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No. 61

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

*Washington, DC, May 14, 2002.*

I hereby appoint the Honorable JOHN BOOZMAN to act as Speaker pro tempore on this day.

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

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. UDALL) for 5 minutes.

### STATES NEED FLEXIBILITY IN WELFARE REFORM

Mr. UDALL of New Mexico. Mr. Speaker, we have passed welfare reform out of this body; and as a result, we are putting more people to work. Welfare rolls have been cut in half in many States. With these successes in mind, now is the time to look at what is working and what is not.

One of the biggest problems is how reform is impacting the rural areas of America. In rural America, where there are not many job opportunities, we are telling people to leave their homes and

move to the city. In rural New Mexico, many people have been tied to the land and their homes for generations. Forcing people to move is not good public policy, and it is undermining the vitality of rural America. The solution is flexibility for States to design their programs, and the solution is transportation. Transportation should be a key part of any welfare reform.

Another issue relates to the jobs people are filling. Is this the kind of employment where an individual can move up the economic ladder and support a family? Many times these are minimum-wage jobs with no real future. So we must provide meaningful job training so that an individual not only gets a job, but that that job opens the doors to better future opportunities.

Welfare recipients want to work, but they also want to take care of their children. This is the common dilemma faced by welfare parents, many of whom are single mothers with children. The last thing we should do in the name of reform is send parents to work and leave the children without adequate nurturing and care. That is why child care is a critical component of a successful welfare reform effort.

If we have learned anything in this reform effort, it is that States should have the flexibility to meet the goals of putting people to work in good jobs, while children get good quality day-care. Inner cities and rural areas face enormous challenges because frequently jobs do not exist nearby. With flexibility, States have been able to achieve big strides. Without flexibility, States will fail in these important tasks.

Unfortunately, the administration bill that the House is going to consider this week fails to recognize why we have made progress. It undercuts the flexibility of the States. It provides for rigid Federal mandates which are good political talking points, but bad public

policy. The Bush administration also fails to recognize we are in different times. In 1995 the economy was expanding. We had unprecedented job growth. Now we have high unemployment, and it is sluggish growth. It is essential that the States receive adequate resources to do the job.

The administration shortchanges these reforms at a time when State budgets are in deficit. The administration bill imposes massive new mandates and additional costs on States that cannot be met. The Congressional Budget Office has estimated the new work requirements in the bill will cost the States up to \$11 billion over 5 years. Yet this bill contains no new funding.

Governors, State legislators, mayors, welfare directors and poverty experts have all indicated that these mandates cannot be met. Forty-seven out of 47 States surveyed by the National Governor's Association indicated that the bill requires fundamental changes in their welfare programs. Why would an administration which supports States rights craft a bill with so many Federal mandates and so little State flexibility?

Just a word on how we deal with these bills. I would urge the Republican leadership to have a full and open debate on the issue of welfare reform and temporary assistance to needy families. Too many times in recent days we have taken up bills where no amendments are allowed by the minority. Many times no opposition bill is even allowed on the floor, or a motion to recommit. That is not a democratic process. It does not serve this body well. It does not serve the country well.

Mr. Speaker, I would urge the Republican leadership to bring this bill before this body under an open rule, allow full debate, and allow the House to work its will.

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H2391

## MARRIAGE TAX PENALTY

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, this week we have an important piece of legislation which is coming to the floor, a product of the Committee on Ways and Means, legislation which is entitled H.R. 4626, Encouraging Work and Supporting Marriage Act of 2002. Essentially this legislation does two things: it expands and reforms the work opportunity tax credit, a hiring incentive to give those on welfare an opportunity to go to work.

Yesterday, I stood with President Bush in Chicago at the United Parcel Service facility where he highlighted this very program which has provided opportunities for thousands and thousands of Chicago residents to go from welfare to work; and clearly the Work Opportunity Tax Credit, which was a creation of Ronald Reagan, is one of those provisions which is working as we see our Nation's welfare rolls cut in half and 9 million Americans move from welfare to work.

The other key part of the Encouraging Work and Supporting Marriage Act of 2002 is legislation which much more quickly phases in the marriage tax relief provisions which are part of what we nicknamed the Bush tax cut signing into law last year.

Over the last several years, I have had the opportunity to come to this floor and talk about the unfairness of our complicated Tax Code and how our current Tax Code historically has punished marriage, a very basic institution in our society. In fact, I believe the most important institution in our society is marriage. Unfortunately, up until President Bush's signature signing the Bush tax cut into law, our Tax Code punished marriage.

Let me give an example of what the marriage tax penalty is and was. Under our Tax Code prior to the Bush tax cut, 43 million married working couples paid on average \$1,700 more in higher taxes just because they were married. I do not believe that is right; I do not believe that is fair. And I am proud to say that House Republicans made it a priority to work with the President to eliminate the marriage tax penalty.

I would also note what creates the marriage tax penalty is married couples file their taxes jointly. A single person files single and married couples file jointly, which means there is a combined income. If there are two incomes, that pushes the couple into a higher tax bracket and in most cases creates the marriage tax penalty.

I have a couple here from my district I would like to introduce, Jose and Magdalena Castillo from Joliet, Illinois. They are both in the workforce. They have a son, Eduardo, as well as a daughter, Carolina. They paid about \$1,200 in higher taxes just because they are married prior to the Bush tax cut.

I think it is wrong. Thanks to the Bush tax cut, Jose and Magdalena Castillo of Joliet, Illinois, saw their marriage tax penalty eliminated. Of course, we are going to have legislation this week which is going to help low- and moderate-income married couples. It will more quickly phase in so married couples in the low- and moderate-income range will see much quicker marriage tax relief.

But I would also note, unfortunately because of the arcane rules of Congress, not of the House but of the other body, that the Bush tax cut was forced to be temporary which means it expires at a certain point; and the 100 million American taxpayers who have seen their taxes lowered, which is everybody who pays income taxes has seen their income taxes lowered, and 3.9 million families with children have been totally removed from the income tax rolls, which means thanks to the Bush tax cut, they no longer pay income taxes, they will see those taxes reimposed unless we make permanent the Bush tax cut.

Now for couples like Jose and Magdalena Castillo of Joliet, Illinois, they are going to see their marriage tax penalty reimposed; and they will be suffering it once again unless we make the Bush tax cut permanent.

I am proud to say that this House under the leadership of the gentleman from Illinois (Mr. HASTER) and the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means, and the persistence and convictions of the House Republican majority, we have voted in the House to make the Bush tax cut permanent because we do not want to see couples such as Jose and Magdalena Castillo of Joliet, Illinois, have to pay that marriage tax penalty again. It is wrong; it is unfair. And it is wrong that under our Tax Code, married couples paid higher taxes just because they are married.

My hope is before the end of this year that we will be able to obtain bipartisan support in both the House and Senate for adoption of a permanency for the Bush tax cut, for marriage tax penalty relief, for elimination of the death tax, for across-the-board rate reductions, for retirement savings as well as the opportunities to save for college education.

Those are good things; but unfortunately, they are temporary. Unless we make the Bush tax cut permanent, all of those things, marriage tax penalty relief, death tax repeal, retirement savings opportunities by increased contributions to IRAs and 401(k)s, an opportunity to see taxes lowered overall because of rate reductions for everyone, those taxes are going to go back up. Let us make the Bush tax cut permanent. Let us help couples such as Jose and Magdalena Castillo see their marriage tax penalty eliminated permanently. Let us get the Senate and the House to make the Bush tax cut permanent.

## RECESS

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

Accordingly (at 12 o'clock and 43 minutes p.m.) the House stood in recess until 2 p.m.

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□ 1400

## AFTER RECESS

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

## PRAYER

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

Lord of history and source of benevolent providence, You know the times and govern the seasons of life; help Your servants who work in the House of Representatives to seize the opportunity of the present moment and give You glory.

As Members assemble today, may they be encouragement to one another. May those who are dealing with illness or the great loss of a loved one be consoled. Assure them, by Your spirit, that You are with them in their every need.

Enable the people of this Nation to seek lasting values that will bind this country together and bring eternal joy to a changing world. In their desire to accomplish Your holy will, make them one in mind and heart, that leadership may be honored and the diverse peoples of this Nation may live in harmony and take sheer delight in Your presence, now and forever. Amen.

## THE JOURNAL

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

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

Mr. REHBERG. 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. REHBERG. 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 Texas (Mr. LAMPSON)

come forward and lead the House in the Pledge of Allegiance.

Mr. LAMPSON 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.

#### OVERDUE BOOKS AND CHILD PORNOGRAPHY

(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, I read in the paper recently about a woman from Hazelton, Pennsylvania, who was thrown in jail because she had three overdue library books. Theresa Keller's husband used her library card to check out three library books 2 years ago and never returned them. Well, not long afterwards, Mrs. Keller found herself living in a domestic violence shelter. She did not even know about the books. Nevertheless, the judge through her in jail for several days for failing to pay her library fines.

Now, while all of this was happening, the Supreme Court of the United States ruled that virtual child pornography was legal. It seems the Supreme Court thinks that everyone has a constitutional right to child pornography on the computer. So my question is this: How is it that the American judicial system is throwing women in jail for overdue library books but at the same time telling pornographers that they are free to continue to make child pornography on computers?

Mr. Speaker, something is very wrong here.

#### CHILD ONLINE PROTECTION ACT

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

Mr. LAMPSON. Mr. Speaker, again I digress from my story of Ludwig Koonz who is in Italy and most anxious to return to the United States of America. I rise to congratulate the Supreme Court on its decision to partially uphold the Child Online Protection Act.

The 1998 law was designed to stop children from gaining access to sexual material on the Internet. As the founder and chair of the Congressional Missing and Exploited Children's Caucus, I am glad to see that the Supreme Court agreed with Congress that community standards protecting children should be applied to the World Wide Web.

We have seen an attack lately on the laws designed to protect children from pornography and exploitation, and we all must work together to make sure that children remain protected. I urge Members to join the gentleman from Florida (Mr. FOLEY) and me in our work to protect innocent children from the business of sex and pornography. Please support the Child Modeling Ex-

ploitation Act of 2002, which would ban exploitative child modeling, banning all Web sites that charge fees to view models 16 years of age and under that do not promote products or services beyond the child.

The children in these sites are in contact with the customers through e-mail and in some more extreme cases through actual meetings. They put children in great danger both psychological and physical.

I urge Members to join the gentleman from Florida (Mr. FOLEY) and me and work to end this horrendous practice.

#### DON VONARX AND KEN WHITTAKER, STARS OF LIFE

(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, last week I had a wonderful opportunity to meet two exceptional emergency technicians from Reno, Nevada: Don Vonarx and Ken Whittaker.

These two Reno EMTs were recently granted the Stars of Life Award which is the highest honor given in their professional field. Don and Ken are tremendous examples of tenacious, compassionate, and remarkable individuals who have shown courage and leadership in their professional commitment.

Whether training hundreds of emergency care providers, deploying life-saving equipment to those in need, or designing speciality EMT classes for people of every age, these gentlemen have shown extraordinary success in helping to save lives throughout Nevada. Their success is reflected in both their accomplishments and especially in their professional and personal relationships with student and colleagues.

We are truly blessed to have both Don Vonarx and Ken Whittaker working as emergency medical technicians in my home town of Reno, and I am honored to know them both.

#### HONORING THE SUFFOLK COUNTY POLICE DEPARTMENT

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

Mr. ISRAEL. Mr. Speaker, I rise today to welcome to Washington and into the people's House the brave men and women of the Suffolk County Police Department who join with us today as part of a national commemoration at the National Police Memorial. And I want to thank them for the heroic and dedicated work they do.

On September 11, my district on Long Island lost over 102 people in the World Trade Center attack. On September 11 we realized that we had heroes and heroines in our midst. It should not have taken September 11 for us to understand just how vitally important they are. We should celebrate

that every day. And I am glad that the men and women of the Suffolk County Police Department could join us on this day.

#### TRUTH IN DOMAIN NAMES ACT

(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, the Internet can be a force for good or a force for evil. At its best the Web is used to disseminate information and provide educational materials to children. Teachers and parents often encourage children to turn to the Internet for research on school projects; but certain Web sites, Mr. Speaker, intentionally use misleading names to lead children into exposure to pornography.

Last week I sought to address this problem on the Internet with H.R. 4658, the Truth in Domain Names Act. The bill would punish those who use misleading domain names to attract children to pornographic Internet sites, who can be fined up to \$250,000 or face 2 years in prison.

The Good Book tells us that whoever causes one of the least of these little ones to sin ought to have a millstone tied around his neck. While we cannot legislate that retribution, Mr. Speaker, surely we can pass the Truth in Domain Names Act. It penalizes those who would lead children to view this prurient material. I urge my colleagues in this institution to join many of us on both sides of the aisle to support the Truth in Domain Names Act.

#### ABOLISH NUCLEAR ARMS

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

Mr. KUCINICH. Mr. Speaker, seemingly when the United States and Russia would get together to announce an arms reduction treaty, that would be important news for the world. I think any time the United States and Russia sit down and talk about what can be done to eliminate nuclear weapons is an important moment. However, the announcement by President Bush and Vladimir Putin that they will sign a nuclear pact needs to be scrutinized very carefully.

If you read today's New York Times you see they say that "the proposed treaty sets no pace for dismantling weapons over the next decade, as long as the total number of strategic weapons does not exceed 2,200 in 2012. It permits the United States to stockpile the dismantled weapons in a form that would allow them to be reinstalled on missiles or aboard nuclear armed submarines in case of an ugly turn of events with any major nuclear power. In short, it is an agreement filled with escape clauses."

The only way that we can really protect the world against nuclear arms is

to work for complete nuclear abolition. That is something that this administration has taken a path away from. It has taken a path towards deconstructing the nonproliferation treaty towards building new nuclear weapons and towards nuclear proliferation. This treaty that has been described does not do anything to bring the world one step away from the abyss.

#### DISASTER RELIEF FOR MONTANA

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

Mr. REHBERG. Mr. Speaker, I rise on behalf of American farmers and ranchers to ask this Congress to support disaster relief assistance this year.

Montana's farmers and ranchers are entering their fifth, and some cases their sixth, straight year of devastating drought conditions. When floods ravage the Southwest or when hurricanes touch down along the coastal regions of the United States, this Congress has acted forcefully and rightly to offer immediate and substantial financial assistance to those families and businesses most in need.

On behalf of producers of food in more than a dozen States suffering from the most severe disaster conditions in more than a generation, I ask this Congress to act with equal diligence to offer immediate assistance before it is finally too late.

#### HONORING THE NATIONAL GUARD

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

Mr. WILSON of South Carolina. Mr. Speaker, in May we celebrate National Military Appreciation Month. This month we are reminded to actively honor and support all of our men and women in uniform who voluntarily risk their lives so we may achieve peace through strength.

I would like to give special recognition to America's oldest military branch, the National Guard, which has celebrated 365 years of service. As a son of a World War II veteran, myself a colonel in the South Carolina Army National Guard and with three sons in the military, I have seen the service the Guard provides in defense of America's homeland.

My colleagues are extraordinary people who train year-round and are ready at a moment's notice to leave their families and jobs to defend liberty. In South Carolina we are fortunate to have dedicated leadership with Adjutant General Stan Spears.

Most recently in the war against terrorism, over 50,000 Guardsmen and women have been called to duty. Today's National Guard continues its historic dual mission: protecting life and property within our borders while pro-

viding units trained, equipment, and ready to defend the United States and its interests all over the globe.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, May 10, 2002:

H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2007, and for other purposes.

□ 1415

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. PENCE) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 10, 2002.

HON. J. DENNIS HASTERT,  
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 10, 2002 at 2:20 p.m.

That the Senate passed without amendment H.R. 1840.

With best wishes, I am  
Sincerely,

JEFF TRANDAHL,  
Clerk of the House.

#### COMMUNICATION FROM THE HON. JOHN E. BALDACCI, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN E. BALDACCI, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 9, 2002.

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

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have been served with a subpoena for testimony and documents issued by the Penobscot County Superior Court, State of Maine.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and precedents of the House. Accordingly, I have instructed the Office of General Counsel to move to quash the subpoena.

Sincerely,

JOHN E. BALDACCI,  
Member of Congress.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on

which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such record votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 6:30 p.m. today.

#### NATIONAL WILDLIFE REFUGE SYSTEM MAINTENANCE AND REPAIR ACT

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1370) to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1370

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

#### SECTION 1. LEASES, PERMITS, AND CONTRACTS FOR BUILDINGS, FACILITIES, AND PROPERTIES IN THE NATIONAL WILDLIFE REFUGE SYSTEM.

