funding to implement the Freedmen's Bureau Records Preservation Act of 2000. The Freedmen's Bureau Records Preservation Act was cosponsored by Representative JUANITA MILLENDER-MCDONALD and Representative J.C. WATTS. I was privileged to manage the legislation on the floor of the House last year.

This important Act requires the Archivist of the United States to preserve the records of the Bureau of Refugees, Freedmen, and Abandoned Lands, commonly known as the ''Freedmen's Bureau,'' so that these records can be maintained for future generations. It further requires the Archivist to work with Howard University and other institutions to index the records so that they will be more easily accessible.

The Freedmen's Bureau, which was established in 1865, accumulated a treasure trove of records concerning newly emancipated African-Americans. These records contain information on marriages, births, deaths, labor contracts, Government rations and back-pay records, and indentured contracts for minors. The records are, in many instances, a key source of information to American families tracing their heritage. They are also a vital source of information for historians and students.

The Freedmen's Bureau Records Preservation Act has special relevance for Howard University. The fact that both the Freedmen's Bureau and Howard University grew out of the same impulse to remediate the wrongs of slavery at the end of the Civil War linked the two institutions together at their birth. The fact that General Oliver Otis Howard served both as the Commissioner of the Freedmen's Bureau and as the third president of the University that bears his name adds additional strength to the link. Therefore, Representative MILLENDER-MCDONALD and I were honored to join many others in a ceremony at Howard University on February 27, 2001, to commemorate enactment of this important legislation.

With the support of Congress, the National Archives will employ microfilming technology to preserve the invaluable Freedmen's Bureau records, and Howard University will develop indexing strategies to provide their widest accessibility to scholars, genealogists, and the general public. Through this partnership, the Act's goals of ensuring preservation and promoting access can and will be achieved.

IN HONOR OF THE CONTINUING SERVICE OF THE NATIONAL GUARD AND RESERVE UNITS ACTIVATED IN SUPPORT OF OPERATION ENDURING FREEDOM

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. FORBES. Mr. Speaker, I rise to introduce a resolution honoring the continuing service and commitment of the members of the National Guard and Reserve units activated in support of Operation Enduring Freedom. In the days following September 11th, it was the National Guard and Reserve who were present on our streets and in our skies. They were present in our airports and on our waterways. They were deploying overseas in support of active duty units. This is not the first time we have seen these heroes in action. They are our associates and neighbors, our friends and relatives. And yet to many of us, their presence means so much more now than it did before.

We must honor the modern day Minuteman, for as our citizen-soldiers stand watch over us, they remind us that long before the phrase ''Homeland Security'' was crafted, they were here to preserve liberty on the home front. They were there to support our Army, Navy, Marines, Coast Guard and Air Force. And they are still there, supporting our nation in this time of danger.

This war against terrorism may be lengthy and difficult, and we may at times feel less than fully secure, but I stand here today to tell you that I rest easier with the knowledge that the National Guard is on the job. We owe the men and women who have left their families and jobs to heed this call a great deal, and I urge my colleagues to join me in supporting our National Guard and Reserve. Let us not allow a single Guard or Reserve member to join in this conflict, without knowing that the House of Representatives, and more importantly a grateful nation, holds them in the highest esteem, Let us pass this resolution now

and give our heroes even greater strength to draw on in the difficult days ahead.

REMEMBRANCE OF GERALD SOLOMON

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. CROWLEY. Mr. Speaker, I thank my colleague from New York, Mr. SWEENEY, for leading this special order. I rise tonight to commemorate the life and career of Gerald B.H. Solomon.

Gerry Solomon was well known as a tough-talking advocate for his Congressional district. But as a former Marine, he was perhaps the House's biggest advocate for veterans during his 20 years in Congress. As the ranking member on the House Committee on Veterans Affairs, Solomon worked tirelessly on behalf of veterans and veterans' benefits, including beneficiary travel for veterans going to and from VA hospitals. Solomon was also successful in efforts to elevate the Veterans Administration to a cabinet-level department. This work won him wide praise from veterans groups.

AMVETS National Commander Joseph W. Lipowski called Solomon ''one of our foremost advocates in Congress.'' In 1989, Solomon was presented with the AMVETS Silver Helmet Award. The award, which is a silver replica of the World War II GI helmet, has come to be known as the ''Veterans Oscar.''

It is fitting that Solomon was laid to rest with military honors in Saratoga National Cemetery. From his key position on the House Veterans Affairs Committee, Solomon was the driving force behind the creation of the cemetery and helped secure $1.45 million to buy the land for the cemetery. Solomon loved the unique place in history held by Saratoga, as it was the turning point in the American Revolution.

In addition to serving as ranking member of the Veterans Affairs Committee, Solomon was Chair of the powerful Rules Committee. As the first Republican Chairman in four decades, Solomon used this chairmanship to promote the interests of New York.

Public service was clearly Solomon's life. Coming from a family full of firefighters and policemen, I would be remiss if I failed to note that Solomon also served for years as a volunteer firefighter in his home town of Glen Falls, New York.

Our thoughts and prayers are with his wife Freda and their five children, six grandchildren, and his brother.

Mr. Speaker, I again thank my colleague Mr. SWEENEY for offering this special tribute, and ask if the House would please Join me in pausing to recognize the distinguished life of Gerald Solomon.

COMMEMORATING NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. SOLIS. Mr. Speaker, I rise today to mark an important yet often overlooked month in our nation's landscape National Domestic Violence Awareness Month.

Each year, nearly 2 million women are victims of domestic violence. In fact, in the time that it takes me to complete this speech, eight women will have suffered some form of mental, physical or sexual abuse.

The problem of domestic violence is one that I have fought for many years.

In my district—the 31th district of California—domestic violence is a widespread phenomenon. When I first took office as state legislator in 1992, there were more shelters in my district for abused animals than there were for abused women.

But through the vigilant work and determination of our law enforcement agencies and the community, we've worked to reverse that trend. Today, we have a number of excellent shelters and non-profit organizations designed to help battered families rebuild their lives.

As pleased as I am that the shelters exist, though, I am still disappointed. Yes, every person who is the victim of domestic violence deserves as much help as possible to escape their current situation and find a better, more loving environment. But no one deserves to be placed in such a horrendous situation to begin with.

We as a nation have made remarkable strides in domestic violence legislation. We prosecute criminals. We assist victims with finding transitional housing. We help train battered housewives to reenter the workforce. These are all admirable actions. But we can and must do more.

We must work harder to ferret out the root cause of domestic violence. We know that children of batterers are more likely to become batterers themselves. We must work to ensure that these children have the necessary counseling to combat any such violent urges.

We know that immigrant women who are battered are much less likely to leave their abusers because they fear being deported. We must eliminate immigration barriers that prevent these women from getting help.

And we know that nearly one million women each year are victims of stalking. We must strengthen anti-stalking laws to protect women before violence enters the picture.