(a) IN GENERAL.—The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) is amended by—

(1) striking section 6 (relating to amendments to other laws, which have executed);

(2) redesignating section 5 (16 U.S.C. 668ee) as section 6; and

(3) inserting after section 4 the following:

#### “SEC. 5. CONCESSION CONTRACTS.

“(a) CONTRACT REQUIREMENT.—(1) The Secretary shall not award any concession that authorizes a person to use any land or water in the System for any activity described in subsection (b), except under a contract that complies with the requirements established under subsection (c).

“(2) The Secretary may not award a contract required under this subsection except under a competitive bidding process.

“(b) COVERED CONCESSION ACTIVITIES.—(1) The activity referred to in subsection (a) is any activity conducted to provide accommodations, facilities, or services to members of the public who are visiting lands or waters in the System, for the purpose of providing such visitors recreational, educational, or interpretive enjoyment of lands or waters in the System.

“(2) Such activity does not include—

“(A) any activity carried out under a procurement contract, grant agreement, or cooperative agreement required under chapter 63 of title 31, United States Code;

“(B) the performance of volunteer services; and

“(C) any activity by a governmental entity.

“(c) STANDARDIZED CONTRACT.—(1) The Secretary, acting through the Director, shall issue regulations that establish a standardized contract for purposes of subsection (a).

“(2) Regulations under this subsection shall authorize a contract to use a provision other than those specified by the regulations only if—

“(A) the provision addresses extenuating circumstances that are specific to a refuge or the contract; and

“(B) the provision is approved by the Director in writing.

“(3) Regulations under this subsection shall require in each contract provisions

that require that any activity conducted in the System under the contract—

“(A) must be a compatible use; and

“(B) must be designed to—

“(i) conserve the natural and cultural resources of the System;

“(ii) facilitate the enjoyment of the lands and waters of the System by visitors to the System; and

“(iii) enhance the such visitors’ knowledge of the natural resources of the System.

“(d) MAINTENANCE AND REPAIR.—(1) Notwithstanding any other provision of law, the Secretary shall include, in each contract that authorizes a person to use any land or water in the System for any activity described in subsection (b), provisions that—

“(A) authorize the person to maintain or repair any improvement on or in such land or water that the person is authorized to use for such activity; and

“(B) treat costs incurred by the person for such maintenance or repair as consideration otherwise required to be paid to the United States for such use.

“(2) This subsection does not authorize any maintenance or repair that is not directly related to an activity described in subsection (b) that is authorized by the contract.

“(3) The United States shall retain title to all property that is maintained or repaired under this subsection.

“(e) NO COMPENSABLE INTEREST.—Nothing in this Act shall be considered to convey to any person any right to compensation for—

“(1) the value of any maintenance activities, repairs, construction, or improvements on or in land or water in the System; or

“(2) buildings, facilities, fixtures, and non-movable equipment that the person is authorized to use under this Act.

“(f) EXPENDITURE OF FEES AND OTHER PAYMENTS.—(1) Amounts received by the United States as fees or other payments required under any agreement, lease, permit, or contract for use of real property located in an area in the System shall be available to the Secretary for expenditure in accordance with this subsection, without further appropriation.

“(2) Amounts available for expenditure under this subsection may only be used—

“(A) at the refuge or refuge complex with respect to which the amounts were received as fees or other payments;

“(B) to increase the quality of the visitor experience; and

“(C) for purposes of—

“(i) backlogged repair and maintenance projects (including projects relating to health and safety);

“(ii) interpretation, signage, habitat, or facility enhancement;

“(iii) resource protection and preservation; or

“(iv) administration of agreements, leases, permits, and contracts from which such amounts are derived.

“(3) Paragraph (1) shall not affect the application of the Act of June 15, 1935 (chapter 261; 16 U.S.C. 715s), commonly referred to as the Refuge Revenue Sharing Act, to amounts referred to in paragraph (1) that are not expended by the Secretary under paragraph (1).”

(b) APPLICATION.—Section 5(a) of the National Wildlife Refuge System Administration Act of 1966, as amended by this section, shall apply only with respect to a concession that is—

(1) first awarded after the date of the publication of regulations under section 5(c) of the National Wildlife Refuge System Administration Act of 1966, as amended by this section; or

(2) renewed after the end of the 3-year period beginning on the date of the enactment of this Act.

(c) DEADLINE FOR REGULATIONS ESTABLISHING STANDARDIZED CONTRACT REQUIREMENTS.—The Secretary of the Interior shall issue regulations under section 5(c) of the National Wildlife Refuge System Administration Act of 1966, as amended by this section, by not later than 18 months after the date of the enactment of this Act.

(d) COMPREHENSIVE CONSERVATION PLAN REQUIREMENT.—Section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) is amended by adding at the end the following:

“(5) The Secretary shall include, in the comprehensive conservation plan for each refuge under this subsection, a description of the activities that may be conducted in the refuge, and the lands, waters, and facilities of the refuge that may be used, under concession contracts awarded under section 5(a).”

(e) PRIOR AMENDMENTS NOT AFFECTED.—Nothing in this section shall be construed to affect any amendment made by section 6 of the National Wildlife Refuge System Administration Act of 1966, as in effect before the enactment of this Act, or any provision of law amended by such section.

(f) ANNUAL REPORT ON NATIONAL WILDLIFE REFUGE CONCESSIONS.—

(1) REPORTING REQUIREMENT.—The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) is further amended by adding at the end the following: “SEC. 7. ANNUAL REPORT ON CONCESSION ACTIVITIES IN THE SYSTEM.

“(a) IN GENERAL.—The Secretary shall submit by December 31 each year, to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate, a report on concessions activities conducted in the System.

“(b) CONTENTS.—Each report under this section shall describe the following with respect to the period covered by the report:

“(1) The number of refuge units in which concessions activities were conducted.

“(2) The names and descriptions of services offered in the System by each concessionaire.

“(3) A listing of the different types of legal arrangements under which concessionaires operated in the System, including contracts, memoranda of understanding, permits, letters of agreement, and other arrangements.

“(4) Amounts of fees or other payments received by the United States with respect to such activities from each concessionaire, and the portion of such funds expended for purposes under this Act.

“(5) An accounting of the amount of monies deposited into the fund established by section 401 of the Act of June 15, 1935 (chapter 261; 16 U.S.C. 715s), popularly known as the refuge revenue sharing fund, and of the balance remaining in the fund at the end of the reporting period.

“(6) A listing of all concession contracts and other arrangements that were terminated or not renewed within the reporting period.

“(7) A summary of all improvements in visitor services in the System that were completed by concessionaires and volunteers during the reporting period.

“(8) A summary of all backlogged repair and maintenance, facility enhancement, and resource preservation projects completed by concessionaires and volunteers during the reporting period.”

(2) DEADLINE FOR FIRST REPORT.—The Secretary of the Interior shall submit the first report under the amendment made by paragraph (1) by not later than 1 year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from In-

diana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

President Theodore Roosevelt fostered a conservation legacy when in 1903 he established the first national wildlife refuge, the Pelican Island National Wildlife Refuge. It was the first time the Federal Government set aside land just for the sake of wildlife. It has now become the National Wildlife Refuge System and includes more than 530 refuges and thousands of waterfowl production areas.

Americans have a passion for their land, and national wildlife refuges embody this unique American tradition of public land protection and stewardship. By visiting and supporting national wildlife refuges, Americans will experience those feelings that God provides us, peace, solitude, comfort, safety and a sense of something greater than ourselves.

National wildlife refuges protect America’s last wild places. They are the only Federal public lands where protecting fish and wildlife habitat is the first priority.

National wildlife refuges are America’s outdoor classroom. Several million students and adults learn each year about the natural world on national wildlife refuges.

National wildlife refuges are the cornerstone of many local economies. Many refuges are tourist destinations, and that means dollars spent in surrounding communities. It is estimated that visitors to refuges spend over \$400 million annually in local economies.

National wildlife refuges help maintain our heritage by providing places for present and future generations to hunt, fish and connect with the outdoors.

America’s commitment to the National Wildlife Refuge System makes it the world’s leader in wildlife conservation. Next year’s Centennial of the National Wildlife Refuge System will celebrate America’s tradition of wildlife conservation.

As the author of this bill before us, I am pleased that the House is now poised to establish a new concession policy for our National Wildlife Refuge System. It was during one of our family visits to Sanibel Island to the Ding Darling National Wildlife Refuge that I first learned and discovered that the facilities and equipment used by concessionaires were generally not in as good a condition as they should be, and in some cases in dire shape. Refuge manager Lou Hinds spent many hours with me there and since explaining in detail the problems that we have been facing in our national wildlife refuges.

Under current law, the Fish and Wildlife Service is prohibited from using funds paid by a concessionaire to maintain or repair refuge structures.

Furthermore, with a maintenance backlog of over \$630 million, property used for a concession operation will never become a priority.

During committee consideration, we learned there are about 20 wildlife refuges that offer various concession services to the visiting public. These services range from canoe rentals, bookstores, nature guides and ferries to remote refuge areas. In almost every case concessionaires are using property owned by the Fish and Wildlife Service that is in poor condition.

In addition, refuge managers have signed a number of creative legal arrangements with concessionaires. These have included contracts, special use permits, leases and cooperative agreements. In some cases, these agreements stipulate the obligations of each party, but regrettably these details are lacking in a majority of those arrangements. This means that decisions can be arbitrary by the refuge manager at times or, in fact, concessionaires could damage essential habitat.

This legislation will solve those problems by establishing for the first time a workable, consistent and defensible refuge concession policy. Under H.R. 1370, the Fish and Wildlife Service will be allowed to credit a concessionaire for any fees they pay in the future. This money will be retained at the local refuge and it can be used to build, maintain and repair structural problems, to restore habitat and to protect refuge resources. The Service will determine if a certain repair is necessary, and they will obtain estimates for any proposed work.

In addition, the bill requires the Director of the Fish and Wildlife Service to establish a standardized concession contract within 18 months of the enactment of this bill. This contract will be used by all new and existing concessionaires in the future.

This provision provides consistency throughout the refuge system, stipulates that contracts are issued under a competitive bidding process and clarifies the financial obligations that an entrepreneur must agree to before undertaking a concession.

Finally, the bill requires an annual report on the number of refuge units with concessions, a description of services offered, an accounting of fees paid by the concessionaires and a summary of all improvements made in both visitor services and structures within the refuge system. This is similar to the concessions policy Congress developed and passed and is now law regarding our National Park System. It is way past time that we do the same for our Fish and Wildlife System.

I believe this legislation will encourage improvements within our refuge system. It will foster the growth of additional concession services, and it will enhance the public's ability to appreciate the natural wonders of our National Wildlife Refuge System.

I want to thank all of my colleagues, especially the subcommittee chairman,

the gentleman from Maryland (Mr. GILCHREST), for their hard work on this important legislation, and I urge an aye vote on H.R. 1370.

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

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

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, the bill that is before the House today is considerably different than the legislation introduced last year. It reflects the hard work of my colleague the gentleman from Indiana (Mr. SOUDER) and the careful consideration of the Committee on Resources, and as presently amended, H.R. 1370 has the potential to enhance the visiting public's experience at our national wildlife refuges. I urge my colleagues to support this legislation.

The National Wildlife Refuge System is presently saddled with a significant \$1.3 billion operations and maintenance budget backlog. Concessionaires which operate in the refuges and offer a wide variety of services, such as we have heard, are uniquely affected by this backlog.

Presently, most concessionaires pay annual franchise fees to the National Wildlife Refuge Fund. The U.S. Fish and Wildlife Service, which runs the refuge system and owns the land and facilities, is responsible for maintaining all facilities. However, the Service gives low priority to concessionaire facilities when faced with other competing budget demands within the system. This inferior status leaves concessionaire facilities lacking and discourages concessionaires from using the refuges and providing services to visitors.

This legislation would allow the concessionaires to make necessary maintenance repairs or visitor facility improvements in lieu of cash payments for concession fees and would address simultaneously the budget backlog and improve the quality of visitor facilities.

The scope of this new permissive authority has been limited to maintenance backlog projects and other types of small scale improvement projects that increase the visitor's experience. Also, repairs or improvements would be required to be made at the refuge or refuge complex where the concession operates. I note that this legislation would not authorize the construction of any new facilities.

H.R. 1370 has been further amended to address the presently haphazard administrative process by which the Service permits concessionaires to operate within the refuge system. This legislation would require the Service to develop a new standardized concession contract for all national wildlife refuge concession activities. All concession operations would be required to be enrolled under these new contracts within 3 years.

The Service also will be required to award all contracts through competitive bidding, although the bill would exempt small scale retail operations run by nonprofit volunteer organizations, and to ensure accountability the Service will be required to forward to Congress an annual oversight report on all concession contract activities.

Perhaps most important, the bill has been amended to specify that all title interests to property and facilities and any interest in repairs or improvements made by concessionaires will remain with the Federal Government. Furthermore, H.R. 1370 states explicitly that concessionaires do not acquire any compensable interest in the property and facilities they operate or in any repair or improvement they might make.

In closing, H.R. 1370 will provide additional financial flexibility to address the chronic maintenance backlog hindering visitor services at numerous refuges. This legislation will bring much needed coherence to the administration of concession contracts, enhance the public's enjoyment and appreciation of our National Wildlife Refuge System and prevent the future establishment of concession activities that are incompatible with the refuge system's wildlife first mission.

I want to once again commend our colleague the gentleman from Indiana (Mr. SOUDER) on this legislation. I urge Members to support it and to improve our national wildlife refuges.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 1370, as amended.

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

The title of the bill was amended so as to read: "A bill to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties, and for other purposes."

A motion to reconsider was laid on the table.

#### NUTRIA ERADICATION AND MARSHLAND RESTORATION ACT

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4044) to authorize the Secretary of the Interior to provide assistance to the State of Maryland for implementation of a program to eradicate nutria and restore marshland damaged by nutria, as amended.

The Clerk read as follows:

H.R. 4044

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

**SECTION 1. FINDINGS AND PURPOSES.**

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

(1) Wetlands and tidal marshes of the Chesapeake Bay and in Louisiana provide significant cultural, economic, and ecological benefits to the Nation.

(2) The South American nutria (*Myocastor coypus*) is directly contributing to substantial marsh loss in Maryland and Louisiana on Federal, State, and private land.

(3) Traditional harvest methods to control or eradicate nutria have failed in Maryland and have had limited success in the eradication of nutria in Louisiana. Consequently, marsh loss is accelerating.

(4) The nutria eradication and control pilot program authorized by Public Law 105-322 is to develop new and effective methods for eradication of nutria.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to provide financial assistance to the State of Maryland and the State of Louisiana for a program to implement measures to eradicate or control nutria and restore marshland damaged by nutria.

**SEC. 2. NUTRIA ERADICATION PROGRAM.**

(a) GRANT AUTHORITY.—The Secretary of the Interior (in this section referred to as the “Secretary”), subject to the availability of appropriations, may provide financial assistance to the State of Maryland and the State of Louisiana for a program to implement measures to eradicate or control nutria and restore marshland damaged by nutria.

(b) GOALS.—The goals of the program shall be to—

(1) eradicate nutria in Maryland;

(2) eradicate or control nutria in Louisiana and other States; and

(3) restore marshland damaged by nutria.

(c) ACTIVITIES.—In the State of Maryland, the Secretary shall require that the program consist of management, research, and public education activities carried out in accordance with the document published by the United States Fish and Wildlife Service entitled “Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds”, dated March 2002.

(d) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the costs of the program may not exceed 75 percent of the total costs of the program.

(2) IN-KIND CONTRIBUTIONS.—The non-Federal share of the costs of the program may be provided in the form of in-kind contributions of materials or services.

(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 5 percent of financial assistance provided by the Secretary under this section may be used for administrative expenses.

(f) AUTHORIZATION OF APPROPRIATIONS.—For financial assistance under this section, there is authorized to be appropriated to the Secretary \$4,000,000 for the State of Maryland program and \$2,000,000 for the State of Louisiana program for each of fiscal years 2003, 2004, 2005, 2006, and 2007.

**SEC. 3. REPORT.**

No later than 6 months after the date of the enactment of this Act, the Secretary and the National Invasive Species Council shall—

(1) give consideration to the 2002 report for the Louisiana Department of Wildlife and Fisheries titled “Nutria in Louisiana”, and the 2002 document entitled “Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds”; and

(2) develop, in cooperation with the State of Louisiana Department of Wildlife and Fisheries and the State of Maryland Department of Natural Resources, a long-term nutria control or eradication program, as appropriate, with the objective to significantly reduce and restore the damage nutria cause to coastal wetlands in the States of Louisiana and Maryland.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

The sponsor of this legislation, the gentleman from Maryland (Mr. GILCHREST), the Subcommittee on Fisheries Conservation, Wildlife and Oceans chairman, has been working on this issue for many years. In fact, in 1998 Congress enacted a law he sponsored that created the Maryland Nutria Control Pilot Project, and let me briefly, for those who are not aware, as I was not, this is a nutria. It is basically a South American, somewhat of an overgrown rat, smaller sized groundhog, but it is a nonnative species that is destroying the environment in certain areas of our country.

Since that time, Federal, State and local partners have worked together to develop an effective strategy on how to address the tremendous amount of environmental destruction that is being caused by an increasing population of a semi-aquatic, non-native rodent known as nutria. This partnership has conducted various studies on the rate of wetland destruction, the reproductive capacity of nutria and alternatives to control or eradicate this species from the Blackwater National Wildlife Refuge, the Fishing Bay Wildlife Management Area and Tudor Farms.

The results of the environmental impact studies were shocking. Nutria have no natural predators in Maryland and they have already consumed nearly half of the wetland marshlands at the Blackwater National Wildlife Refuge. The remaining acreage is in serious peril. Unless nutria are stopped, they will continue to destroy wetlands at Blackwater, the other eight wildlife refuges on the Delmarva Peninsula and marshlands throughout the Atlantic Coast. One of the problems we have often in the Fish and Wildlife Service is when the action of humans alter the environment, such as bringing in non-native species, we often have to intervene to bring back the national environment which would be destroyed.

H.R. 4044 will authorize Public Law 105-322, and it will implement the next step in the process, which is the eradication of nutria and the restoration of wetlands which are vital to the survival of millions of migratory waterfowl, bald and golden eagles and the neotropical songbirds. In their testimony, the U.S. Fish and Wildlife Service stated that: “The Service recog-

nizes the need to continue cooperative efforts to eradicate nutria in the Chesapeake Bay region and will continue its commitment as a key Federal member of the nutria eradication partnership.”

At the full committee markup of this legislation, the gentleman from Louisiana (Mr. TAUZIN) successfully offered an amendment to expand the scope of this measure to address nutria in the State of Louisiana. According to the Louisiana Department of Wildlife and Fisheries, these pesky rodents have damaged or destroyed over 100,000 acres of wetlands in their State. Despite extensive efforts and the consumption of thousands of nutria by American alligators, Louisiana’s attempt to control their growing nutria population have proven ineffective.

Under the terms of the modified bill, the Secretary of the Interior will undertake steps to control or eradicate nutria in the two States and together with the National Invasive Species Council develop a long-term nutria control and eradication program.

Mr. Speaker, H.R. 4044 is a carefully crafted bill that will help to solve a serious problem facing Maryland’s Eastern Shore and Louisiana’s marshlands.

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Furthermore, it will serve as a model for other States that may face the prospect of having to fight against an invading population of nutria. I urge an “aye” vote on H.R. 4044.

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

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

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H.R. 4044, legislation that would authorize financial assistance to the States of Maryland and Louisiana to support efforts to eradicate nutria and restore marshland ecosystems.

There is little doubt that nutria, a large member of the rodent family introduced from South America into the United States in the 1930s, has significantly ruined or destroyed coastal wetland habitats in both Maryland and Louisiana.

The range of distribution of this invasive species continues to expand ominously as it searches out new marsh habitat for forage, shelter, and breeding. The need for direct action to address this environmental threat is real and compelling.

H.R. 4044 builds upon the measured success of a pilot program authorized in 1998 which helped develop new methods and strategies for the eradication of nutria and the Chesapeake and Delaware Bay watersheds.

It is hoped that the management, research, and public outreach activities authorized in this bill will enable wildlife biologists in both Maryland and

Louisiana to finally get a handle on controlling the widespread environmental damage caused by this noxious aquatic pest.

I urge Members also to support this important invasive-species legislation.

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

Mr. SOUDER. I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. PENCE). The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 4044, as amended.

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

The title of the bill was amended so as to read:

“A bill to authorize the Secretary of the Interior to provide assistance to the State of Maryland and the State of Louisiana for implementation of a program to eradicate or control nutria and restore marshland damaged by nutria, and for other purposes.”

A motion to reconsider was laid on the table.

#### WACO MAMMOTH SITE AREA INTERIOR STUDY ACT

Mr. SOUDER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1925) to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1925

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

#### SECTION 1. STUDY AND REPORT REGARDING WACO MAMMOTH SITE AREA.

(a) *STUDY.*—The Secretary of the Interior, in consultation with the State of Texas, the city of Waco, and other appropriate organizations, shall carry out a special resource study regarding the national significance, suitability, and feasibility of designating the Waco Mammoth Site Area located in the city of Waco, Texas, as a unit of the National Park System.

(b) *STUDY PROCESS AND COMPLETION.*—Section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct and completion of the study required by this section.

(c) *SUBMISSION OF STUDY RESULTS.*—Not later than 3 years after funds are first made available for this section, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

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

H.R. 1925, introduced by my friend and colleague, the gentleman from Texas (Mr. EDWARDS), would direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System.

Located near the confluence of the Brazos and Bosque Rivers, the Mammoth Site has become internationally known, as it contains the remains of the largest known herd of Colombian mammoths, warm weather cousins to the woolly mammoth, dying from the same event. To date, 22 mammoths have been found at the site that date back 28,000 years.

Mr. Speaker, this bill is supported by the majority and minority of the committee. In addition, the bill is supported by the administration, with the ongoing caveat that the maintenance backlog be addressed first.

I would like to add my personal congratulations and interest in this. When I was student body president at Indiana Purdue, Fort Wayne, through the geology club they promoted the nickname “The Mastedons.” It was my honor to drive through, over the objection of many, mastedons as the school name, which has stood for over 30 years. They are kind of big cousins to the mammoths.

So I am glad to see we are working to preserve this site so that we can have this for future generations to understand better the natural processes that occurred in this country and the creatures that were here before us. So, Mr. Speaker, I urge my colleagues to support H.R. 1925, as amended.

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

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

Mr. Speaker, H.R. 1925, introduced by my good friend and colleague, the gentleman from Texas (Mr. EDWARDS), directs the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site in Waco, Texas, as a unit of the National Park System.

The Waco Mammoth Site is believed to contain the remains of the largest concentration of mammoths killed during a single event. The site is located close to the confluence of the Brazos and Bosque Rivers near the city of Waco, Texas. The discovery of these mammoth remains has received international attention and Baylor University in the City of Waco have been working to protect the site.

In hearings before the Committee on Resources, we received testimony on the unique paleontological resources found on this site. The study called for by H.R. 1925 will examine what role, if any, that the National Park Service can play in the protection and interpretation of these unique resources.

Mr. Speaker, I want to commend my colleague, the gentleman from Texas (Mr. EDWARDS). I support the bill, as

amended, and look forward to its passage by the House today.

Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I want to first thank the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for yielding me this time and for her courtesy and leadership on this legislation. I also want to commend and thank my colleague, the gentleman from Indiana (Mr. SOUDER), for his courtesies, his comments, as well as his leadership and long understanding of the importance of these types of historic sites in our country as a way to educate future generations of young people in America about our history.

Mr. Speaker, H.R. 1925 is called the Waco Mammoth Site Study Bill; and as mentioned, it authorizes the study by the National Park Service to consider including the Waco Mammoth Site as a unit in the National Park System. Since there are numerous different designations in the National Park System, one of the goals of this study would be to determine the best fit for this historic site.

Mr. Speaker, as we have also heard, the Waco Mammoth Site is the largest concentration in the world of prehistoric mammoths dying from the same event. That is what makes this particular site unique and so historically significant. It is located within the city limits of Waco, Texas, my hometown, which also happens to be a suburb of the community of Crawford, Texas, a well-known central Texas community today. It is located at the confluence of the Brazos and Bosque Rivers.

The site was first discovered in 1978; and since 1984, Calvin Smith, director of the Strecker Museum at Baylor University, has been leading the effort to discovering the bones of now, I think there are even up to 24 mammoths so far. We would not be here today had it not been for the vision and dedication of Calvin Smith, and I want to thank him for his role in this legislation.

What makes this site unique, as I mentioned, is the fact that so many, in fact this could be twice the size of any previous mammoth deaths at any one site for any one given cause. What I find absolutely fascinating about it is that in the mud, again considering this was 28,000 years ago, we now have the remains of a 55-year-old bull and a 45-year-old female mammoth as they tried to lift their young calves above the flood that consumed them all. It is my understanding that this is the first known recording in history of parental instincts being shown in a prehistoric setting such as this.

This discovery has received worldwide attention. Experts such as Dr. Gary Haynes at the University of Nevada at Reno have said this site is a valuable and unique treasure that should not be lost. Dr. Haynes states the mammoth site, and I quote, “is a

part of America's rich heritage from the far past, when a much more diverse animal community populated the continent."

This site can be valued as a learning tool for school children across Texas and our country, as well as a site for study by professionals. Mr. Speaker, I ask the House to approve this bill, thus bringing an invaluable archeological find one step closer to being part, as I hope, and as it should, a unit of the National Park System.

I thank all of my colleagues for their courtesy, again, their leadership; and finally, Mr. Speaker, if I could just say that nothing ever happens positive in this country or in this Congress without a real team effort, and there were a lot of folks back home as well as here in Washington that worked on this. I want to thank the gentleman from Utah (Mr. HANSEN), the chairman of the Committee on Resources, for his support; the gentleman from West Virginia (Mr. RAHALL), the ranking member, for his support; the gentleman from California (Mr. RADANOVICH); the gentleman from Colorado (Mr. HEFLEY); the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN); and the gentleman from Indiana (Mr. SOUDER). Again, we would not be here today without their leadership.

And back home, those who first had this vision and have worked to protect this site for years without Federal help so far, the city of Waco, its leadership, represented by Mayor Linda Etheridge and the Waco City Council and staff; people such as Margaret Mills; my friend Sam Jack McGlassen, now deceased, who originally donated this property to the city of Waco, Baylor University, for its important role in this effort; and people such as Allen Samuels and Mr. and Mrs. Buddy Bostick and so many others, who care about preserving our important history for future generations.

I urge, Mr. Speaker, the House to vote in support of H.R. 1925.

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

Mr. SOUDER. Mr. Speaker, I yield myself such time as I may consume to conclude by saying that we are looking forward to seeing the continuing development and study by the National Park Service. Our National Park Service is not just great wild places; it is also important cultural and archeological finds, such as Dinosaur National Park, such as Mesa Verde, and other types of archeological finds.

This also proves that Texas not only has the biggest cattle, they at one time had the big mammoths. Even before there were people, they had huge mammoth ranches, apparently.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 1925, as amended.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SOUDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material in the RECORD on the three bills just considered, H.R. 1370, H.R. 1925, and H.R. 4044.

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

There was no objection.

#### REGIONAL PLANT GENOME AND GENE EXPRESSION RESEARCH ACT

Mr. SMITH of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2051) to provide for the establishment of regional plant genome and gene expression research and development centers, as amended.

The Clerk read as follows:

H.R. 2051

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

##### SECTION 1. DEFINITIONS.

In this Act—

(1) the term "Director" means the Director of the National Science Foundation;

(2) the term "institution of higher education" has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and

(3) the term "nonprofit organization" means a nonprofit research institute or a nonprofit association with experience and capability in plant biotechnology research as determined by the Director.

##### SEC. 2. MATCHING FUNDS.

The Director may establish matching fund requirements for grantees to receive grants under this Act.

##### SEC. 3. PLANT GENOME AND GENE EXPRESSION RESEARCH CENTERS.

(a) IN GENERAL.—The Director shall award grants to consortia of institutions of higher education or nonprofit organizations (or both) to establish regional plant genome and gene expression research centers. Grants shall be awarded under this section on a merit-reviewed, competitive basis. When making awards, the Director shall, to the extent practicable, ensure that the program created by this section examines as many different agricultural environments as possible.

(b) PURPOSE.—The purpose of the centers established pursuant to subsection (a) shall be to conduct research in plant genomics and plant gene expression. A center's activities may include—

(1) basic plant genomics research and genomics applications, including those related to cultivation of crops in extreme environments and to cultivation of crops with reduced reliance on fertilizer;

(2) basic research that will contribute to the development or use of innovative plant-derived products;

(3) basic research on alternative uses for plants and plant materials, including the use

of plants as renewable feedstock for alternative energy production and nonpetroleum-based industrial chemicals and precursors; and

(4) basic research and dissemination of information on the ecological and other consequences of genetically engineered plants.

##### SEC. 4. PARTNERSHIPS FOR PLANT BIOTECHNOLOGY IN THE DEVELOPING WORLD.

(a) IN GENERAL.—(1) The Director shall award grants to institutions of higher education, nonprofit organizations, or consortia of such entities to establish research partnerships for supporting the development of plant biotechnology targeted to the needs of the developing world. The Director, by means of outreach, shall encourage inclusion of Historically Black Colleges or Universities, Hispanic-serving institutions, or tribal colleges or universities in consortia that enter into such partnerships.

(2) In order to be eligible to receive a grant under this section, an institution of higher education or eligible nonprofit organization (or consortium thereof) shall enter into a partnership with one or more research institutions in one or more developing nations and may also include for-profit companies involved in plant biotechnology.

(3) Grants under this section shall be awarded on a merit-reviewed competitive basis.

(b) PURPOSE.—Grants awarded under this section shall be used for support of research in plant biotechnology targeted to the needs of the developing world. Such activities may include—

(1) basic genomic research on crops grown in the developing world;

(2) basic research in plant biotechnology that will advance and expedite the development of improved cultivars, including those that are pest-resistant, produce increased yield, reduce the need for fertilizers, or increase tolerance to stress;

(3) basic research that could lead to the development of technologies to produce pharmaceutical compounds such as vaccines and medications in plants that can be grown in the developing world; and

(4) research on the impact of plant biotechnology on the social, political, economic, and environmental conditions in countries in the developing world.

##### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Science Foundation \$9,000,000 for fiscal year 2002, \$13,500,000 for fiscal year 2003, and \$13,500,000 for fiscal year 2004 to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. SMITH) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) will each control 20 minutes.

Mr. KUCINICH. Mr. Speaker, does the gentlewoman from Texas claim time in opposition?

The SPEAKER pro tempore. Does the gentlewoman from Texas oppose the motion?

Ms. EDDIE BERNICE JOHNSON of Texas. No.

The SPEAKER pro tempore. Does the gentleman from Ohio oppose the motion?

Mr. KUCINICH. Mr. Speaker, I am opposed, and I seek to claim the time in opposition.

The SPEAKER pro tempore. Under the rule, the gentleman from Ohio (Mr. KUCINICH) controls the time as a true opponent of the motion.

The Chair recognizes the gentleman from Michigan (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill now under consideration, H.R. 2051.

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

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) control 10 minutes of the time in favor of the passage of the bill.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. SMITH) is recognized.

Mr. SMITH of Michigan. Mr. Speaker, I yield myself such time as I may consume.

This legislation deals with a couple areas of research that the National Science Foundation is now involved in, and I would suggest that not only for the sake of this country but for the sake of the developing world that we move ahead with the kind of research in genetic modification that has the potential of not only reducing the price for farmers but that can help people. It will help people by giving a little additional priority to making sure that the products that are developed have that goal.

□ 1445

Mr. Speaker, as chairman of the Committee on Science Subcommittee on Research, we held a number of hearings on plant genomics, and what I learned led me to issue a report on "Plant Genomic Research to Improve Agriculture, Human Health and the Environment."

This legislation builds on the NSF's success in funding merit-based competitive research by establishing two genomic initiatives at NSF: First, the plant genome plant gene expression research centers; and, two, the suggestion and legislation by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the partnerships for plant biotechnology in the developing world. The bill authorizes \$9 million for fiscal year 2002, and \$13.5 million for fiscal years 2003 and 2004 to carry out these activities.

What are we going to do with our new technology to make sure that we help people in this country and the rest of the world? And that is what these bills are all about, to make sure we move in that direction.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 2051, the Regional Plant Genome and Gene Research Expression Act. H.R. 2051 has been a collaborative effort between me and the chairman of the Subcommittee on Science, the gentleman from Michigan (Mr. SMITH). I also thank the gentleman from New York (Chairman BOEHLERT), and the gentleman from Texas (Mr. HALL), the ranking member, for their leadership in bringing this important piece of legislation to the floor.

This legislation was developed last fall because I believe we are only just beginning to unlock the potential of agricultural biotechnology. We have witnessed some of the benefits genetically improved crops have brought to American farmers, and it is time that farmers around the world are also able to enjoy the benefits of agricultural biotechnology.