I ask my colleagues to join me in this commitment to eradicating domestic violence in our great nation, not only with our words but also with our deeds.

THE SERVICEMEMBERS AND MILITARY FAMILIES FINANCIAL PROTECTION ACT OF 2001 (H.R. 3173)

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. GUTIERREZ. Mr. Speaker, these are enormously challenging times for our country. Yet, we are doing what we can to meet these challenges. We are reaching across party lines to show national unity. We are reaching across social and ethnic lines, native-born citizens and immigrants alike, to show that we will not turn away from our nation's highest values, or from each other.

We are exercising caution and common sense. We are going about our daily lives. In my case, and that of my fellow members of Congress, going about business as usual has been a little more difficult in recent days. But—as this productive week demonstrates—it has not made our work impossible.

And, as parents, we are reminding our children how much we love them. Those are a few of the important steps that each of us is taking. And we can be proud of them. However, no group of Americans has made—or will make, as long as this effort lasts—as valuable a contribution, or as great a sacrifice, or will have as much to be proud of, as the people who are the men and women of our armed forces—full-time uniformed personnel, as well as reservists and members of the National Guard called up for active duty.

They are seeking peace for us and for our allies around the globe. Their own security has been put on hold so that we can go about our lives freely and free of fear. Last week, I introduced legislation to ease at least a handful of their many burdens.

My bill is admittedly a modest effort when compared to the full scope of challenges which they face. After all, I cannot give them the kind of blanket protection that I wish for them. I cannot ensure that no harm comes to them on the field of battle, or while in transit or training for their mission. However, it is worth remembering that among the many hazards and challenges faced by men and women in uniform, not all of them are found on the battlefield, or foreign soil, or on the high seas.

Some confront them here at home. Even while they are far from home. And, to make matters worse, they are challenges that face not only the men and women who sign up for duty—but face their family members too.

These challenges are financial. In various ways, members of the armed forces—and in particular, members of the National Guard and the Reserves who leave jobs, homes, and families at a moment's notice—face tremendous economic burdens as a result of their willingness to serve. It is at least within my powers to do something about that.

Last week, I introduced legislation, ''The Servicemembers and Military Families Financial Protection Act of 2001'', aimed at giving men and women called up for duty—and their families—new financial protection and peace of mind.

First, my bill will help ensure that members of the military who are called away from home

still have a home to which they can return. When members are deployed and separated from their jobs, their household income levels often drop dramatically. Yet, there are still bills to pay—in particular, the monthly rent or mortgage payment.

My bill would prohibit the removal of an activated military member's family from their place of residence due to a failure to meet monthly housing payments. This protection would be in place during the term of active duty and continue for up to an additional three months after active duty is over.

If a landlord initiates eviction proceedings during that period, a judge would be directed to first rule on whether the family's income has been ''materially affected'' by the military service. An eviction can only occur only if a judge finds that the family's income has not been so impacted. This relief would apply to a service member's family whose monthly housing payment is $1,950 per month or less.

Under current law—the Sailors' and Soldiers' Civil Relief Act—such relief is limited to families whose monthly housing payments are $1,200 or less. I seek to increase of that threshold by about 37.5 percent. I think that my proposal is reasonable. If you have given up your bed, and the comfort of home and the security of having your own roof over your head . . . and have traded that it for an army cot in a pup tent or a barracks—you are certainly entitled, when your service is completed, to return to your home. And, just as important, you are entitled to know that even if you cannot be at home, at least your family is there.

The second major element of my proposal ensures that a family will be well provided for in the event—the very rare event, I hope—that something unfortunate occurs. Again, our country's reliance on members of the guard and reserves helps illustrate the need for a change in current law, Our military cannot operate without the contributions of civilian soldiers—medical personnel, academics familiar with foreign countries and languages, engineers and people from a vast array of fields—who agree to give up good jobs and good wages here at home to serve where and when they are needed.

The economic needs of full-time uniformed personnel are just as great, and only increase with more years of service. As it stands right now, however, significant barriers prohibit those men and women from knowing with confidence that their families will be adequately safeguarded if something should happen to them.

Today, armed services personnel are eligible for life insurance paid through an affordable monthly premium, and administered through the Service members' Group Life Insurance program, or SGLI. However, current law caps payouts at $250,000. Far too low.

Meantime, it is standard practice for private life insurance policies to include clauses that deny payouts for deaths resulting from incidents occurring as part of war-related service. My bill would enable personnel covered by SGLI to opt for considerably higher payouts for their beneficiaries—if they so desire and if they are willing to pay for it.

Under my bill, military personnel could opt for coverage in increments of $250,000 above the current ceiling, up to a total of $1 million. This represents a potential increase of $750,000 above the current limits for members of the Guard and Reserves; an increase of $900,000 for uniformed personnel.

All increased benefits would be the result of higher premiums deducted from military paychecks. Coverage usually costs approximately 8 cents per month per every thousand dollars of coverage. Again, this would be optional and it would be achieved at no additional cost to the government.

In fact, assuming that the pool of policy holders remains steady and perhaps increases due to this added incentive, it could lead to greater revenues for government coffers. We know that military service is dangerous. But, the already significant risk should not be compounded by additional financial risks to one's dependents.

My hope would be that not a single family ever has the need to take advantage of this increased level in benefits. But, even if that is the case—it still will have done some good for all of us.

A member of the military can carry out duties better if there are fewer worries about what could happen to his or her family.

And finally—as long as we are updating current law to reflect the true needs of members of the military—I think it is crucial that the law better reflects the true composition of the military.

As we all know, that includes women.

The same holds true for our country's economy, and the earnings of the typical family. A family's loss of income does not simply occur when a father or husband leaves his regular job for service—but when a mother or wife does so. Unfortunately, current law inexplicably uses the phrase ''wife'' to describe dependents eligible for protection while a member is on duty. My bill replaces such references with gender-neutral language.

Such a change has practical value. Let's make certain that no court or agency denies a family relief on the basis that a mother or wife serves her country. Yet, if some people think that changing the language in this manner is mostly ''symbolic''—so be it. This is a time when symbolism matters.

And, among our foes is a Taliban that degrades women to a degree that is beneath civility and decency. Let's take every opportunity to remind them—and ourselves—that our country's success and our country's strength is achieved because in our nation women can carry out any role that they choose for themselves.

I am confident that my colleagues will join me in agreeing that risking life and limb for one's nation should never be compounded by a family's potential loss of shelter or economic security. Please join me and cosponsor my bill, H.R. 3173.

HONORING JARVIS CHRISTIAN COLLEGE

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. SANDLIN. Mr. Speaker, I rise today to honor Jarvis Christian College, the Tom Joyner Foundation's historically black ''College of the Month'' for October.

All too often, a student enters college only to encounter financial challenges that force him or her to drop out of school. As a nationally syndicated radio personality, Tom Joyner uses his platform to raise money to help students continue their education at black colleges. Every month, the foundation selects an Historically Black College or University to receive funds raised during that month. During the month of October, Joyner will encourage individuals, groups, organizations, and Jarvis alumni to make financial contributions to Jarvis.