H.R. 2051 establishes a competitive, merit-reviewed grant program under the National Science Foundation to award grants to eligible entities to conduct basic research on crops that can be grown in the developing world. The research supported by these grants will help scientists discover innovative solutions to some of the developing world's most intractable problems, such as hunger, malnutrition, and disease.

Last September, the House Subcommittee on Research held a hearing on the two bills that became H.R. 2051 as considered here today. The witnesses testified on the importance of Federal funding for basic research on developing world crops and indicated that this legislation fills an important funding gap in our current research environment. The witnesses also were enthusiastic about the partnership aspect of this legislation because collaborative research projects between the U.S. and developing world scientists will help develop the scientific capacity of developing nations as well as expand partnership opportunities for U.S. scientists.

The potential of basic research on developing world crops is enormous, and scientists have already produced some encouraging results. Many of us are familiar with a newly developed strain of golden rice that was developed by plant scientists to have increased Vitamin A and iron content. Golden rice was developed because Vitamin A deficiency causes more than 1 million childhood deaths each year and is the single most prevalent cause of blindness among children in developing countries. Golden rice is only the beginning of the potential benefits of biotechnology for the developing world. Biotechnology can help develop crop varieties that are resistant to insects, viruses, that can be grown in drought-stricken lands with only minimal amounts of water, that have improved nutritional content, and that vaccinate against life-threatening illnesses.

Dr. Norman Borlaug, a distinguished professor at Texas A&M University, fa-

ther of the Green Revolution, and recipient of the 1970 Nobel Peace Prize, stated in yesterday's Wall Street Journal that "Africa desperately needs the simple, effective, high-yield farming systems that have made the First World's food supply safe and secure." The technology developed through agricultural biotechnology and encapsulated in a seed is such a system. Biotechnology will not solve all of the developing world's problems, but it does have an important role to play in increasing food security and food self-sufficiency in the developing world.

Improving agriculture in the developing world often ranks low on the list of our Nation's priorities. Yet I can think of few things that are more important to our Nation's security and future prosperity than fostering stable, productive economies throughout the world. Such global stability will not take place as long as hunger, malnutrition, and disease ravage the majority of the world's population. Fortunately, we are at a time and a place where we can take positive steps to improve the lives of people around the world, and I believe H.R. 2051 makes a small, but important, contribution to this struggle.

Mr. Speaker, I thank the gentleman from Michigan (Mr. SMITH) for working with me in a collaborative, bipartisan effort on this bill. I urge Members to vote in favor of the legislation.

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

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

Mr. Speaker, I call the House's attention to a document from the Southern African Seed-Initiative which states in part with regard to the restoration of sustainable agriculture in the future, "We are appealing to the regional international community and to organization in disaster relief and development assistance to take precautions: 1, to prevent the importation of inappropriate seeds to the southern Africa region which can undermine agrobiodiversity and thus food security for years; and 2, to support efforts to reconstitute locally adapted planning material and quality seed material/varieties, like indigenous landraces or farmers' varieties appropriate to the various ecosystems" this sheet goes on to claim: "Food aid, combined with the importation of often poorly adapted seed varieties, can lower yields and keep them low for years."

This information from the Seed Initiative from Southern Africa is very instructive, and reflects most seriously on the matter at hand because the truth of the matter is that all of us in this House who are very concerned about reducing hunger in the world must be careful not to create a circumstance that in our desire to use technologies that seemingly could reduce hunger, that we inadvertently use technologies which are poorly adapted to seed varieties that can end up actually increasing hunger.

Mr. Speaker, I oppose H.R. 2051, the Regional Plant Genome and Gene Expression Research Act. The bill before us is well-intentioned, but I believe it is based on an erroneous assumption. The legislation assumes that unproven technologies will solve the very serious international problem of world hunger. Technologies like genetically engineered food may have a limited role, but economics and the politics of repressive political regimes remain the significant barrier to a consistent food supply in developing nations.

The development of expensive genetically engineered foods may only exacerbate the situation. There are better alternatives. Agroecological interventions have had significantly more success in helping developing nations feed themselves with higher yields and improved environmental practices, all within reasonable costs for developing countries.

These alternatives do not further enrich the consolidated agricultural industry, but they can provide the poorest of citizens of a nation the opportunity to survive on their own means. Next week I am introducing the Real Solutions to World Hunger Act of 2002, which promotes this type of research that can quickly and effectively save millions of lives. The legislation before us today promotes a technology which is incompatible with the problem.

The cause of world hunger has more to do with inadequate food distribution than food production. The world today produces more food per inhabitant than ever before. Enough food is available now to provide 4.3 pounds for every person each day. That information from Food First/Institute for Food and Development Policy.

The poor nutrition of millions is not due to a shortage in food, but rather to problems of distribution. Why was Ethiopia exporting food during its famine in the 1980s? In an economy that is becoming increasingly market driven, food is sold to the highest bidder. But at a more fundamental level, appalling land distribution policies favoring large landowners leave land idle preventing people from growing their own food. The landless poor are at the mercy of the cash economy to buy food.

This legislation follows the biotechnology industry strategy by employing bait and switch. Almost all genetic alterations are done to make food production and processing easier and more profitable for the manufacturers. A minuscule amount of research is aimed at improved nutrition, although biotechnology companies heavily advertise this tiny amount of research. In general, their crops are being engineered to increase corporate profitability, not to alleviate world hunger.

During the 5-year period 1996 to 2000, herbicide tolerance accounted for 74 percent of genetically engineered plants. Insect resistance for North American insects, not insects in developing countries, accounted for 19 per-

cent of genetically engineered plants, and stacked genes for herbicide tolerance and insect resistance accounted for 7 percent, this according to the International Service for the Acquisition of Agribiotech Applications.

When added up, that leaves no commercialized crops that provide any benefits for the poor and developing nations. I quote from a statement made to the United Nations by delegates from 24 African states in 1998: "We object strongly that the image of the poor and hungry from our countries is being used by giant, multinational corporations to push a technology that is neither safe, environmentally friendly, nor economically beneficial to us. We do not believe that such companies or gene technologies will help our farmers to produce the food that is needed in the 21st century. On the contrary, we think that it will destroy the diversity, the local knowledge, and the sustainable agricultural systems that our farmers have developed for millennia; and it will thus undermine our capacity to feed ourselves."

□ 1500

So here again, the best intentions seemingly to help address and eradicate hunger in developing nations can in fact end up creating conditions that promote more hunger. So if African nations, according to their representatives, do not want it, then who does besides the biotechnology public relations consultants?

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

Mr. SMITH of Michigan. Mr. Speaker, I yield myself such time as I may consume.

I agree with much of what the gentleman from Ohio says, because that is part of our concern in this bill. What it calls for is more research. More research is going to include not only what it can do for people but also to increase the safety of any resulting product.

The gentleman mentioned that a lot of the private research so far in this area has been to simply increase profits. That is the kind of private research in genomics that have been directed at plant products that can be sold because they increase yield or they reduce the cost for the farmer. If we are going to have the kind of research that helps people, there is no doubt that Federal funding for genomic research is important, that research in areas possibly has no profit potential but that can help alleviate poverty, that can protect the environment, that can improve human health, and that can reduce our overdependence on petroleum products.

Reducing our dependency on petroleum energy is one of the areas that I have been concerned about. We have the potential to enhance the nitrogen-fixing capability of agricultural plants. Right now nitrogen fertilizer uses up approximately 6 percent of the natural gas in this country. If we can enhance the legumes the nodules that

are now in the clovers, in the soybeans, in the alfalfas, to fix that nitrogen in the soil much more effectively and efficiently and we have that potential, then we are going to reduce our dependence on energy.

Let me say that the Wall Street Journal yesterday ran an editorial by Norman Borlaug, best known as the Father of the Green Revolution. His work in developing higher yielding varieties of rice and wheat is credited with saving perhaps 1 billion people in China and India from starvation in the 1970s. Borlaug is now devoted to bringing about similar advancements in Africa where starvation remains all too common. What is his solution? His solution is to develop high yield varieties of traditional African crops such as cowpeas, cassava and how can we get there in part through biotechnology which has already shown promise for producing plants that are more tolerant to drought or can grow in soils that are too base or too acid or too salty that they cannot grow those crops now.

I would hope the gentleman would consider supporting this bill to give us the kind of research to not only ensure the safety that some are concerned about, that he is concerned about and that I am concerned about and that the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) is concerned about, but to develop the kind of products that can help people, not simply reduce the price to farmers.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Ohio for his comments and would like to respond. I believe he misunderstands this bill. The thrust of this bill is one of basic research at universities. The bill seeks to address the deficiency in basic genomic research on crops that can be grown in the developing world.

More importantly, the bill seeks to create strong partnerships with developing world institutions from the very beginning. In order to be eligible for funds under section 4 of this bill, research institutions are required to partner with their colleagues in developing countries. This partnership will not only help strengthen the scientific capacity of developing countries but will ensure that the basic research that is performed focuses on what developing countries perceive their own needs to be. Additionally, the bill allows for research on the impact of plant biotechnology on the social, political and environmental conditions in countries in the developing world. This provision will allow researchers to investigate many of the claims that my colleague from Ohio raises.

This bill does not force farmers in developing countries to adopt fancy technologies. It does not force the importation of genetically altered foods outside the country. On the contrary, it seeks to encourage the adoption of the

very simple technology of a better seed that was developed in conjunction with scientists from the developing world.

All of us here recognize that world hunger is an enormously complex problem with no simple solution. This bill does not pretend to hold the answer. What this bill does is provide the means for scientists in the United States and in developing countries to work together to contribute to the much larger solution to the very serious problem of hunger, malnutrition and disease in the developing world.

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

Mr. KUCINICH. Mr. Speaker, I yield myself 6 minutes. I want to thank the gentleman from Michigan and the gentlewoman from Texas for their commitment to trying to deal with this problem of world hunger. We have differences of opinion about how we can deal with it effectively.

I would suggest that the research which is called for in part of this bill, Mr. Speaker, has already been done. As a matter of fact, in the *AgBioForum*, volume 2, number 3 and 4, summer and fall of 1999, pages 155 to 162, an article by Miguel Altieri and Peter Rosset, thoroughly researched article, I might add, that claims over 38 academic sources for their conclusions, states the following in the abstract. It says:

“Advocates of biotechnology affirm that the application of genetic engineering to develop transgenic crops will increase world agricultural productivity, enhance food security, and move agriculture away from a dependence on chemical inputs helping to reduce environmental problems. This paper challenges such assertions by first demystifying the Malthusian view that hunger is due to a gap between food production and human population growth. Second, we expose the fact that current bioengineered crops are not designed to increase yields or for poor small farmers, so that they may not benefit from them. In addition, transgenic crops pose serious environmental risks, continuously underplayed by the biotechnology industry. Finally, it is concluded that there are many other agro-ecological alternatives that can solve the agricultural problems that biotechnology aims at solving, but in a much more socially equitable manner and in a more environmentally harmonious way.”

In this article, which is entitled *Ten Reasons Why Biotechnology Will Not Ensure Food Security, Protect the Environment and Reduce Poverty in the Developing World*, Altieri and Rosset point out, number one, there is no relationship between the prevalence of hunger in a given country and its population. For every densely populated and hungry nation like Bangladesh or Haiti, there is a sparsely populated and hungry nation like Brazil and Indonesia.

The second point they make, number two, most innovations in agricultural biotechnology have been profit-driven

rather than need-driven. The real thrust of the genetic engineering industry is not to make Third World agriculture more productive, but rather to generate profits.

Number three, the integration of the seed and chemical industries appears destined to accelerate increases in per acre expenditures for seeds plus chemicals, delivering significantly lower returns to growers.

Number four, recent experimental trials have shown that genetically engineered seeds do not increase the yield of crops. A recent study by the United States Department of Agriculture Economic Research Service shows that in 1998 yields were not significantly different in engineered versus nonengineered crops in 12 of 18 crop/region combinations.

Number five, many scientists claim that the ingestion of genetically engineered food is harmless. Recent evidence, however, shows that there are potential risks of eating such foods as the new proteins produced in such foods could, one, act themselves as allergens or toxins; two, alter the metabolism of the food producing plant or animal, causing it to produce new allergens or toxins; or, three, reduce its nutritional quality or value.

In this article, *Ten Reasons Why Biotechnology Will Not Ensure Food Security, Protect the Environment and Reduce Poverty in the Developing World*, the authors as their sixth point indicate transgenic plants which produce their own insecticides closely follow the pesticide paradigm, which is itself rapidly failing due to pest resistance to insecticides.

Number seven, the global fight for market share is leading companies to massively deploy transgenic crops around the world, more than 30 million hectares in 1998, without proper advance testing of short- or long-term impacts on human health and ecosystems.

The next point that the authors make, number eight, there are many unanswered ecological questions regarding the impact of transgenic crops.

Number nine, as the private sector has exerted more and more dominance in advancing new biotechnologies, the public sector has had to invest a growing share of its scarce resources in enhancing biotechnological capacities in public institutions.

And, number 10, much of the needed food can be produced by small farmers located throughout the world using agro-ecological technologies. In fact, new world development approaches and low input technologies spearheaded by farmers and nongovernmental organizations around the world are already making a significant contribution to food security at the household, national and regional levels in Africa, Asia and Latin America.

So again, Mr. Speaker, there already is significant research which points out concerns that need to be regarded before such legislation is brought to the floor.

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

Mr. SMITH of Michigan. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Ohio and the gentlewoman from Texas and I, agree on a lot of these issues. The plant genome and gene expression centers will take plant biotechnology research into the next phase, beyond simply mapping and sequencing genes and toward a better understanding of gene expression.

We have got the *Arabidopsis* plant. We have cataloged those genes. We have determined the folding of several of those genes to learn more about what particular genes do. But there is a tremendous void in the information that we need to make sure the new plants are safe.

Let us not argue against having more research. Let us not argue against maybe having government do a little bit of this research instead of leaving it to the private sector that are forced to have some kind of financial rewards for what they do. The centers are going to expand on NSF's current activities in gene research by providing central locations for multidisciplinary interactive approaches to plant biotech research. This will allow researchers to develop the kind of research to allow development of safe and beneficial plant varieties and plant-derived applications.

□ 1515

Specifically in this bill, I would say to the gentleman from Ohio (Mr. KUCINICH), the centers will conduct research in plant genomics related to the development of the kind of information that can lead to new varieties of enhanced crops, including those grown in nontraditional environments and those grown with reduced reliance on chemical fertilizers. These may include research into enhancing the nitrogen-fixing ability of legumes, that I earlier mentioned. The primary input, of course, of nitrogen is natural gas, so we can make ourselves a little more energy dependent while we increase the safety of the environment.

The centers are also going to expand on current biotechnology efforts that have primarily been focused on improving the production and the cost and the quantity. And exactly like the gentleman from Ohio (Mr. KUCINICH) says, we are going to move away from that to the kind of research that is going to give us better information.

I believe we are on the threshold of a new era in food production. Biotechnology will be especially important to poor subsistence farmers across the globe who struggle against the odds to bring in a good crop each year.

To address this problem, H.R. 2051 authorizes a program creating plant biotechnology partnerships for the developing world. This program is based on H.R. 2912, introduced by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON). The plant biotechnology

partnerships will provide the fundamental research needed to build on the current plant biotechnology base to address specific agricultural problems in the developing world.

Mr. KUCINICH. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, it has been stated over and over here that the interest here is in just research. However, we cannot separate the kind of research that will be done here from the logic that is driving biotechnology, because this bill states that for-profit companies can be involved in this research.

Now, I agree with my friend from Michigan that we do not want to just leave it to for-profit companies, but it is in the bill. So I would just say that if we do not want for-profit companies involved, I would certainly be willing to entertain a unanimous consent request to strike that provision from this bill.

In addition to that, the total of this bill is \$36 million.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

Mr. KUCINICH. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Speaker, the language in the bill was not for-profit companies, it is for nonprofit organizations to be involved, so the nonprofits that are interested in something beside profit.

Mr. KUCINICH. Mr. Speaker, reclaiming my time, may I ask the gentleman to make sure that he and I have the same copies of these bills, because often there are reprints and newer iterations. I have here under section 4: "Partnerships for Plant Biotechnology in the Developing World," under number (2), which is line 8. I am going to read it to the gentleman: "In order to be eligible to receive a grant under this section, an institution of higher education or eligible nonprofit organization (or consortium thereof) shall enter into a partnership with one or more developing nations and may also include for-profit companies involved in plant biotechnology."

I will ask the gentleman again, I would certainly entertain the gentleman's willingness to strike that language there so that we can certainly keep the for-profit companies out of this, because, Mr. Speaker, the for-profit companies had a \$50 million advertising campaign to try to promote biotechnology, glossing over all the concerns that scientists around the world have, and they get \$36 million out of this bill if left to the language of this bill. They could get if that much.