Over the past year, the Tom Joyner Foundation has raised more than $500,000 for deserving students. The money is given directly to the school and its students. Additionally, the Ronald McDonald House Charities has pledged to provide 50 cents for every dollar, up to $333,000 donated, for this year.

I am very proud of Jarvis for being chosen by the Tom Joyner Foundation to receive these important funds for its students. Located in Hawkins, Texas, Jarvis Christian College has lived up to its mission to provide a quality liberal arts education that prepares students ''intellectually, socially, and personally to function effectively in a global and technological society.''

Founded in 1912, Jarvis Christian College held its first formal classes in January 1913, with 12 elementary-level students. Only two years later, the school began officially teaching high school courses. Further, until 1937, it was the only accredited high school exclusively for African Americans in the area.

In 1927, Jarvis began offering junior college courses, and the school was accredited as a college the next year. Since that time, Jarvis has been an East Texas institution, an excellent choice for students who wish to develop their skills and talents to their highest levels of ability.

For 90 years, Jarvis Christian College has given hope and opportunity to the African American community of East Texas, guaranteeing students a quality education within a solidly Christian environment. This year, Jarvis was ranked among the top ''Comprehensive Colleges'' in the nation by U.S. News and World Report.

I would like to thank the Tom Joyner Foundation for its mission to support Jarvis Christian College's motto: ''The college with the personal touch, where dreams come true!''

DOMESTIC VIOLENCE AWARENESS MONTH

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to join my colleagues in the Women's Caucus and add my strong support to the struggle against domestic violence.

October, Domestic Violence Awareness Month, is an opportunity for us to remember those who have been victims of abuse, to support those who are survivors, and to assist

those who labor on a daily basis to put an end to this horrible violence.

While the devastating physical and emotional consequences of domestic violence have been well documented, less attention has been paid to the economic reasons women stay victim to their abusers. Far too many victims remain in abusive relationships because of their inability to financially support themselves and their children.

Lack of affordable childcare, inaccessibility to job training and healthcare programs, and low wages are a few of the obstacles women face when they wish to leave an abusive home. Those who are able to find employment often find it difficult, if not impossible, to keep a job because of the consequences of domestic abuse such as: lower productivity, reduced attendance, and the higher risk of insurance and healthcare costs to employers. In addition, employed victims of abuse live with the added fear of losing their job if they take time off from work to seek help for themselves and their families.

Unfortunately, current law does not specifically allow women to take leave from work to effectively deal with the abuse in their lives. Nor does the law often allow women who leave work as a result of domestic violence to collect unemployment compensation.

These realities faced by abused women often hinder their ability to seek or maintain employment. As a result, far too many women are left with the terrifying choice of staying with their abusers or becoming homeless, often with their children. In fact, the Downtown Women's Center of Los Angeles recently conducted a needs assessment among 400 homeless women in Los Angeles. Of those interviewed, 58.5 percent had experienced domestic violence in their lifetime, and 39.5 percent had experienced domestic violence as recently as the previous year.

To address the needs of victims of abuse, I have introduced the Victims' Economic Security and Safety Act in the House of Representatives. My legislation is specifically designed to help victims of domestic violence retain their employment and financial independence, by ensuring that they are allowed to take time off from work to make necessary court appearances, seek legal assistance, contact law enforcement officials or make alternative housing arrangements, without the fear of being fired or demoted. Further, to ensure victims can retain the financial independence necessary to leave their abusers and avoid having to rely on welfare or become homeless, my bill requires states to provide unemployment benefits to women who are forced to leave work as a result of domestic violence. This legislation currently has the bipartisan support of 106 of my colleagues in Congress.

Obviously, we cannot legislate the problem of domestic violence away. An important step we can take, however, is to create a system that gives women a fighting chance to remove themselves and their children from abusive environments. As a nation, we must develop and implement laws that provide the support necessary to ensure the safety and security of our most vulnerable citizens. No woman should ever have to choose between physical safety or financial security for herself or her family.

TRIBUTE TO LYNN SWANN ON HIS ENSHRINEMENT IN THE NATIONAL FOOTBALL LEAGUE HALL OF FAME

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. LANTOS. Mr. Speaker, I rise today to pay tribute to San Mateo County native and former Pittsburgh Steeler, Lynn Swann, on his recent induction into the National Football League Hall of Fame. Enshrinement in the NFL Hall of Fame is the greatest honor of any football player's career and is only bestowed upon the most deserving athletes. Lynn is unequivocally one of the greatest wide receivers ever to play professional football and is most deserving of this honor.

As you are aware, Mr. Speaker, Lynn's NFL career spanned nine years, and included four Super Bowl victories and three Pro Bowl appearances. During his career, Lynn caught 364 passes for a total of 5,462 yards and 51 touchdowns. Known for his acrobatic and graceful catches, he saved his best performances for the big games, making key plays in Super Bowls IX, X, XIII, and XIV.

Mr. Speaker, Lynn's football success got off to a spectacular start at Junipero Serra High School in San Mateo, California, in my Congressional district. He became a member of the Padres Varsity Squad as a Freshman where he was coached by Coach Jesse Freitas, Sr. Lynn was instrumental in Serra High School's 1967 and 1969 West Catholic Athletic League titles. After graduating from high school, Lynn attended the University of Southern California where his gridiron accomplishments brought him honors and recognition. He graduated with a degree in Public Relations in 1974.

Lynn Swann was the number one draft pick by the Pittsburgh Steelers in 1974, and his impact on the team was felt in Pittsburgh immediately. During his rookie season Lynn immediately established himself as a fierce competitor. Although he suffered a concussion in the 1975 AFC Championship Game, he recovered in time for the Super Bowl two weeks later, giving a MVP performance. During Superbowl XIII, Lynn had yet another extraordinary performance, catching seven passes and the game winning touchdown.

Mr. Speaker, Lynn has been the recipient of numerous awards and recognition during his career. He was named an All-American player at USC in 1974, and All-Pro recognitions in 1976, 1978, and 1979. He was named the Most Valuable Player of Super Bowl X in 1976. Lynn received the prestigious NAACP image award in 1981. He is a member of the Steelers Hall of Fame Team of the 1970's Decade, and the Silver Anniversary Super Bowl All-Time Team. He is also an inductee to the San Mateo County Sports Hall of Fame, and will be inducted into the Bay Area Sports Hall of Fame in 2002.

Much of Lynn's success in life, both on and off the field, can be traced directly to his parents, Mildred and Willie Swann, who continue to work and maintain their residence in my district. His parents taught him the value of hard work, and more importantly, how to carry himself with class and dignity. Today, Lynn thanks his mother for urging him go to Serra High School and teaching him the value of a good education.

Since his football career ended in 1982, Lynn Swann has been involved in numerous charitable involvements. These included his work as the National Spokesperson for the Big Brothers Big Sisters of America. Additionally, he created the Lynn Swann Youth Scholarship Fund in association with the Pittsburgh Ballet Theatre School. As you may know, Mr. Speaker, Lynn was one of the first wide receivers to practice ballet in preparation for football, a practice followed by numerous professional football players to this day. Lynn pioneered this unique "cross training" method after recognizing that the gracefulness of ballet would be a considerable asset to a wide receiver in the National Football League. In 1981, he created the Lynn Swann Youth Scholarship Fund in Association with the Pittsburgh Ballet Theatre school, which has benefitted hundreds of talented students. Lynn's commitment to the Ballet School continues to this day, by contributing a portion of the sales of his number 88 Pittsburgh Steelers jersey, to aid the Pittsburgh Ballet, as well as the Boys and Girls Club of Pittsburgh.

Throughout his distinguished career both on and off the field, Lynn Swann has never forgotten nor neglected his close personal ties to San Mateo. He is, indeed, an icon and role model for our young people. Lynn Swann is an extraordinary athlete who is truly deserving of induction into the National Football League Hall of Fame. He has given selflessly of his time to worthy causes. Lynn's character can best be summed up by his former High School history teacher and coach, John Carboni, who, when asked about his former student, chose not to comment on his athletic ability, but rather on his personality. As Mr. Carboni stated, "When it comes to a classy athlete to come out of Serra, Lynn Swann rules the roost."

Mr. Speaker, I urge all of my colleagues to join me in paying tribute to Lynn Swann, an excellent athlete on his enshrinement in the National Football Hall of Fame.

PAYING TRIBUTE TO ALF EVERS

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. HINCHEY. Mr. Speaker, I would like to recognize the achievements and tremendous life work of a dear friend of mine, Mr. Alf Evers of Shady, New York. I have known Alf for more than thirty years, working with him on environmental and other issues in my district. Alf Evers is the pre-eminent historian of the Catskill Region of New York State whose writing and passion for storytelling have become part of the rich history of our area. As part of this year's New York History Month, I am proud to join in saluting Alf's significant contributions to furthering New York history.

Spanning more than seven decades, Alf Evers' professional writing career continues today at age ninety-six as Alf completes a history of Kingston, New York. He is best known

for his ambitious histories, ''The Catskills: From Wilderness to Woodstock'' and ''Woodstock: History of an American Town,'' as well as ''In Catskill Country: Collected Essays on Mountain History, Life and Lore.'' Mr. Evers authored more than fifty children's books, which were illustrated by his wife, Helen. These books helped bring his deep interest in ecology and nature to young people. Alf also served as associate editor of the New York Folklore Quarterly and wrote articles for the New York Conservationist.

Over the years, Alf Evers' imagination and chronicling of the stories of the Catskills have inspired people to embrace a sense of place by bringing their history to life. An article from several years ago sums up the style of Alf's writings: ''Local histories fall into two categories: useful, but unreadable, chronicles of train arrivals and departures or dates of deeds; or stories that set a reader down in a place and transform them into residents. Evers' work is of the latter category.'' Alf's writing and scholarship have truly set a high standard of excellence for regional history, which he has made accessible to generations of readers through his skillful and well-researched narratives.

Mr. Speaker, I am proud to pay tribute to Alf for his tenacity and hard work in recording the stories of our past. I appreciate his commitment to landscape preservation, nature, and the arts. The wealth of knowledge that Alf has shared with readers and residents over many years has truly made him a national treasure, and I thank him for his great service.

INDIA FILES FAKE CRIMINAL CASE AGAINST BURNING PUNJAB WEBSITE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. TOWNS. Mr. Speaker, I was distressed to learn that the government of India, which calls itself ''the world's largest demoncracy,'' has filed a criminal case against the website Burning Punjab, which reports news about the abuse of Sikhs in Punjab, Khalistan by the Indian government. The website can be found at *http://www.burningpunjab.com/news.html*

The government made the case fit under Indian law by falsely claiming that Burning Punjab is ''a newspaper published from Chandigarh.'' There is no newspaper published, just online news, and Burning Punjab uses services in the United States and Britain to publish its news. The case was filed by the Deputy Inspector General of the terrorist Central Reserve Police Force. Previously, viewing Burning Punjab had been prohibited in several states in northwest India, including Punjab, Delhi, and Chandigarh. This is clearly a case filed to harass Burning Punjab for reporting news the government does not like. I'm sorry, Mr. Speaker, but I fail to see the difference between this action by ''the world's largest democracy'' and the repression of the press in the most tyrannical dictatorships of the world.

If this is how India treats those who expose its corruption and brutality, it is no democracy. We should support democracy in South Asia in the form of a free and fair plebiscite with international monitoring on the question of independence for Khalistan, Kashmir, Nagaland, and the other countries seeking their freedom from Indian. This will provide the opportunity for every one in the subcontinent to live in freedom, dignity, peace, and prosperity. That is the best way to promote stability in South Asia.

I would like to place an article from Burning Punjab on the complaint into the RECORD at this time.

HARASSMENT CONTINUES: FORGED CRIMINAL CASE FILED AGAINST ''BURNING PUNJAB''

Jalandhar—A forged criminal case against web site Burning Punjab' has been filed in the Court of Judicial Magistrate Mohinder Singh deputed in Jalandhar Courts. The case referred Burning Punjab News' on-line web news as a newspaper' published from Chandigarh, just to cover the Burning Punjab staff under India Penal Code. One Lashkar Singh has filed the case: DIG of Central Reserve Police Force (CRPF) of Indian Hindu Regime.

It is pertinent to mention that Burning Punjab web site is aired through European and American based servers and satellites. It's registered address is located in United Kingdom but with a motive to harass human rights activists working for Burning Punjab web site, Indian Police have now manipulated forge case against them by alleging that Burning Punjab News is a daily newspaper published from Chandigarh. Whereas no such newspaper' published from Chandigarh.

A formal representation has been sent to Chief Justice of Supreme Court and the High Court, urging them to take initiative and prevent abusing human right activists and also legal process of the land.

DOMESTIC VIOLENCE AWARENESS MONTH

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. JACKSON-LEE of Texas. Mr. Speaker, we gather tonight to recognize this month of October as Domestic Violence Awareness Month.

Domestic violence against women remains an epidemic in the United States as well as around the world. A UNICEF study shows that up to half of the female population of the world becomes the victims of domestic violence. One in every two women is victimized!

In our own backyard, the statistics are unbelievable. According to a Department of Justice released on October 28, 2001, women in their mid-teens to mid-20's are three times as likely to be attacked by a significant other than an older women. However, middle-aged women between the ages of 35–49 are the most likely to be killed by an intimate partner than younger women. One in 10 girls killed between the ages of 12 and 15 dies at the hands of her boyfriend or significant other.

The Violence Against Women Act of 2000, signed by President Clinton on October 28, 2000, improves legal tools and programs addressing domestic violence, sexual assault, and stalking. The Act also reauthorizes critical grant programs created by VAWA of 1994 and subsequent legislation, establishes new programs, and strengthens federal laws.