I would be happy to have my good friend respond.

Mr. SMITH of Michigan. If the gentleman will yield further, this is part of the language of the bill of the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) originally. It does not give these companies the grant. They still go to the universities to make the decision of whether there is going to be any private involvement. That is one

thing we have lacked as we searched for money, is trying to get more money in. But certainly they should not be allowed to dictate the kind of research to be done. I certainly appreciate that.

Mr. KUCINICH. Mr. Speaker, I ask unanimous consent to strike the language.

Mr. BARTON of Texas. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would announce that the proponent of the motion is the only member that the Chair would recognize to ask unanimous consent to modify the motion.

Mr. KUCINICH. Mr. Speaker, I yield myself one more minute.

Mr. Speaker, inasmuch as my unanimous consent request was objected to, it is very clear that there are Members of this House, certainly not the gentleman from Michigan, but there are members of this House who are looking to give the biotech firms a handout under the guise of helping to feed the poor.

Most genetically engineered food products and almost all research funding for the development of genetically engineered food target developing nation agriculture and consumers. Developing countries cannot afford this technology and therefore are vastly ignored.

If the biotechnology industry believes they could help mitigate hunger concerns, domestic or foreign, then requiring biotechnology companies to make available the necessary resources for this purpose is appropriate.

Mr. SMITH of Michigan. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Speaker, my late father was a plant geneticist. He spent his entire career developing cotton plants and cotton seeds that could be used as food. I wish we would have had this research enabled when he was alive so he could have participated through grants at Texas A&M or the University of Texas to forward this very worthwhile research endeavor.

Mr. Speaker, I very strongly support the gentlewoman from Texas and the gentleman from Michigan in their noble endeavor.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Ohio just gave all the reasons why this bill should pass. This is a bill on research where it can establish partnerships. The grants can only go to universities and nonprofits. Profit businesses can join the partnership, the consortium, but no money flows in that direction. The paper the gentleman read prior to that last statement is 3 years old. With research, that changes.

This bill only speaks to research and who can be a part of the partnership, of the consortium. It is not public dollars flowing to profit organizations. It is what we will hear more of in the future, public-private-type partnerships.

No public dollar flows to a profit organization. The dollars go to the universities, and that is where the research takes place; and it includes persons from the developing countries to be a part of the research.

Mr. Speaker, I would urge passage of this legislation. It is good legislation intended to do a good job.

Mr. KUCINICH. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, my legislation which I will be bringing to this House hopefully sometime soon, called the Real Solutions to World Hunger Act of 2002, offers new initiatives and protections to help developing nations resolve their hunger concerns.

First, to protect developing nations, genetically engineered exports are restricted to those already approved in the U.S. and approved by the importing nation.

Second, creation of an international research fund for sustainable agricultural research.

Third, U.S. prohibition on any intervention in a developing nation's effort to mandatorily license a genetically engineered crop.

Fourth, establishing the Sustainable Agriculture Trust Fund with a small tax on a biotechnology company's profits. This trust fund will fund the activities in this bill.

To understand how this bill before us, the one we are going to be voting on today, will fail to help anyone except for the biotechnology companies, I think we should examine our own Nation, our own farming practices and our domestic hunger challenges.

The United States of America, the wealthiest Nation in the world, grows substantial amounts of genetically engineered foods. Our farmers plant approximately 100 million acres a year in genetically engineered crops. However, in this great wealthy Nation of ours, plenty of families go hungry every day. Approximately 4 million low-income children under the age of 12 experience hunger each year, and an additional 9.6 million children are at risk of hunger.

The proponents of this legislation before us believe that genetically engineered foods will solve world hunger. But I question this rationale when we have so much hunger in our own Nation. This technology has not helped a single hungry family in our Nation. These hungry families need a better economy, better paying jobs, access to child care, and a decent education to solve the economic trap that leads to hunger.

It is clear that hunger is something that we must eradicate, but promoting false solutions to provide great public relations for a troubled industry does a great disservice to those who need our help the most. We all want to help resolve the hunger crisis in other nations, but only the legislation I will introduce soon will begin to deal with the real problems of world hunger.

The SPEAKER pro tempore. The Chair would announce that each Member has 1 minute remaining, with the

gentleman from Michigan having the right to close.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, one more time let me say that the gentleman from Ohio has made the case for this bill. This bill speaks to research partnerships, including developing-nation participation. There is nothing in this bill that requires any kind of deportation to these developing nations. It provides a way by which they can be part of research that will provide them foods that will probably help with immunizations, extra vitamins, but only after the research is done with the involvement of scientists from the developing countries.

Mr. Speaker, I would urge the passage of the bill. I think that the opponent has misunderstood the bill.

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

Mr. Speaker, the fact is that the agriculture and biotechnology industries are driving the research; and as such, they have ignored a tremendous amount of work that has been done by independent scientists that challenges the rationale of the industry itself.

There are serious issues that need to be addressed, that relate to food security as a fundamental human right. The philosopher and human rights activist of India, Vandana Shiva, has said that globalization of agriculture is violating all components of food-related human rights. She says that everywhere across the world, less food is being produced and less diverse food is being grown and less is reaching the poor and hungry. She quotes Senator McGovern as stating: "Food security in private hands is no food security at all," because corporations are in the business of making money, not feeding people.

Vandana Shiva goes on to say, "The centralized and chemical-intensive production and distribution system, linked with the green revolution model, proved itself to be undemocratic, wasteful and non-sustainable. The imperative now is to shift to a democratic food system based on sustainable production, conservation and equitable access to resources and food security for all."

I would submit, Mr. Speaker, that in this bill, which authorizes certain research, if it is in any way connected, as this bill is, with the ag-biotech industry, there is no possibility that the human rights of people around the world are in any way going to be regarded.

Please defeat the bill.

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

Mr. Speaker, the tremendous potential of plant genomics is limited only by the creativity of the scientists and this body and Washington allowing them to do the research. This bill will help create the next generation of

plants that will provide consumer benefits, for example, plants that can be engineered to produce compounds, such as enzymes used for food processing; food that provides vaccines and antibodies; compounds used to produce biodegradable plastics; renewable energy production.

In conclusion, Mr. Speaker, I would like to thank the chairman of the Committee on Science, the gentleman from New York (Mr. BOEHLERT), and the ranking majority member, the gentleman from Texas (Mr. HALL), for all of their support in bringing this bill to the floor; and of course, I wish to say a special thanks to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of our Subcommittee on Research, for all of her input and help. I think together we have crafted a good bill that will make good programs even better.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2051, as amended.

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

The title of the bill was amended so as to read: "A bill to authorize the National Science Foundation to establish regional centers for the purpose of plant genome and gene expression research and development and international research partnerships for the advancement of plant biotechnology in the developing world."

A motion to reconsider was laid on the table.

□ 1530

#### RECOGNIZING AMERICAN SOCIETY OF CIVIL ENGINEERS ON ITS 150TH ANNIVERSARY

Mr. BARTON of Texas. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 387) recognizing the American Society of Civil Engineers for reaching its 150th Anniversary and for the many vital contributions of civil engineers to the quality of life of our Nation's people including the research and development projects that have led to the physical infrastructure of modern America.

The Clerk read as follows:

H. CON. RES. 387

Whereas, founded in 1852, the American Society of Civil Engineers is the Nation's oldest national engineering society;

Whereas civil engineers work to constantly improve buildings, water systems, and other civil engineering works through research, demonstration projects, and the technical codes and standards developed by the American Society of Civil Engineers;

Whereas the American Society of Civil Engineers incorporates educational, scientific, and charitable efforts to advance the science of engineering, improve engineering education, maintain the highest standards of ex-

cellence in the practice of civil engineering, and ensure the public health, safety, and welfare;

Whereas the American Society of Civil Engineers represents the profession primarily responsible for the design, construction, and maintenance of the Nation's roads, bridges, airports, railroads, public buildings, mass transit systems, resource recovery systems, water systems, waste disposal and treatment facilities, dams, ports and waterways and other public facilities that are the foundation on which the Nation's economy stands and grows; and

Whereas the Nation's civil engineers, through innovation and the highest professional standards in the practice of civil engineering, protect the public health and safety and ensure the high quality of life enjoyed by the Nation's citizens: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress—*

(1) acknowledges the American Society of Civil Engineers for its 150th Anniversary;

(2) commends the many achievements of the Nation's civil engineers; and

(3) encourages the American Society of Civil Engineers to continue its tradition of excellence in service to the profession of civil engineering and to the public.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from Texas (Mr. BARTON) and the gentleman from Kansas (Mr. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. BARTON).

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 387.

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

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, first, I want to commend our distinguished chairman, the gentleman from New York (Mr. BOEHLERT), and our distinguished ranking member, the gentleman from Texas (Mr. HALL), for their excellent work on this resolution that was reported on a bipartisan basis from the Committee on Science. I also want to thank the gentleman from Kansas (Mr. MOORE), my good friend, for his excellent work and for serving as an original cosponsor with myself on this bill.

Before I get into my prepared remarks, I want to say a special "get well soon" to young Lindsay Taylor, who is 12 years old down in Round Rock, Texas. She is the President of her National Junior Honor Society. She is a budding civil engineer, although I think she wants to go to the University of Texas instead of Texas A&M, where I went to engineering school. She is home sick today and we need all of our young engineers to get

well quick, so I hope that she does so very soon.

Our first great civil engineer in this country was the man that we now know as the Father of our country, George Washington. George Washington was a surveyor who made his living in between serving as a military commander in the militia, the British forces before the Revolutionary War, surveying and doing engineering work in what is now Virginia and going west, west from Virginia.

In 1852, we founded what is now called the American Society of Civil Engineers. If we had been alive at that point in time, the first great project that civil engineers would have worked on for this Nation would have been the Transcontinental Railroad. Can we imagine, if people came to the gentleman from Kansas (Mr. MOORE) and myself, or the gentleman from New York (Mr. BOEHLERT) and the gentleman from Texas (Mr. HALL) today and said, we want you to build a transcontinental railroad, could we do it? I doubt it. But the civil engineers of that time said, not a problem, and even as the Civil War was going on, they were racing to build what we now call the Transcontinental Railroad, and they hammered in the golden spike in 1869 and bound our great Nation together.

What would we have done if around the turn of the century, President Roosevelt, not Franklin Roosevelt, but Teddy Roosevelt had come and said, I want you to build the Panama Canal to bring together for the first time the Isthmus of Panama, the Atlantic and Pacific Oceans. I do not think many of us could have worked on that project either successfully, but the civil engineers of that era did that. What about during World War II, if President Franklin Roosevelt had come and said, we need to build a great port infrastructure and we need to improve our highways and we need to build great pipelines, could we have done that? I do not think many of us could, but the civil engineers of that time could. What if in the 1950s President Eisenhower had come and said, Congressman Barton, I want you to build an interstate highway system. I do not think many of us could have done that, but the civil engineers of the 1950s did that.

I could go on and on. But as we begin to move into the 21st century, there are still great civil engineering projects to be done, and luckily for us today in the United States, we have over 125,000 members of the American Society for Civil Engineers, registered, professional engineers who have made it their life's work to build a better America.

We tend to think of engineers as kind of nerdy people with pencils behind their ears and slide rules in their pockets. Nothing could be further from the truth. They are people helping people. They are building the projects that bind this great Nation together and, more and more, binding this great world together.

So, Mr. Speaker, I am delighted, along with the gentleman from Kansas (Mr. MOORE), my good friend, to sponsor this resolution honoring the 150th anniversary of the American Society for Professional Engineers, because they have truly helped to build a better America.

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

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

I thank the gentleman from Texas (Mr. BARTON) for his good work on this bill. I also want to join my colleague from Texas in thanking the gentleman from New York (Mr. BOEHLERT), the chairman of the committee, and the gentleman from Texas (Mr. HALL), the ranking member.

I am very, very pleased to be here today with the gentleman from Texas to honor 150 years of service by the American Society of Civil Engineers to their profession, our country, and the world. ASCE is the oldest of engineering societies and clearly one of the best in the whole world.

Civil engineers literally have built America. One hundred and fifty years ago, there were no skyscrapers. There were wooden bridges and no one would have dreamed of spanning the Chesapeake Bay or the San Francisco Bay. Railroads were just beginning. Roads were at most two lanes and perhaps were even built of planks. Manned flights came over 50 years later.

Now, we have an interstate highway system, an intercontinental railroad system, and a network of local and international airports that are the backbone of United States commerce. Small dams have been replaced, Mr. Speaker, with huge ones that provide large volumes of electricity. Human health has been enhanced by improved sanitation with sanitary landfills, waste water treatment facilities, and distribution systems for clean water.

How much of this would have been possible without the American Society of Civil Engineers? Well, we cannot know for sure, but they certainly deserve much of the credit. ASCE has encouraged generations of bright Americans to enter the profession. It has helped develop educational standards and continuing education opportunities for civil engineers, and it has established a series of institutes and a research foundation to advance the knowledge base of the profession.

ASCE is the largest publisher of civil engineering information in the world, much of which is at the fingertips of the ASCE membership through its website. The American Society of Civil Engineers has even gone international and has formal relationships with professional organizations of civil engineers in almost 50 countries.

The small group of engineers who banded together in 1852 would not recognize today's organization. ASCE now has around 125,000 members, over half of the civil engineers in this country, organized in sections, branches, and student chapters and clubs.

ASCE is not resting on its laurels, though. It is aggressively adding new services for its members. It has ambitious programs for working with the Congress, the government at all levels, and the public at large to place the programs and policies needed to improve our built environment. Priority areas for 2002 include clean water, infrastructure financing, math and science education, natural hazards impact reduction, and smart growth.

I ask my colleagues, Mr. Speaker, to join with me in approving House Concurrent Resolution 387 that congratulates and honors the American Society of Civil Engineers on 150 years of service. This is a spectacular beginning and I will bet we have not seen anything yet.

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

Mr. BARTON of Texas. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, let me say that several years ago the American Society for Civil Engineers made me one of their engineering fellows. It is a distinguished achievement award that they really give to engineers who have made a lifetime in civil engineering and have done outstanding feats. They gave it to me primarily because I am one of the few registered professional engineers in the Congress, but it is one of the high honors that I have received as a Member of the House, and the certificate is on my wall in the entry way to my office, and I am very, very proud of that.

For that and many, many reasons I think this is a resolution that is very worthwhile passing for this body because of the fine work that civil engineers have done for the last 150 years. So I hope that when the time comes to vote, we can pass it with unanimous consent.

Mr. Speaker, I would simply say that this resolution we hope to pass by unanimous consent today and send to the other body and pass it over there so that it actually can be signed by the President and presented to the leadership of the American Society for Civil Engineers sometime this fall when the actual calendar anniversary occurs for the 150th anniversary. It is very, very worth doing, and I hope that we can do it in a very bipartisan fashion.

Mr. BOEHLERT. Mr. Speaker, I want to thank you for the opportunity to join my colleagues in commending the American Society of Civil Engineers (ASCE) for their 150 years of service to our country. I also want to thank the Gentleman from Texas, Mr. BARTON, and the Gentleman from Kansas, Mr. MOORE, for introducing this resolution.

It is difficult to imagine an area of our lives that has not been touched by civil engineers. They ensure that when we turn on the tap, we have clean water to drink. Civil engineers designed the massive transportation systems that make it possible for us to move freely and efficiently across this vast country. Moreover, civil engineers design technologies and practices to help clean up polluted water and to ensure that our natural resources are preserved for future generations.

Americans benefit from the expertise and hard work of engineers everyday, but rarely acknowledge or recognize our debt to them. I am lucky enough, however, to have a different experience with engineers. During my time on the Science Committee and especially as Chairman, I have come to rely on ASCE as a valuable resource. I may not be making headlines here, but we in government do not know everything all the time.

After the tragedy of September 11, we immediately began to look for lessons we could learn from this horrible event. FEMA put together a team, led by ASCE, to investigate the World Trade Center collapse. The team set out to discover exactly why the building collapsed, if the buildings could have stood for longer, and if more lives could have been saved. I cannot even begin to fathom the work this team did, but in eight months they delivered an important report to Congress detailing the sequence of events that led to the buildings' collapse. This work will go a long way toward saving lives. Now, we are working closely with ASCE with legislation that will hopefully make their jobs, on further building investigations, easier.

Mr. Speaker, I am very proud of the work that civil engineers do for our country and I am ever grateful for the service that ASCE provides to this Congress and to me personally. I congratulate ASCE on 150 years and I look forward to many more.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 387.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### HIGHWAY FUNDING RESTORATION ACT

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3694) to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century, as amended.

The Clerk read as follows:

H.R. 3694

*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 "Highway Funding Restoration Act".