I am proud to say that Congress has recognized that women and children victims of domestic violence deserve enhanced protection.

But we must also take additional steps—we must continue to raise awareness. Socially, we must emphasize that women have choices. Traditional ideology has forced women to remain in dangerous and even fatal situations. Women are not the only one in a marriage responsible for its success. Stress, alcohol, problems at work, and unemployment does not justify the abuser's behavior. A woman's identity and worth is not based upon getting and keeping a man. An abuser's ''lucid moments'' from violence does not make him a ''good man''. Divorce is a viable alternative. And it's okay for family members to intervene and get help for the victims. Choices empower women to be strong and courageous enough to leave a bad situation and make a better life for themselves and their children.

We must also understand the reasons that compel abusers to carry on their outrageous behavior. The abuser continues his behavior because violence is an effective method for gaining and keeping control over another person. The abuser objectifies women, sees women as property, and does not respect women as a group. Historically, punishment for this type of violence has lacked severity and thus deterrent for such behavior.

We must also provide women with more resources. Most battered women have children, are not employed outside of the home, have no property that are solely theirs, and lack access to cash or bank accounts. There exist 3 times more animal shelters than battered women's shelters in the United States. We must work to ensure that women have the support system to permit them to leave an abusive relationship.

Mr. Speaker, our country has come a long way from not treating domestic violence against women and children as a ''real'' crime to passing the Violence Against Women Act. But our efforts must continue to raise awareness of this very urgent issue.

REMARKS OF ISRAELI AMBASSADOR DAVID IVRY AT THE MEMORIAL SERVICE FOR YITZHAK AND LEAH RABIN

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. LANTOS. Mr. Speaker, the distinguished Ambassador of Israel to the United States had a most personal and longstanding relationship with Israel's late, great Prime Minister Yitzhak Rabin. It is with deep reverence for what Yitzhak Rabin stood for that I share Ambassador Ivry's comments with my colleagues.

REMARKS OF ISRAELI AMBASSADOR DAVID IVRY AT THE MEMORIAL SERVICE FOR YITZHAK AND LEAH RABIN

ISRAELI AMBASSADOR DAVID IVRY

It is with a heavy heart that I stand before you today, and pay tribute to a couple whose

dedication to Israel brought us hope, whose efforts for peace renewed our vision of the future, and whose legacy will be remembered for generations to come.

Yitzhak and Leah Rabin are no longer with us, but their memories are inscribed on the stones of history. Sustained in our hearts and minds forever. Leah was a supportive wife, a devoted mother, and a pillar of strength to those who knew her. Yitzhak was a man of integrity and vision. An honorable soldier whose greatest mission was his battle for peace.

I first met Yitzhak in 1959. I was a young captain, and he, the Deputy Chief of General Staff, a respected leader and a critical asset to the IDF. Our paths frequently crossed again over the years until the day he approached me and requested that I return to the Ministry of Defense.

I knew him in times of crisis and success. I found him to be a sensitive man, emotional to the point of tears at the loss of life; a leader who was not only attentive but knew how to listen. He had a piercing analytical understanding of the issues. He was a man who saw the minute details, without losing sight of the larger picture. Yitzhak Rabin—the man of security, who fought in battles and wars, Chief of Staff of IDF during the Six-Day War.

As we mourn the loss of our fallen hero, we must remember, he dedicated his career to national defense, and his life to Israel's future. In fact, at the time of his assassination, Rabin served not only as Prime Minister, but also as the Minister of Defense. In 1986, I served as Director General of the Ministry of Defense, as per Rabin's request. I held this office for nearly ten years. Basically, because Rabin would not let me leave.

At our weekly meeting on Friday, November third, nineteen ninety-five, I raised the issue of my resignation. I had served an unprecedented number of years as Director General, and I felt it was time to move on. Rabin understood my reasoning, but requested that I stay in that post. After deliberation, we decided to discuss this and other pending issues at our next meeting on Sunday, November fifth. Of course, that conversation never took place. With just three shots from an assassin, Yitzhak's potential as a leader was brought to an end. His life was cut short, and the future of the Middle East would never be the same again.

Though his dreams have not become a reality, Rabin's vision for the future lives on. It is kept alive in the heart of each Israeli citizen and soldier who wishes to live in a land of security and peace. Over the past year, this dream has been marred by tragedy, sorrow, and pain. But amidst the broken pieces, the Israeli people have emerged united. Bonded by a unique determination and resolve. This resolve has been strengthened by the abiding relationship of Israel and the United States. For over half a century, we have stood together as true partners and friends.

As a diplomat, general, and statesman, Yitzhak Rabin appreciated the unwavering support of the United States, its vital role in peace negotiations, and our joint efforts to maintain stability in the Middle East. Although regional stability has been shaken, the ties that bind us remain strong. As our two nations mourn the tragedy of September eleventh it is clear—the United States and Israel are forever partners in the pursuit of security and peace.

This is just one element of the legacy left behind by Yitzhak Rabin. Though his leadership has come to an end, his message still remains. Today, we remember that peace is not just a dream. It is essential to our future, and the future of generations to come. Shalom haverim.

Shalom friends. May the memory of Yitzhak and Leah be with us forever.

PLIGHT OF AFGHAN WOMEN

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to join my colleagues to condemn the oppressive rule enforced by the Taliban regime against women. I thank Congresswoman Millender-McDonald, co-chair of Women's Caucus, for her leadership in bringing this issue to the attention of all members of Congress. Ms. Millender-McDonald has been a long time advocate for the equal and fair treatment of women both here in the United States and abroad.

Mr. Speaker, the Taliban are a repressive and regressive force in Afghan society. They rule their country in complete defiance of the 1977 Afghanistan constitution—denying both men and women the equal rights this document specifically grants them. Under the Taliban regime, women, in particular, suffer extreme oppression.

They are isolated in their homes and barred from going to school, working, or even walking outside unaccompanied. They are required by the Taliban never to enter public places without being completely covered. The windows on their houses are also covered or painted so no one may see them. They live their lives in semi-darkness; faceless and powerless. Those who violate the rules of conduct are beaten or brutalized by roving bands of Taliban police.

This oppression of Afghan women not only compromises their value as human beings, but undermines Afghan society by denying it the talents and contributions of its women. In fact, prior to Taliban rule Afghan women were counted amongst the country's leading doctors, lawyers, teachers and political leaders. The contributions they made to their communities were invaluable.

In addition, as the primary caregivers in families Afghan women are responsible for instilling values and a sense of right and wrong in their children. By demeaning women, the Taliban regime is indoctrinating new generations of children, boys and girls alike with a belief that is counter to a set of values that we all hold dear. It is important for Afghan mothers and grandmothers to provide inspiration and hope for a better quality of life to their children, and that begins with their own fair and just treatment. If not, what message are these children being sent when their government demeans and represses those who are at the very heart of family life? What vision for the future can we offer these innocent children?