##### SEC. 2. FEDERAL-AID HIGHWAY PROGRAM OBLIGATION CEILING.

Section 1102 of the Transportation Equity Act for the 21st Century (23 U.S.C. 104 note; 112 Stat. 115, 113 Stat. 1753) is amended by adding at the end the following:

"(k) RESTORATION OF OBLIGATION LIMITATION FOR FISCAL YEAR 2003.—Notwithstanding any other provision of law, for fiscal year 2003, the obligations for Federal-aid highway and highway safety construction programs that are subject to the obligation limitation set forth in subsection (a)(6)—

"(1) shall be not less than \$27,746,000,000; and

"(2) shall be distributed in accordance with this section."

##### SEC. 3. RESTORATION OF OBLIGATION CEILING.

Notwithstanding any other provision of law, the adjustment made pursuant to section 1102(h) of the Transportation Equity Act for the 21st Century for fiscal year 2003 shall be deemed to be zero.

##### SEC. 4. ADJUSTMENTS TO GUARANTEE FUNDING LEVELS.

Notwithstanding any other provision of law, all adjustments made pursuant to section 251(b)(1)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 to the highway category and to section 8103(a)(5) of the Transportation Equity Act for the 21st Century for fiscal year 2003 shall be deemed to be zero. This section shall apply immediately to all reports issued pursuant to section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 2003, including the discretionary sequestration preview report.

##### SEC. 5. SENSE OF CONGRESS REGARDING REVENUE ALIGNED BUDGET AUTHORITY.

It is the sense of Congress that the revenue aligned budget authority provision in section 251(b)(1)(B) of the Balanced Budget and Emergency Deficit Control Act of 1985 should be amended in the future to more accurately align highway spending with highway revenues while maintaining predictability and stability in highway funding levels.

##### SEC. 6. AUTHORIZATION FOR HIGHWAY PROJECTS.

Notwithstanding any other provision of law, projects and activities designated on pages 82 through 92 of House Report 107-308 shall be eligible for fiscal year 2002 funds made available for the program for which each project or activity is so designated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

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

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 3694, the Highway Funding Restoration Act. This bipartisan bill has 316 cosponsors in the House of Representatives and the other body companion measure, S. 1917, is cosponsored by 74 Members of that body.

I want to particularly thank the gentleman from Iowa (Mr. NUSSLE), the chairman of the Committee on the Budget, for his support for the restoration of highway funding. The gentleman from Iowa (Mr. NUSSLE) included in the House budget resolution a provision for the outlay of these funds. I support enforcement of the budget resolution adopted by the House.

Mr. Speaker, I am working with the gentleman from Iowa (Mr. NUSSLE) to address in the future a better method of calculating the Revenue Aligned Budget Authority, which we refer to as RABA. We need to more accurately align highway spending with highway revenues, while maintaining predict-

ability and stability in highway funding levels.

There is a clear and strong consensus that H.R. 3694 is the right approach to restore proposed cuts to Federal-aid highway funding in the fiscal year 2003 budget.

Mr. Speaker, H.R. 3694 restores not less than \$4.4 billion to the Federal-aid highway construction programs for fiscal year 2003, and ensures that these funds will be spent according to the formula established by the Transportation Equity Act for the 21st Century, otherwise called TEA-21.

I am pleased that the leadership of the House has agreed to this expedited process. I am confident that the Senate will also take timely action on the bill before the fiscal year 2003 appropriations cycle is well underway.

Mr. Speaker, this bill is vitally necessary for three reasons. First, State Departments of Transportation cannot absorb the proposed cut of \$8.5 billion below the level of funding received in the fiscal year of 2002, a 27 percent program reduction.

Second, transportation spending keeps people employed. More than 180,000 family-wage jobs are associated with the \$4.4 billion funding restoration in this bill.

Third, cash balances in the Highway Trust Fund, the dedicated revenue source for highway and transit construction, are sufficient to accommodate this funding restoration.

Again, I want to thank the full committee ranking member, the gentleman from Minnesota (Mr. OBERSTAR); the gentleman from Wisconsin (Mr. PETRI), the chairman of the Subcommittee on Highways and Transit; and the gentleman from Pennsylvania (Mr. BORSKI), the subcommittee ranking member, along with the full membership of the Committee on Transportation and Infrastructure, and all of the other 242 Members of the House urging immediate passage of the bill.

Mr. Speaker, again, I cannot stress enough the importance of this bill. It does restore the funding level where it should be to build our highways so that we can keep the 180,000 people employed and, more than that, increase the infrastructure necessities in this country and keep them on the right track.

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

□ 1545

Mr. OBERSTAR. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. BORSKI), the ranking member of the Subcommittee on Highways and Transit.

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

Mr. BORSKI. Mr. Speaker, let me first thank the distinguished ranking member of the full committee, the gentleman from Minnesota (Mr. OBERSTAR), for his hard work in this measure. I also want to commend our chairman, the gentleman from Alaska (Mr.

YOUNG), and our subcommittee chairman, the gentleman from Wisconsin (Mr. PETRI), for this excellent piece of legislation; and I rise in strong support of H.R. 3694, the Highway Funding Restoration Act.

Mr. Speaker, one of the most important measures this House has passed in recent times was TEA 21, and in TEA 21 we were able to increase the amount of spending for our highways by over 40 percent and for transit by over 46 percent. We did that because, A, we worked together. This is the best committee in the whole House in my view for working in a bipartisan manner for the good of this country. We did that by capturing all the gasoline taxes that were sent out by the people of this country to Washington to use for transportation for its intended purpose. We had firewalls erected to protect that spending, and we came up with the revenue aligned budget authority, better known as RABA.

This process is important to make sure and to ensure that all incoming gas tax receipts are applied to transportation infrastructure spending, a core principle that members of the Committee on Transportation and Infrastructure strongly support. Based on RABA calculations for the fiscal year 2003, the President's fiscal year 2003 budget proposes to cut funding for the Federal aid highway program by \$8.6 billion or 27 percent. A cut of this magnitude would be absolutely devastating to State and local transportation programs.

The administration claims that TEA 21 required these cuts; and, Mr. Speaker, that simply is not true. TEA 21's guaranteed highway investment level as reflected in the President's budget is a floor, not a ceiling. The administration could have and should have requested more.

The committee bill proposes to increase fiscal year 2003 funding by at least \$4.4 billion to \$27.7 billion, the level authorized in TEA 21. This bill accomplishes the following: it protects 180,000 family wage construction jobs; promotes economic recovery through the proven infusion of funds and of proven infrastructure programs; and helps compensate for the drastic and disruptive swing in highway funding in fiscal year 2003. Moreover, the additional funds are completely paid for with funds already in the highway trust funds. The fund has an 18 to \$20 billion balance that can easily accommodate this and can only be used for highway and transit programs.

In addition, and as important to providing increased funding for fiscal year 2003, the bill provides a higher budget baseline for which to measure next year's reauthorization bill. A higher baseline will improve our ability to in-

crease highway spending in the bill reauthorizing TEA 21.

Mr. Speaker, the committee bill has strong bipartisan support in the House with 317 members co-sponsoring the introduced bill. I urge my colleagues to vote for this bill.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. PETRI), the chairman of the Subcommittee on Highways and Transit of the Committee on Transportation and Infrastructure.

Mr. PETRI. Mr. Speaker, I rise in support of the bill before us, H.R. 3694, the Highway Funding Restoration Act. It is a bipartisan bill as we have heard, and I look forward to its passage this afternoon.

We are moving this bill today as part of an agreement with the leadership in the Committee on Appropriations to ensure proper levels of highway spending under the budget firewalls in the coming year.

The supplemental appropriations bill that will soon be considered by the House will also include language addressing the guaranteed levels of spending as agreed to by the two committees. By declaring the revenue aligned budget authority, which is in the committee known as RABA, calculation for budget year 2003 to be zero, H.R. 3694 restores not less than \$4.4 billion for the Federal aid highway program. This is consistent with funding levels that were contemplated when TEA 21 was passed back in 1998, and it ensures that the funding will be spent according to the rules set forth in the Transportation Equity Act for the 21st century, TEA 21.

With 317 co-sponsors in the House and 74 of the companion bill in the Senate, H.R. 3694 has strong bipartisan support. The administration's 2003 budget proposal cut funding for the highway program by 27 percent. State highway programs cannot absorb a cut of this significance, nor can the economy of our country. The potential employment loss created by a cut of this magnitude could be as high as 180,000 family-wage jobs. As the economy climbs out of this short recession, the loss of this many jobs is unacceptable. And it is important to note that the highway trust fund with a cash balance of \$20 billion can sustain this spending.

The trust fund is comprised of dedicated revenues paid by highway users that can only be used for highway and transit projects.

Finally, as part of the agreement between the two committees, we have agreed to include technical changes requested by the Committee on Appropriations regarding project funding. Certain projects from the budget year 2002 Transportation Appropriations Act

have been found by the Department of Transportation to be ineligible for funding under Federal aid highway guidelines.

As Members may know, I was one who was very concerned by the actions of the Committee on Appropriations last year and trusts that we will not see a repeat this year. But in the spirit of the agreement and securing the additional needed funds, a provision making those projects eligible is included here today.

Mr. Speaker, restoring the highway funds under the firewall is supported by our Nation's governors, our mayors, industry and labor interests alike. I join with our chairman, the gentleman from Alaska (Mr. YOUNG), full committee ranking member, the gentleman from Minnesota (Mr. OBERSTAR), the Subcommittee on Highways and Transit committee ranking member, the gentleman from Pennsylvania (Mr. BORSKI), and the more than 300 co-sponsors and supporting H.R. 3694, and I urge its immediate passage.

Mr. OBERSTAR. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the distinguished ranking member for yielding me time. I thank the gentleman and the gentleman from Alaska (Mr. YOUNG), as well as our subcommittee chair and ranking members, for working so well and so closely together to bring this bill to the floor today.

One thing we have enough money for in this time of war-time priorities, this time of recession is to continue to build our roads and bridges. Thank goodness for the trust fund. Have trust in the trust fund. It would be absurd to let the technicality of a flawed formula keep us from doing what we always do in times of recession: we build and we make jobs.

We are told, of course, that we are coming out of a recession. Well, I want someone to tell that to the 8.6 million Americans who are jobless. I want you to look at our unemployment rates: February, 5.5 percent; March, 5.7 percent; April, 6 percent. Surely Congress can do more with rising unemployment than make it worse.

We have heard about stimulus all last year. This is the stimulus bill. That is what this bill is, and it would destimulate the economy if we were to pull it. Remember, we are not restoring what we had hoped to achieve, but only what we guaranteed to achieve.

Mr. Speaker, I include in the RECORD the job loss by State if there were an \$8.6 billion cut in the Highway trust fund, Mr. Speaker.

TABLE 2.—FY 2003 FEDERAL HIGHWAY FUNDS AND EMPLOYMENT LOSS RESULTING FROM \$8.6 BILLION HIGHWAY INVESTMENT CUT<sup>1</sup>

State	FY 2002 highway program funds <sup>2</sup>	Est. FY 2003 program funds <sup>2</sup>	FY 2003 highway funds lost <sup>2</sup>	Employment loss <sup>3</sup>
Alabama .....	\$561,369,840	\$421,025,208	-\$140,344,632	- 5,894
Alaska .....	314,796,052	246,539,742	- 68,256,310	- 2,867

TABLE 2.—FY 2003 FEDERAL HIGHWAY FUNDS AND EMPLOYMENT LOSS RESULTING FROM \$8.6 BILLION HIGHWAY INVESTMENT CUT<sup>1</sup>—Continued

State	FY 2002 highway program funds <sup>2</sup>	Est. FY 2003 program funds <sup>2</sup>	FY 2003 highway funds lost <sup>2</sup>	Employment loss <sup>3</sup>
Arizona	486,224,631	365,140,719	-121,083,912	-5,086
Arkansas	362,652,003	275,455,607	-87,196,396	-3,662
California	2,517,465,102	1,899,291,678	-18,173,424	-25,963
Colorado	353,164,878	265,780,999	-87,383,879	-3,670
Connecticut	408,920,297	313,495,052	-95,425,245	-4,008
Delaware	119,922,416	91,097,545	-28,824,871	-1,211
Dist. of Col.	110,273,846	81,398,200	-28,875,646	-1,213
Florida	1,289,548,451	974,165,577	-315,382,874	-13,246
Georgia	988,693,630	745,903,153	-242,790,477	-10,197
Hawaii	142,271,252	106,770,543	-35,500,709	-1,491
Idaho	211,278,292	160,135,462	-51,142,830	-2,148
Illinois	933,065,783	697,096,259	-235,969,524	-9,911
Indiana	638,900,893	486,743,971	-152,156,922	-6,391
Iowa	329,542,978	247,574,819	-81,968,159	-3,443
Kansas	324,857,477	241,313,125	-83,544,352	-3,509
Kentucky	483,920,664	362,099,979	-121,820,685	-5,116
Louisiana	433,579,090	330,471,089	-103,108,001	-4,331
Maine	147,088,238	109,890,629	-37,197,609	-1,562
Maryland	446,350,792	339,318,294	-107,032,498	-4,495
Massachusetts	514,207,475	387,835,987	-126,371,488	-5,308
Michigan	894,938,840	673,029,684	-221,909,156	-9,320
Minnesota	408,448,438	309,125,401	-99,323,037	-4,172
Mississippi	355,307,069	268,482,622	-86,824,447	-3,647
Missouri	646,930,635	488,228,184	-158,702,451	-6,666
Montana	266,187,164	204,791,716	-61,395,448	-2,579
Nebraska	216,342,091	159,818,713	-56,523,378	-2,374
Nevada	199,134,908	149,455,313	-49,679,595	-2,087
New Hampshire	140,217,067	107,247,956	-32,969,111	-1,385
New Jersey	724,639,854	541,582,536	-183,057,318	-7,688
New Mexico	268,593,028	203,825,094	-64,767,934	-2,720
New York	1,410,507,671	1,064,982,917	-345,524,754	-14,512
North Carolina	776,521,747	584,307,329	-192,214,418	-8,073
North Dakota	179,364,937	134,932,708	-44,432,229	-1,866
Ohio	959,669,321	725,512,146	-234,157,175	-9,835
Oklahoma	428,337,012	318,248,522	-110,088,490	-4,624
Oregon	337,801,111	255,489,120	-82,311,991	-3,457
Pennsylvania	1,391,790,146	1,045,698,054	-346,092,092	-14,536
Rhode Island	164,112,784	123,469,448	-40,643,336	-1,707
South Carolina	461,162,748	350,138,781	-111,023,967	-4,663
South Dakota	198,817,128	150,819,598	-47,997,530	-2,016
Tennessee	624,496,977	476,815,649	-147,681,328	-6,203
Texas	2,146,259,084	1,614,117,018	-532,143,066	-22,350
Utah	216,504,854	161,358,980	-55,145,874	-2,316
Vermont	124,155,175	94,175,207	-29,979,968	-1,259
Virginia	710,248,118	544,143,511	-166,104,607	-6,976
Washington	493,771,495	368,381,629	-125,389,866	-5,266
West Virginia	308,059,534	234,857,433	-73,202,101	-3,074
Wisconsin	545,548,760	410,919,572	-134,629,188	-5,654
Wyoming	188,997,682	143,820,077	-45,177,605	-1,897
State Total	27,904,959,458	21,056,318,555	-6,848,640,903	-287,643
Allocated programs	3,894,144,542	2,148,468,445	-1,745,676,097	-73,318
Grand Total	31,799,104,000	23,204,787,000	-8,594,317,000	-360,961

<sup>1</sup> Includes \$80 million reduction due to proposed transfer to Federal Motor Carrier Safety Administration.  
<sup>2</sup> Source: FHWA 2/4/02 Comparison of Estimated FY 2003 Distribution of Obligation Limitation and . . . President's Budget.  
<sup>3</sup> Employment loss is spread of 7 years, with most loss occurring in 2003 and 2004.  
 Current Balance in Highway Account of the Highway Trust Fund: \$18,855,632,135.

Mr. Speaker, I indicate that we are not putting the whole thing back. It is 4.4 billion because that is all they had a right to expect. They did not have the right to expect that we would exceed it. They had a right to expect what we guaranteed them when we passed TEA 21. But if we did what the administration wanted, it would be a grand total of 360,961 jobs lost. Nobody wants to do that in this Congress.

Interrupting highway construction would have a particularly chaotic effect on States which are having to cut every other program. They now have to cannibalize some highway projects in order to finish others. It would exacerbate the budget cutting already going on in every State of the Union; and, worse, it would reduce the baseline next year when we reauthorize the surface transportation bill. In other words, we would hurt the past because we are trying to catch up. We would hurt the present and we would hurt the future.