Mr. Speaker, the reality is that if we want to build a world where freedom, democracy, and equality are respected tenets, then women have to be equal partners with men in all aspects of life. Women all over the world, including Afghanistan, value the opportunity to contribute their special talents and ideas with their communities. Therefore, we should join them as allies in their struggle for a social climate where equality for both Muslim men and Muslim women is respected.

Finally, I want to clearly state that the blame for the continued discrimination Afghan women face is not in Islam, but on the non-Islamic nature of the Taliban regime. Progressive based Islamic traditions have been tossed aside by the Taliban government and replaced with an extremism that is a distortion of true Islam.

The United States Congress must condemn the treatment of women in Afghanistan in the name of justice, peace, equality and freedom. It has been too long since Afghan women have enjoyed the rights common in so many other areas of the world. Mr. Speaker, it is my hope that the U.S. involvement in Afghanistan will contribute to establishing a stable and progressive Islamic regime that values women and permits them to contribute positively and equally to a better tomorrow for the citizens of Afghanistan and future generations.

TREATMENT OF AFGHAN WOMEN

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Ms. JACKSON-LEE of Texas. Mr. Speaker, thank you for the opportunity to speak on this very urgent issue of the treatment of the women in Afghanistan.

Yesterday, on Good Morning America, several video clips flashed across the television secretly depicting the horrific and brutal treatment of women in Afghanistan.

The first clip showed a woman leaving her home dressed in her full burqa, but missing the shroud that covers her face. A man who obviously was not her husband or even relative proceeded to beat her. What was even more shocking was that passersby were not affected by the scene. Such occurrences have become part of their everyday lives. Incredibly, the beating of women for 'disciplinary' as well as entertainment reasons is a routine phenomenon in Afghanistan under the Taliban, an extremist Islamic sect.

The second clip showed the Taliban executing a woman accused of killing her abusive husband. Although the husband's family forgave the woman because she bore his seven children, a Taliban fighter was still ordered to shoot her in the back of her head with an automatic rifle because she was "too guilty to be forgiven."

How can we allow this type of treatment of women to continue?

With the coming to power of Islamic fundamentalists, women's right to fully participate in the social, economic, cultural and political life of the country was drastically curtailed and later on abruptly denied them by the Taliban.

Women are totally deprived of the right to education, of the right to work, of the right to travel, of the right to health care, of the right to legal recourse, of the right to recreation, and of the right to being human.

Some of the heinous restrictions imposed by the Taliban on women in Afghanistan include:

coverage with burqa from head to toe; the whipping of women in public for having non-covered ankles; a ban on women laughing loudly; and a ban on women wearing brightly colored clothes. Women are prohibited from going outside, except for a government-sanctioned purpose.

Women's freedoms were virtually wiped out when the Taliban took over Afghanistan in 1996. Women became subject to a horrific system of gender apartheid whereby they are prohibited from working, attending school, and leaving their homes without a male relative and, as I described earlier, without wearing the head-to-toe burga shroud.

Islamic fundamentalism, in essence, looks upon women as subhumans, fit only for household slavery and as a means of procreation.

This outrageous view of women was incredibly elevated to the status of official policy when the ignorant Taliban took control of 90 percent of Afghanistan, including the capital Kabul. For example, female education from kindergarten to graduate was banned; employment for women is banned.

Taliban restrictions have driven women in Afghanistan to commit suicide. An educated 20-year old woman burned herself with petrol as a way out of all her miseries that had poisoned her for years. After being found with her self-inflicted burns, her family took her to a hospital, but the facility was lacking a physician and proper medical treatment. It was too late to save her life.

Prior to the Taliban regime, women in Afghanistan enjoyed equal rights with men under the Afghan Constitution. Seventy percent of the teachers in Kabul were women, 50 percent were civil servants and university students, and 40 percent were doctors.

Many organizations have been working to help these women. We as Members of Congress must find a way to restore rights and human dignity of the women of Afghanistan.

Mr. Speaker, I thank you for allowing me this time to raise awareness on the treatment of women in Afghanistan.

NEW POTO LAW IN INDIA PERHAPS MOST REPRESSIVE EVER

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. BURTON of Indiana. Mr. Speaker, in 1995 the Indian law known as the ''Terrorist and Disruptive Activities Act (TADA)'' expired. It was one of the most repressive laws ever put on the books anywhere in the world. It allowed people to be picked up for any reason or no reason, held without charge or trial for an indefinite period, deprived them of the right to know of the charges against them or face their accusers. The law was widely abused. When a rare TADA defendant would get released, the police would immediately pick him up again and often would file TADA complaints in more than one jurisdiction to make it impossible to contest. Despite the fact that it expired over six years ago, the Movement Against State Repression reports that over 52,000 Sikhs are being held as political prisoners in India, most under TADA and many of them since 1984.

India took TADA off the books under intense political pressure but continued to enforce it. Now the country that likes to boast of being ''the world's largest democracy'' has taken advantage of the terrorist incident that occurred in September to promulgate a law called the Prevention of Terrorism Ordinance (POTO) that makes TADA look mild. Twenty three organizations have already been banned under POTO, including the International Sikh Youth Federation (ISYF), a group that has engaged in peaceful political protest for human rights and sometimes for independence for the Sikh homeland, Khalistan. This ban just goes to show that in the eyes of the Indian government, anyone who speaks up peacefully for freedom for for freedom is considered a ''terrorist.'' Oddly, it also bans the Liberation Tigers of Tamil Eelam (LTTE), which India today reported was a creation of the Indian government and whose leaders, according to the article, were put up in Delhi's finest hotel.

In addition, POTO provides for suppression of information, and therefore makes journalists subject to terrorism charges if they publish information unfavorable to the government. It makes the furnishing of certain information to police investigators mandatory with a prison term of up to three years for failure to tell them what they want to hear and it allows for coerced confessions.

A respected retired Indian general, General Narindr Singh, said ''Punjab is a police state.'' Under POTO, minorities in India will be forced to live in a police state, which is even more brutal than before. Unfortunately, the United States has been trying to strengthen its ties with India, which in the past, voted to throw the United States off the Human Rights Commission and to suppress a resolution critical of Red Chinese human-rights violations. India, a longtime Soviet ally, votes against the United States at the UN more often than any country except Cuba. According to the Indian Express, India's Defense Minister, led a meeting in 1999 with the Ambassadors of Red China, Cuba, Russia, Yugoslavia, Libya, and Iraq to set up a security alliance ''to stop the U.S.''

Mr. Speaker, why should a country with a long record of anti-Americanism be a recipient of U.S. aid? The obvious answer is that it should not. The hard-working, overtaxed people of this country should not be supporting this brutal, corrupt, and hostile country. We should stop all U.S. id to India, restore the sanctions previously in place against that country, and put the Congress on record in support of a free and fair plebiscite in Kashmir, in Punjab, Khalistan, in Christian Negaland, and everywhere that people are seeking their freedom from this brutal regime. It is our obligation to the principles that give birth to our great country.

Mr. Speaker, on October 26, the Tribune News Service in India ran an excellent article on the repressive new POTO law, which I would like to place in the RECORD at this time.

[From the Tribune News Service, Oct. 26, 2001]

CENTRE BANS 23 TERRORIST OUTFITS

NEW DELHI, OCTOBER 25—The Centre today justified the promulgation of the Prevention of Terrorism Ordinance (POTO) saying it is the first comprehensive legal salvo against terrorism with complete safeguards to check the menace speedily and effectively. Under the ordinance, 23 organizations have been banned. Briefing newspersons here, Union Home Secretary Kamal Pande said care had been taken to ensure that the 50-page, 61-clause ordinance avoided all pitfalls and criticisms that the erstwhile Terrorist and Disruptive Activities Prevention Act (TADA), which expired in 1995, had to face.

Justifying the promulgation of the ordinance, Mr. Pande said there was an upsurge in terrorist activities, intensification of cross-border terrorism and insurgent groups in different parts of the country and the existing criminal justice system was not designed to deal with the types of heinous crimes that had appeared in the country in the past 50 years.

The ordinance defines terrorist acts as those done by using weapons and explosive substances or other methods in a manner as to cause or likely to cause death or injuries to persons or loss or damage to property or disruption of essential supplies and services with intent to threaten the unity or integrity of India or to strike terror in any section of the people. It also has a comprehensive definition of terrorist organizations indulging in terrorist acts and provides for proscribing them under a set procedure.

A total of 23 organizations have been banned under the ordinance, which Mr. Pande said, would be placed before Parliament in the form of a Bill for approval soon.

''The ordinance, of course, will have to be passed through Parliament as it will be valid for a maximum period of six months . . . it will be placed before Parliament,'' he said.

Stating that all state governments and other departments concerned were consulted twice on the various provisions of the ordinance and their suggestions were taken note of and included wherever necessary before it was promulgated, Mr. Pande said ''special features/safeguards have been built in to prevent the possibility of misuse of the special power given to investigating authorities also keeping in view the observations of the Supreme Court.''

Asked about the mounting criticism over the clause pertaining to ''disclosure of information'', which is equally applicable to journalists, Mr. Pande said the clause was in line with the provisions pertaining to suppression of information already existing in CrPC and the IPC. Section 3(8) of the ordinance places responsibility on all persons to disclose information which the person knows or believes to be of material assistance in preventing any terrorist activity as soon as reasonably practicable to the police. However, exception has been provided in case of persons engaged as legal attorney of the accused who may have acquired such knowledge for the purpose of preparing the defense for the accused.

Section 14 provides a new provision which makes it obligatory to furnish information in respect of a terrorist offense. Failure to furnish the information called for or deliberately furnishing false information to investigating officer shall be punishable with imprisonment for a term which may extend to three years or fine or both. The investigating officer can call for such information only with prior approval in writing of an officer not below the rank of Superintendent of Police.

Mr. Pande said Section 32 provided for admissibility of confessions made to a police

officer under certain conditions. But unlike TADA, the confession of an accused shall not be admissible as an evidence against a co-accused. Further such confessions had to be made before a police officer not lower in rank of a SP and had to be further recorded with a Chief Judicial Magistrate within 48 hours.

There is a provision to review the ban and a review committee headed by a sitting or retired judge of a high court will be constituted to hear such applications.

Financing of terrorism, possession of unauthorised arms, explosive substances or other lethal weapons capable of mass destruction and/or use in biological and chemical warfare have also been brought under the purview of this ordinance and the punishment could range from three years imprisonment to life imprisonment or fine or both and also death penalty.

Twenty-three organisations, including Deendar Anjuman, the Students Islamic Movement of India (SIMI) and some of the almost defunct outfits in Punjab have been branded as terrorist organisations in the ordinance.

The hurriedly promulgated ordinance lists the Babbar Khalsa International, the Khalistan Commando Force, the Khalistan Zindabad Force and the International Sikh Youth Federation among the list of terrorist outfits.

The ordinance has also branded almost all Kashmiri and North-East militant outfits and the Liberation Tigers of Tamil Eelam (LTTE) as terrorist organisations.

The outfits operating in Kashmir, which have been listed as terrorist organisations, are the Lashkar-e-Toiba/Pasban-e-Ahle Hadis, the Jaish-e-Mohammed/Tahrik-e-Fuqran, the Harkat-ul-Jehad-e-Islami, the Hizb-ul-Mujahideen and the Jammu and Kashmir Islamic Front.

The North-East outfits which have been branded as terrorist organisations, under Chapter III of the ordinance which deals with the terrorist organisations, are the United Liberation Front of Assam (ULFA), the National Democratic Front of Bodoland (NDFB), the People's Liberation Army (PLA), the United National Liberation Front (UNLF), the People's Revolutionary Party of Kangleipak (PREPAK), the Kangleipak Communist Party (KCP), the Kanglei Yaol Kanba Lup (KYKL), the Manipur People's Liberation Front (MPLF), the All-Tripura Tiger Force and the National Liberation Front of Tripura. Meanwhile, the government will seek to replace three ordinances, including the controversial POTO in the forthcoming winter session of Parliament beginning on November 19.

The Union Cabinet, at its special meeting here today, decided not only on the dates of Parliament's winter session but also on seeking the passage of the three ordinances.

Briefing newspersons after the meeting, Parliamentary Affairs Minister Pramod Mahajan said the government was confident of getting the Opposition's support on POTO, despite some of the parties having extreme reservations on it. POTO seeks to fill the void created following the lapsing of TADA.

The minister was of the view that such a law was necessary in the prevailing conditions in the country and would help the government and the police in combating terrorism. He added that the Opposition was equally concerned about terrorism.

The minister said that two other ordinances, seeking to replace the ordinance on passport and the buy-back of shares would also come up for consideration during the session, which would have a total of 23 sittings.

The Bill seeking to replace the ordinance on passport would give the government, both the Centre and state, powers to suspend the passport or the travel documents of any citizen who it may suspect to be a terrorist. The ordinance signed by President K.R. Narayanan, came into force from October 23. It seeks to make amendments to the Indian Passport Act of 1967.

The ordinance on buy-back of shares was promulgated following a long-pending demand of the industry. It will enable companies to buy-back up to 10 percent of their equity every six months against the prevailing restriction of two years.

REGARDING WORLD POPULATION AWARENESS WEEK

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. MOORE. Mr. Speaker, I would like to enter into the RECORD the attached Proclamation of Bill Graves, Governor of the State of Kansas, designating October 21–27 World Population Awareness Week.

Rapid population growth and urbanization have become catalysts for many serious environmental problems, applying substantial pressures to the infrastructure of nations around the world. These pressures caused by population growth and urbanization are manifested especially in pollution, transportation, health, sanitation and public safety. Cities and urban areas today occupy only 2 percent of the earth's land, but contain half of the world's population and consume 75 percent of its resources. World population stands today at more than 6.1 billion and increases by one billion every 13 years.