We are getting somewhere in infrastructure. I can remember just a few years ago we were sliding back so badly that we wondered if we would ever catch up. We are catching up. This is no time to turn around and go down the road to deeper unemployment and to infrastructure damage. Thanks for

all involved to help us keep moving ahead.

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

Mr. Speaker, I would like to address one thing that has been brought up by the previous speakers. I do believe this is, in fact, a stimulus package. It is not as large as we would like to have it. There has also been mention, though, about the President's budget cut, and I will have to say that is true; but I also say I have been under seven Presidents since I have been in this body, probably one more than my good friend, the gentleman from Minnesota (Mr. OBERSTAR).

Under our Constitution the President, regardless of what party, has the responsibility to submit a budget. And as I tell every constituent that comes into our office, that is his responsibility. But it is our responsibility as a House of the people to write the budget. We write the budget. We raise the money for it from the people, and we designate how it shall be spent. That is our role. I am extremely pleased that 317 Members of this Congress decided in this case that it was more important to, in fact, restore the guaranteed money for the construction of highways and bridges and improving our

highway system than we were to take the recommendation of another branch of this great government of ours. But I never hold it against any one of the Presidents for that responsibility of submitting the budget.

It makes us do our work a little bit more efficiently and a little bit better. As I mentioned in my opening statement, a whole lot of other people, including the gentleman from Iowa (Mr. NUSSLE), has recognized the importance of the construction of a highway system within this great Nation of ours. We have just begun. We have rail to improve. We have, again, air to improve. We have shipping ports to improve. And the responsibility of the committee, which is totally bipartisan, the responsibility of that committee is to make sure that the people of America recognize the importance of a modern transportation system being put in place for the future. And I would just like to say this is one tiny infant step in the right direction.

We must continue that as we reauthorize TEA 21, as we go forth with new rail legislation, as we go forth with other legislation packages and that we will do.

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

Mr. OBERSTAR. Mr. Speaker, I yield myself 15 seconds to say I concur with my distinguished chairman.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, I thank the ranking member for yielding me time.

Mr. Speaker, I too rise to support H.R. 3694 and to thank the chairman and the full committee ranking member and the subcommittee chairman and ranking member for their leadership to put forward the Highway Funding Restoration Act.

I am proud to be a co-sponsor of this legislation and am proud of the bipartisan way the Committee on Transportation and Infrastructure has worked together to bring this bill to the floor.

This bill will restore \$373 million for highway projects in California and allow projects we desperately need to move forward, including adding carpool lanes to I-680/80, widening Highway 4, and developing the Oakland Airport interconnector.

This does not replace all the money President Bush cut from California's transportation budget, but it is a good first step. It also translates to saving more than 15,000 good-paying jobs across our State. Commuters in the Bay Area face some of the worst congestion in the country, and we are also facing a sluggish economy.

Now is not the time to be cutting Federal funding for highway projects. This bill will fund California's section of the highway account at \$2.3 billion for the next year. While this amount was authorized in TEA 21 for the next year, it is not sufficient to meet California's needs. I will continue to push for more money to be used from the trust fund which has \$18 billion in cash just sitting in it.

In addition to restoring money, this bill reasserts the integrity of the budget firewalls in TEA 21 and the realigned budget authority mechanism called RABA. These provisions will ensure that local communities can plan transportation projects knowing that the Federal Government will be a predictable partner throughout the life of a project.

Every community in America depends on transportation to keep its people and local economy moving. I urge my colleagues to support this bill and keep America's transportation improvements on track.

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

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

Mr. Speaker, in anticipation of yielding to the next gentleman, I will yield to the gentleman from West Virginia (Mr. RAHALL), but I just wanted to point out that the gentleman was the ranking member on the Subcommittee on Highways and Transit in the last Congress when we authorized TEA 21. I want to acknowledge the superb role the gentleman played in the crafting of

that legislation and the many hours of personal endeavor he gave to the crafting of what became known as TEA 21, and his solid grasp of the issues that we fought over in this body and in the conference.

Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. RAHALL).

□ 1600

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Minnesota (Mr. OBERSTAR) and our ranking member on the full Committee on Transportation and Infrastructure for yielding me the time and for his very kind words. I also join in commending the gentleman from Alaska (Mr. YOUNG), the chairman, for his leadership; the gentleman from Minnesota (Mr. OBERSTAR), ranking member; the gentleman from Pennsylvania (Mr. BORSKI), the ranking subcommittee member; and the gentleman from Wisconsin (Mr. PETRI), the ranking subcommittee chairman, for their leadership, not only in bringing this legislation to the floor but for last year's invaluable leadership, the last time we did TEA-21, for their leadership in that regard as well.

Mr. Speaker, I am very pleased that H.R. 3694, the Highway Funding Restoration Act, does have broad bipartisan support. It will restore, as we have heard, at least \$4.4 billion to the Federal aid to highway program from the amount the administration had requested. These brutal cuts would have sucked the life out of our highway program in southern West Virginia.

Keeping our new highway construction and existing road improvements on track is our number one need at this moment. This vital work saves lives and brings new jobs, especially in the southern part of West Virginia, as we are once again experiencing the devastating effects of floods that have ravaged through our area in the last couple of weeks.

We have \$18 billion sitting in the Highway Trust Fund. If anything, we need to pour more of it into building the roads our people desperately need, not less. Today, we will set a funding level of \$21.7 billion for fiscal year 2003. This will help to ensure that each of the 50 States gets the highway funding they need so they will not have to resort to postponing or canceling highway projects.

In West Virginia, we are working on many highway projects to enable our citizens to participate in interstate commerce and to open up West Virginia to new business opportunities, including the Coalfields Expressway, the King Coal Highway and upgrading the safety of Route 10.

The West Virginia DOT cannot afford to lose Federal funds necessary to plan, build and maintain these roads. I know the DOTs in the other 49 States will say the same thing about their highway projects. That is why we have such broad support for this legislation, not only from Members of Congress, but

from State governments, highway groups and others around the country.

When we wrote TEA-21, we guaranteed a minimum level of spending in the Federal aid to highway program. H.R. 3694 will ensure that the budgetary firewalls are protected. In addition, this bill restores the obligation limits for fiscal year 2003 so Federal highway spending will not be less than \$27.7 billion.

In West Virginia, we have been working to build jobs through transportation. We also have a strong transportation research center at the Rahall Appalachian Transportation Institute at Marshall University in Huntington, West Virginia, which is one of the University Transportation Centers we established in TEA-21.

The bill we will pass today will restore \$4.4 billion to the Federal aid highway program. It will protect 180,000 family wage construction jobs. In West Virginia, we will see \$45.9 million restored and 3,074 jobs protected.

We have 317 bipartisan cosponsors of this legislation because of the tremendous leadership of Chairman YOUNG and Ranking Member OBERSTAR and because each Member realizes how vital a guaranteed highway funding level is to their respective States in order to secure constituents' jobs in the highway construction industry and to promote a healthy economy.

Again, I ask for enactment of this legislation and commend the leadership on both sides of the House.

Mr. OBERSTAR. Mr. Speaker, I yield myself 10 minutes.

The role of a chairman, Mr. Speaker, is to lead and our chairman of the Committee on Transportation and Infrastructure on this legislation and on many others has led. As soon as we got word of the budget language and the prospective cut, without waiting to see the actual document, the chairman sprang into action. We joined forces, as we do on this committee and as we are known almost legendarily in the House, on a bipartisan basis, to rectify the wrong.

The chairman was quite right in pointing out that, I choose to say, with all the Presidents with whom we have served, not under. We are a coequal branch. This is not new. Cutting highway funds started with President Lyndon Johnson in 1968 on the recommendation of the same gang that did one, the then Bureau of the Budget, that said we need to cut funds in order to dampen inflation, build up a bit of a surplus to offset the burgeoning surplus at the beginning of the Vietnam War, and as the chairman observed, it is an old dictum that the President proposes but the Congress disposes.

As astute and an early observer as Edmund Burke, the noted British historian, political science writer, a century ago observed that a presidential budget in the hands of a strong Speaker is worth little more than the paper on which the words are written. Well, we intend to do what Burke observed,

to assure that those are just simply numbers on paper and that the intent of TEA-21 is carried out.

It will restore \$4.4 billion of the President's 27 percent cut in the Federal aid highway program. Important for a number of reasons, as other speakers have noted, this cut itself will, or this restoration will affect 180,000 jobs, but the original budget cut proposed would affect 360,000 jobs over the next 5 years. Worse, it will result in a budget surplus in the Highway Trust Fund of \$34 billion and extend it out over a decade. It will reach a nearly \$80 billion surplus in the Highway Trust Fund.

By way of comparison when we started with TEA-21 in January of 1998, there was a \$29 billion surplus in the Highway Trust Fund. We would be going backward. In fact, if we do not make this restoration the last year of funding for TEA-21 will be less than the first year of TEA-21. That is not the direction in which the American people want this country to move or expect this committee to move in.

We do not establish a ceiling for the highway program. The bill says highway funding should be at least \$27.7 billion. That is the minimum, and as the process goes forward, I hope we will be able to restore even more than that as we get into the final process of the budget and the supplemental appropriations bill with the other body.

The Highway Trust Fund now can support \$30 billion in outlays. By the end of this process, I hope we will have achieved an outcome that expends every last penny of that Highway Trust Fund. We did not just do this as an accident when we crafted TEA-21. That was a hard fought bill here on this floor till 2:30 in the morning on the budget process in 1997, and then all the way through the committee and into 1998, and we had an overwhelming vote, and then we went to conference and we had a 2-month conference with the United States Senate. Every piece of that legislation was fought through.

The other body did not want to have a guaranteed account. The other body did not want to have the levels of authorization that we set forth in what became TEA-21, and this committee, standing for this body, fought for the guaranteed account and for the revenue adjusted budget authority, and we got it in there. We cannot let a presidential or OMB dictum take it away from us and from the people of this country.

The extraordinary history of TEA-21 has been that in the 42 years of the interstate highway program we invested \$114 billion of Federal funds to build the 44,000-mile interstate highway system. In 4½ years of TEA-21, we invested \$114 billion. We did in 4½ years what it took 42 years of the interstate highway program, and in the process we created 1½ million new jobs, the good jobs, the jobs that buy the homes and buy the cars and buy the household appliances and put the kids

through school, jobs that have sustained the economic expansion of the last 7 years, until it hit the body with that recession that we are trying to creep out of.

The Highway Trust Fund is a dedicated account. It cannot be used for any other purpose. It can only be used for highway and transit funding. It can support more funding, and when we crafted TEA-21, we knew that the year-by-year levels that we authorized would be less than what could be spent. So we provided an additional \$15 billion of authorizations over and above the amount specified year by year.

There is enough in the Highway Trust Fund now. There is a surplus of roughly \$20 billion, and let us acknowledge that maybe 6 or \$7 billion of that is already spoken for by forward funding of the States, but there is enough in there to support the level of funding that we authorized for this coming fiscal year for TEA-21, and we ought to do it. We ought to do it because if we for no other reason, the cost of congestion, the congestion tax in just 68 major metropolitan areas of the United States is \$78 billion last year as verified by the Texas Transportation Institute in its report on congestion.

This is a bargain, \$8.6 billion restored or \$4.4 billion that we are trying to do in this bill. That is a bargain to help buy down the cost of congestion.

A key element of this bill is a sense of Congress that we will work together in a reauthorization to ensure that the revenue alignment mechanism of RABA is fine-tuned to more accurately align highway fund spending with highway revenues so as to have greater predictability and stability in highway funding.

I understand also that our chairman, gentleman from Alaska, has reached an agreement with the chairman of the Committee on Appropriations to attach the language of this bill to the supplemental appropriations bill instead of language that would have declared that the RABA mechanism shall have no force or effect. Now that is very serious language that would have had a very, very bad effect, and I think striking that language and supplanting our bill is a good agreement.

That agreement also has a dark side, and the dark side is that we also have to agree to authorize projects that were earmarked in the Transportation Appropriations Act this fiscal year that are ineligible for funding. I do not want to debate the merits of those particular projects, but I just want to focus on process.

This is an example of legislative process that is spinning out of control. In the last several years we have moved away from deliberative consideration of legislation, including transportation appropriations bills.

The SPEAKER pro tempore (Mr. LAHOOD). The time of the gentleman from Minnesota (Mr. OBERSTAR) has expired. The gentleman from Alaska (Mr. YOUNG) has 12 minutes remaining.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Alaska (Mr. YOUNG) for his generosity.

Two-thirds of the Members of this body did not serve in this body in prior years when there were different rules that now are routinely waived. We had transportation appropriations conference reports submitted to us at 7 a.m. on the day the bill is to be considered 2 hours later, no time for the staff of the majority or the minority to evaluate what is in those bills. Members were lucky if they saw a copy, let alone have an idea of what was in it.

Similarly, the other body no longer passes appropriation bills with numbered amendments, so that when they come over here from conference there is no opportunity to stand up and challenge a particular numbered amendment in an appropriation bill.

In 1993, Chairman Natcher of the Committee on Appropriations brought the transportation appropriation conference report with 63 amendments in disagreement. We could challenge each one of those. We no longer can do that.

□ 1615

We no longer even have the time to consider in appropriate fashion what has been sent from the other body, whether in a conference report or otherwise.

Now we ought to know before we vote what we are voting on. We should know that bills that earmark interstate highway funds for projects that are not on the interstate are pending before us; we ought to know that the bill before us commits public lands funds for projects that do not involve Federal lands; that scenic byway funds are for a project that is not on a scenic byway; that bridge replacement funds are dedicated to a project that does not replace a bridge.

We are in the position in this committee of voting without having an opportunity to know what we are voting on and, therefore, to object to what we are voting on. We need to restore the deliberative process to this body's consideration of appropriation bills.

I know that I speak for myself, I know I speak for the Members on the Democratic side, and I know that I express the frustration that the chairman and members of our committee on the majority side have as well. Let us restore a deliberative process so that we can do the public's business in a fair and effective way.

Mr. Speaker, I thank the distinguished chairman for yielding this time, and I yield back the balance of my time.

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

Mr. Speaker, the statements of my good friend, the gentleman from Minnesota (Mr. OBERSTAR), are absolutely true. I am hoping we can convince the

leadership on this side of the aisle, and, of course, the leadership on that side of the aisle, that what is sent to us from the other body in the waning hours of any session has been done inappropriately and that we have to have the time to make sure we are actually following the proper procedure and that we do not rush to leave this body and leave, very frankly, some things done inappropriately, as were done last year in October, because we do have to rectify that now.

I have let it be known to Members that went back to their districts and made statements of what they had achieved, and they had not achieved that, that I understand their dilemma. So this is a one-shot deal for them, and I hope everybody watching this in their office who are on that list makes sure they understand this is the only time they are going to get a chance to get projects agreed to, as it goes through our committee, or at least in consultation with the chairman and myself, and of course the ranking member. Because that is the appropriate way to do it.

The other body, the only way we can control that body is to reject what they send to us, and that takes a great deal of courage. I am hoping we have the courage to say no, not until we take the time to do what is right legislatively, with a great deal of deliberation, and the ability to do the job that we have been elected to do. This has been going on now for about 4 or 5 years, and I think it is time the House stands up and says no, this is not going to happen, you are not going to send us a great big bill, bigger than that room itself, and not know what is in it.

My staff and myself have spent time, primarily my staff, and I will admit that, just researching what was done last year to find out what projects were put in that were not authorized and, very frankly, took monies from projects that were authorized; and we do not think that is the correct way to go.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for not only yielding me this time, but for his leadership on this issue, and I also commend the ranking member, the gentleman from Minnesota (Mr. OBERSTAR).

I just simply rise in support of this bill, H.R. 3694, because this bill, the Highway Funding Restoration Act, is going to restore no less than \$66.5 million in highway funding in my State of Maryland, and that is going to represent 2,725 jobs. So I urge passage of the bill.

Mr. YOUNG of Alaska. Mr. Speaker, I insert for the RECORD an exchange of letters between the gentleman from Iowa (Mr. NUSSLE), Chairman of the Committee on the Budget, which I referred to earlier.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE,  
Washington, DC, May 2, 2002.

Hon. JIM NUSSLE,  
Chairman, Committee on Budget, Cannon  
Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of May 2, 2002, regarding H.R. 3694, the Highway Funding Restoration Act and for your willingness to waive consideration of provisions in the bill that fall within your Committee's jurisdiction under House Rules.

I agree that your waiving consideration of relevant provisions of H.R. 3694 does not waive your Committee's jurisdiction over the bill. I also acknowledge your right to seek conferees on any provisions that are under your Committee's jurisdiction during any House-Senate conference on H.R. 3694 or similar legislation, and will support your request for conferees on such provisions.