Therefore, it is important for us to recognize the problems associated with rapid population growth and urbanization. Governor Graves has proclaimed the week of October 21–27 of this year as World Population Awareness week in the great state of Kansas, and I would like to support the Governor in this effort by entering his proclamation into the CONGRESSIONAL RECORD.

STATE OF KANSAS—PROCLAMATION BY THE GOVERNOR

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, World population stands today at more than 6.1 billion increases by some one billion every 13 years; and

WHEREAS, The most significant feature of the 20th century phenomena of unprecedented world population growth was rapid urbanization; and

WHEREAS, Cities and urban areas today occupy only 2% of the earth's land, but contain 50% of its population and consume 75% of its resources; and

WHEREAS, The most rapid urban growth over the next two decades is expected in cities with populations ranging from 250,000 to one million; and

WHEREAS, Along with advantages and amenities, the rapid growth of cities leads to substantial pressure on their infrastructure, manifested in sanitary, health and crime problems, as well as deterring the provision of basic social services; and

WHEREAS, In the interest of national and environmental security, nations must redouble voluntary and humanitarian efforts to stabilize their population growth at sustainable levels, while at all times respecting the cultural and religious beliefs and values of their citizens; and

WHEREAS, World Population Awareness Week was proclaimed last year by Governors of 32 states, as well as Mayors of more than 315 United States cities, and co-sponsored by 231 organizations in 63 countries:

NOW, THEREFORE, I, BILL GRAVES, GOVERNOR OF THE STATE OF KANSAS, do hereby proclaim the week of October 21–27, 2001, as

WORLD POPULATION AWARENESS WEEK

in Kansas and urge all citizens to join in this observance.

Done at the Capitol in Topeka under the Great Seal of the State this 25th day of September, A.D. 2001.

THE CHARITY ACCOUNTABILITY ACT, H.R. 3192

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 31, 2001

Mr. GILMAN. Mr. Speaker, I rise today to introduce H.R. 3192, the Disaster Relief Charities Accountability Act.

Mr. Speaker, seven weeks have past since the barbaric attacks on the World Trade Center, the Pentagon, and the thwarted hijacking attempt in Pennsylvania, yet victims and their families have not received the funding they desperately need.

Initial reports have indicated that more than $1.2 billion has been collected by 196 charitable organizations.

While this overwhelming support by Americans has been gratifying, there is a great deal of concern that the funds raised may not be going directly to the intended beneficiaries—the victims and their families—and instead are being diverted or, worse yet, miss their intended goal.

More than 100 families in my congressional district have been affected by the horror of the September 11 attack in New York. Many of these families have been calling my office requesting information and assistance on how and where to go to receive these donated funds.

Accordingly, I am introducing H.R. 3192 to provide a full accounting of: all funds received to date, the amount spent and distributed and for what purpose, the criteria used for disseminating these funds, the percentage of funds donated that will actually go to the victims, and the administrative costs for allocating these funds.

In addition, the Charity Accountability Act will provide both the victims and their families, as well as those wanting to donate, with a clearinghouse of all charitable organizations participating in this important fund-raising initiative.

It is my intention that this legislation will insure that the money raised to assist Americans during any disaster event will go to the intended beneficiary.

Specifically, this legislation will establish a five member board to: (1) Collect and provide

information to assist both the victims and those wishing to contribute to various disaster funds; (2) collect and maintain an on-going accounting of all funds collected and disbursed; (3) obtain and review the criteria used by the various relief funds to pay out these funds; and (4) report to both the president and the congress on the status of these funds.

The outpouring by the American people to the disastrous events of September 11 should not be wrought with confusion or cynicism on how the funds are being distributed or possibly misdirected. It is obvious that Americans want their donated funds to go directly to the victims and their families. Any funds collected for this intended purpose and spent otherwise would place a black mark on the entire philanthropic community, dissuading and jeopardizing any future donations.

Accordingly, I encourage my colleagues to review this important legislation and welcome their support.

H.R. 3192

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 ''Disaster Relief Charities Accountability Act''.

SEC. 2. DISASTER RELIEF FUND DEFINED.

In this Act the term ''disaster relief fund'' means a fund established by a charitable organization for relief of a specific disaster with contributions totaling at least $25,000.

SEC. 3. ESTABLISHMENT.

There is established a board to be known as the ''Charity Accountability Board'' (in this Act referred to as the ''Board'').

SEC. 4. DUTIES.

The Board shall—

(1) request information from and make recommendations to qualify charitable organizations regarding—

(A) the amount of disaster relief funds collected and dispersed by such organizations;

(B) the administrative costs incurred by such organizations in administering disaster relief funds; and

(C) the criteria used by such organizations in dispersing disaster relief funds;

(2) provide information about disaster relief funds to disaster victims and those wishing to contribute to such funds; and

(3) report to the President and the Congress on the status of such funds.

SEC. 5. MEMBERSHIP.

(a) APPOINTMENT AND TERMS.—The Board shall be composed of 5 members appointed as follows:

(1) The Director of the Federal Emergency Management Agency, or the Director's delegate.

(2) Two members appointed by the President, who shall each serve for a term of 4 years.

(3) One member appointed by the Speaker of the House, who shall serve for a term of 2 years.

(4) One member appointed by the majority leader of the Senate, who shall serve for a term of 2 years.

(b) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) BASIC PAY AND TRAVEL EXPENSES.—Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(e) MEETINGS.—The Board shall meet at the call of a majority of its members.

SEC. 6. DIRECTOR AND STAFF.

(a) DIRECTOR.—The Board may appoint a Director and such additional personnel as its considers appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—Any Director and staff appointed under subsection (a) shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

SEC. 7. REPORTING.

The Board shall transmit to the President and the Congress monthly reports concerning the information collected and disseminated and recommendations made by the Board, and any other information the Board considers appropriate.

SEC. 8. TERMINATION.

Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App. relating to the termination of advisory committee) shall not apply to the Board.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act, to remain available until expended.

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 Thursday, November 1, 2001 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 2

9 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings to examine issues concerning smallpox.
SD–192

9:30 a.m.
Health, Education, Labor, and Pensions
Children and Families Subcommittee
To hold hearings to examine the support of children in times of crisis.
SD–106

NOVEMBER 6

2 p.m.
Judiciary
To hold hearings on the nomination of Thomas L. Sansonetti, of Wyoming, to be Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice.
SD–226

NOVEMBER 7

2 p.m.
Judiciary
Antitrust, Business Rights, and Competition Subcommittee
To hold hearings to examine international aviation alliances, focusing on market turmoil and the future of airline competition.
SD–226

NOVEMBER 8

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings on the nomination of Conrad Lautenbacher, Jr., of Virginia, to be Under Secretary of Commerce for Oceans and Atmosphere.
SR–253