As you request, your letter and this response will be included in the committee report on the legislation as well the Congressional Record during consideration on the House Floor.

Thank you for your cooperation in moving this important legislation.

Sincerely,

DON YOUNG,  
Chairman.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, May 2, 2002.

Hon. DON YOUNG,  
Chairman, Committee on Transportation and  
Infrastructure, Rayburn House Office  
Building, Washington, DC.

DEAR MR. YOUNG: On May 1, 2002 the Committee on Transportation and Infrastructure ordered reported H.R. 3694, the Highway Funding Restoration Act. At introduction, H.R. 3694 was referred solely to the Committee on Transportation and Infrastructure. In committee, however, an amendment was adopted that added three new sections to the bill. Section four, "Adjustments to Guarantee Funding Levels," and section five "Sense of Congress Regarding Revenue Aligned Budget Authority" are within the primary jurisdiction of the Budget committee. I want to thank you for working closely with me to ensure that those provisions were acceptable to the Budget Committee.

Because of our close working relationship on this matter and in order to expedite the consideration of H.R. 3694, I do not intend to seek a sequential referral of the bill as ordered reported. In not seeking a sequential referral of H.R. 3694, the committee does not waive its jurisdiction or its prerogatives over this legislation. The Budget Committee also reserves its authority to seek conferees on H.R. 3694 or a similar Senate bill with respect to provisions that are within the committee's jurisdiction; and, I ask your commitment to support any such request by the Budget Committee.

Finally, I would ask that you include a copy of our exchange of letters on this matter in your committee report and in the Congressional Record during floor consideration. Thank you for your assistance and cooperation in this matter.

Sincerely,

JIM NUSSLE,  
Chairman.

Mr. LIPINSKI. Mr. Speaker, I rise today to state my enthusiastic support of H.R. 3694, the Highway Funding Restoration Act.

First of all, I would like to salute the Chairman of the full Committee, the gentleman from Alaska (Mr. YOUNG), and the Chairman of the Subcommittee on Highways & Transit, the

gentleman from Wisconsin (Mr. Petri). Just as importantly, the leadership abilities of the ranking member of the full Committee, the gentleman from Minnesota (Mr. OBERSTAR), and the ranking member of the Subcommittee, the gentleman from Pennsylvania (Mr. BORSKI), were important components in this entire process.

I have been a member of the Transportation and Infrastructure Committee since my first term, and things are no different now than in 1983. Smart investments in our nation's infrastructure brings about national economic benefits. It's estimated that every dollar invested in our highway system yield \$2.60 in economic benefits.

As many of my colleagues in this body may know, the Administration's FY 2003 budget request would have reduced Federal-Aid highway funding to \$23 billion down, which represents a dramatic decrease from FY 2002 funding levels.

Many of my colleagues were rightfully concerned at this funding request, and I shared those concerns. While \$23 billion may sound like a lot of money and more than sufficient, the reality is much different. The real funding needs for our infrastructure already exceeds current funding levels by billions and billions. Needless to say, the proposed decrease would have caused potential transportation funding problems in every state and in every congressional district.

For my home state of Illinois, under the proposed budget, we would have seen a decrease of \$236 million in highway funds in FY 2003, and there would have been serious ramifications across Illinois. Highway and road projects across Illinois would have been adversely impacted. Just as importantly, it could have also meant the loss of 10,000 jobs—jobs that we can ill afford to lose.

By restoring the highway funds to the levels authorized under TEA 21, Illinois would have nearly \$139 million restored, and by funding our transportation needs in a fiscally responsible fashion, we all win.

I'm proud to be an original cosponsor of H.R. 3694. With nearly 320 cosponsors, it's clear to see that there is broad, bipartisan support for this bill. I urge all of my colleagues to vote for this important piece of legislation.

Mr. UDALL of New Mexico, Mr. Speaker, I rise today in strong support of H.R. 3694, the Highway Funding Restoration Act. This important legislation restores critical funding for the Federal-Aid Highway Program.

Upon enactment of TEA 21 in 1998, funding for the Federal-aid highway program was linked to highway user fee revenues deposited into the Highway Trust Fund. This was done partially by including a budgetary mechanism included in TEA 21 called Revenue Aligned Budget Authority (RABA), which adjusts the guaranteed amount of highway funding available to reflect the most recent estimates of Highway Trust Fund revenues.

An unexpected downturn in highway revenues caused by the RABA provision of TEA 21 resulted in a decrease of an \$8.6 billion or 27 percent cut in highway funding in the President's FY 2003 budget proposal.

H.R. 3694 restores billions of critical dollars for our state departments of transportation as they cannot be expected to absorb a cut of this magnitude in one year, especially at a time when State revenues are also declining. The 27 percent cut in highway funds proposed

in the president's Budget will decimate State transportation programs, delay efforts to decrease road congestion and deny the traveling public all of the benefits that would result from reduced congestion—shortened travel times, increased productivity and economic growth, and improved safety.

This shortfall will have a severe negative impact on New Mexico and will result in a decrease of \$69 million for the New Mexico State Highway and Transportation Department. For many in the Intermountain West, it is not unheard of for people to commute 70 miles to and from work. As a result, the transportation on our roadways is absolutely crucial. A loss of \$69 million will cause the postponement of several important highway construction projects, as well as reductions in money spent on road maintenance. In addition, it is projected that New Mexico will lose an estimated 2,700 jobs as a result of the shortfall.

I am sure many other states will face similar funding and job losses if these monies are not restored for FY 03. Therefore, I urge my colleagues to join me in support of H.R. 3694 and avoid a devastating shortfall in state transportation budgets.

Mr. MATHESON. Mr. Speaker, I rise today to give my full support to the passage of H.R. 3694, this is vital legislation, needed not just for our roads, bridges, and interchanges but also for our towns, our states, and our national economy.

There is no doubt that our economy is not expanding as it was just a couple of years ago. Unemployment is at a six year high and consumer confidence is low. There is a way, however, to provide good jobs, expand commerce, and make lasting investments in our country and that is to restore highway funding.

This year's budget has an \$8.6 billion cut to federal-aid highways. The swings in our economy have translated into a wild swing in how we administer highway funding. Just last year, the Treasury Department predicted a \$4.5 billion increase in funding levels, only to be faced with a \$4.4 billion drop. We must now carefully choose our funding priorities.

Without the restoration of this money we will only exacerbate the economic downturn. In my home state of Utah, where highway funding is at a premium, these cuts mean a \$55 million dollar shortfall in roadway funds. This means the loss of jobs and contracts-over 3,000 jobs in Utah alone and 180,000 jobs across the country.

Finally, we have already collected the taxes for the trust fund—it was paid by every person who filled a gas tank, rode a bus, or drove a car last year.

Mr. Speaker, this is a short-term fix. While the idea of Revenue Aligned Budget Authority has worked well in the past, it is clear that we need to adjust the formula to prevent future cuts from happening.

This is a uniquely bi-partisan and bi-camerae bill that will immediately help all of our constituents and ensure that we continue to make good sound investments and create good, well paying jobs.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support of H.R. 3694, the Highway Funding Restoration Act.

This Member would like to begin by commending the distinguished gentleman from Alaska (Mr. YOUNG), the Chairman of the Transportation and Infrastructure Committee,

and the distinguished gentleman from Minnesota (Mr. OBERSTAR), the ranking Member of the Committee, for their hard work in bringing this bill to the Floor. With 317 cosponsors, it is clear that the vast majority of House Members recognize the importance of H.R. 3694.

Mr. Speaker, Americans who pay the gas tax at the pump expect those dollars to be used for roads and other transportation expenses, and they expect that the money will be made available promptly. Any budget decision to spend less on road construction and maintenance would be a bad fiscal decision as we attempt to move from an economic recession. It would be a serious mistake to cut infrastructure spending at this critical time.

The bill would restore a minimum of \$4.4 billion for highway programs in the budget. This would bring highway funding back to the level anticipated when the Transportation Equity Act for the 21st Century (TEA-21) was enacted. For the State of Nebraska, this legislation would result in the restoration of \$32 million.

The Highway Trust Fund contains a surplus of about \$20 billion—money already paid in gas taxes. Motorists deserve to have these funds used expeditiously for transportation purposes, rather than to accumulate huge trust fund surpluses.

Mr. Speaker, as an original cosponsor of this bill, this Member urges his colleagues to support H.R. 3694.

Mr. BALDACCI. Mr. Speaker, I rise today in strong support of H.R. 3694, the Highway Funding Restoration Act. This bill restores \$4.4 billion in transportation funding and brings us back to the TEA-21 floor of \$27.7 billion. It also ensures that this funding will be used to repair decrepit roads and bridges by placing it behind TEA-21's firewalls.

Every state in America will be affected by the \$8.8 billion reduction in highway funding proposed by President Bush. While the RABA formula was responsible for the large upswing in FY2002 and the large downturn in FY2003, we must continue to tie gas tax receipts to Trust Fund expenditures to ensure that surpluses are not kept artificially high for budgetary gimmicks.

The President and this Congress have the authority to restore this critical funding, and I am pleased that we are here today to take the first step. H.R. 3694 sets a funding floor of \$27.7 billion, a \$4.4 billion improvement over President Bush's budget proposal. However, I believe that we can and must do better.

I understand that the Senate is considering doing somewhat better and restoring \$5.7 billion. Such an increase can be sustained by the Trust Fund given the current \$20 billion surplus and projected receipts. I urge the House to work with the other body to achieve at least that amount.

The \$8.8 billion reduction contained in the President's budget request would result in a \$37 million decrease in funding for my state. H.R. 3694 restores about \$22 million leaving a \$15 million difference. Maine's transportation needs are significant, and the backlog of roads and bridges in need of repair continually grows. Harsh winter weather and extensive use by both tourists and heavy trucks take their toll on our roads.

Currently, Maine needs to repair 4,000 miles of its estimated 8,300 highway miles. In its biennial budget, only 200 of these miles can be

repaired. At this rate Maine will finish its arterial highways in 8 years, and major collectors in 34 years. That pace is obviously insufficient to maintain the safe and reliable transportation network that is crucial to my state's economic future.

Closing the remaining \$15 million deficit would allow the repair of approximately 30 additional miles. While this number may seem small, 30 miles can be critical in providing safe access to rural Maine communities.

Mr. Speaker, I also strongly support Section 6 of this bill which specifically authorizes 49 projects which encountered eligibility problems. Three of these projects are located in Maine. It is absolutely critical that this funding go forward to assist the communities of Brewer, Portland and Aroostook County.

I want to reiterate that the funding level we are setting here today is a floor, not a ceiling. I am supporting this legislation as a first step in ensuring that the infrastructure needs of our communities in Maine and throughout the country can be met. I hope that we will work to go beyond this floor and restore the remaining funding that our states need and deserve.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise in strong support of H.R. 3694, the Highway Funding Restoration Act, critical legislation introduced by my friend and colleague, Mr. YOUNG.

As you know, Mr. Speaker, under TEA-21, funding for the federal-aid highway program was linked to highway user fee revenues deposited into the Highway Trust Fund (HTF). This was achieved in part by a budgetary mechanism called RABA, the Revenue Aligned Budget Authority, which adjusts the guaranteed amount of highway funding available to reflect the most recent estimates of HTF revenues. Due to an unexpected downturn in highway revenues (attributable to a decline in gas, tire, and truck sales, and the overall economic recession), the President's FY 2003 budget proposed an \$8.6 billion, or 27 percent cut in highway funding. H.R. 3694 restores \$4.4 billion to the highway program (a return to TEA-21's FY 2003 levels), and preserves TEA-21 "firewalls," ensuring that the additional money will be spent on highway projects.

House passage of this legislation will send an important message that these funds will be available to states to continue work on vital transportation projects. TEA-21 was a huge win for Virginia, resulting in hundreds of millions of dollars more each year in federal aid for transportation projects. This funding meant progress in our fight against traffic congestion, enhanced highway safety, and thousands of jobs—good, family-wage jobs we can't afford to lose. Halting this progress by cutting funding 27 percent would be devastating to Virginia, to our local economies, and to the men and women whose livelihood depends on transportation-related projects.

Many projects critical to the continued improvement of Virginia's transportation infrastructure are currently in the works or being planned—while many others are being set aside due to funding shortages at the state and local levels. In my Northern Virginia congressional district, safety, quality of life and the overall economy depend largely on maintaining TEA-21 funding. I urge my colleagues to join me in supporting this legislation.

Mr. CLEMENT. Mr. Speaker, I rise in support of H.R. 3694, the Highway Funding Restoration Act and I want to thank Chairman

YOUNG, Ranking Member OBERSTAR and my other colleagues from the Transportation and Infrastructure Committee for their leadership on this important bill. The President's proposed 2003 Budget cuts federal-aid highway funding in my state of Tennessee by over \$158 million. The loss of these funds will result in the layoffs of thousands of hardworking Tennesseans—approximately 6,000 lost jobs—as the state cuts back on bidding out projects at a time when we should be creating jobs, not eliminating them.

This unprecedented cut will put the brakes on highway improvement projects not just in Tennessee, but throughout the country. After September 11th, we need to ensure adequate mobility for our national defense. The cuts offered by the President won't help our mobility and, in fact, stand to increase congestion and safety hazards for the motoring public. The state aid formula in TEA-21 was meant to establish a floor, not a ceiling, and the President is giving states the minimum at a time when the economy cries out for more investment in our transportation infrastructure.

That is why we must rally to enact the Highway Funding Restoration Act and restore \$4.4 billion for our highways. Of this amount, this measure would restore \$92 million or approximately 58% of Tennessee's lost highway funds. Although I would like to see the entire funding level of \$158 million for Tennessee returned to the budget, I support this compromise to save roads and jobs in Tennessee and across the nation.

I urge my colleagues to join me in supporting the bill before us.

Mr. BLUMENAUER. Mr. Speaker, Federal investment in transportation is critical to moving our nation's people, goods, and economy. Maintaining and meeting our federal commitment to transportation spending is an important first step.

I was proud to serve on the House Transportation and Infrastructure Committee that authored the 1998 Federal surface transportation-spending bill entitled TEA-21 (the Transportation Equity Act for the Twenty-first Century). This legislation provided record levels of guaranteed funding for highways, bridges, transit, and enhancement programs. In addition to funding, it also created a policy framework that emphasizes good planning, with a focus on public participation and environmental goals. All of these factors are critical tools to building more livable communities—where families have choices about how they travel and where they live.

I was greatly concerned when earlier this year, the Bush Administration proposed in its fiscal year 2003 Budget a significant decrease in transportation spending from what Congress approved last year. This cut of \$8.6 billion, or a 27 percent reduction in highway funding, is based on the Revenue Aligned Budget Authority (RABA) provision of TEA-21. The need for infrastructure management, improvement, and new capacity has only increased and this funding is critical to the transportation plans in many communities. In Oregon alone, the impact is a loss of almost \$51 million.

As an original co-sponsor of H.R. 3694, I was proud to join with other members of Congress in sending a strong signal that our federal commitment to transportation infrastructure must be met. This bill would increase fiscal year 2003 highway funding by at least \$4.4 billion above the level requested in the President's Budget.

Some have argued that since highway programs benefited from RABA in previous years, that they must now suffer the negative consequences, too. While this seems a logical argument, there are some important variables that come into play. Perhaps the most glaring is the impact that such a large cut would have on state transportation departments. Many state DOTs are already facing funding constraints while they are also struggling to maintain existing roads and provide solutions to reducing the growing levels of traffic congestion. Second, transportation spending keeps people employed building infrastructure critical to economic growth. Cutting highway spending by 27 percent would lead to significant job loss and threaten our economic recovery. Finally, there is already a cash balance in the Highway Trust Fund of roughly \$20 billion that could be used to help restore the \$4.4 billion proposed in this bill.

In the upcoming year Congress will begin reauthorizing TEA-21. This will be an important opportunity to re-examine federal transportation policies and funding levels, including the RABA provision. I encourage my colleagues today to pass this bill and help restore the much-needed highway funding that will help states meet their transportation needs, help keep the economy growing, and help to build more livable communities.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3694, as amended.

The question was taken.

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

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### SOCIAL SECURITY BENEFIT ENHANCEMENTS FOR WOMEN ACT OF 2002

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4069) to amend title II of the Social Security Act provide for miscellaneous enhancements in Social Security benefits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4069

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

#### SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Social Security Benefit Enhancements for Women Act of 2002".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title and table of contents.

#### TITLE I—BENEFIT ENHANCEMENTS

- Sec. 101. Repeal of 7-year restriction on eligibility for widow's and widower's insurance benefits based on disability.
- Sec. 102. Exemption from two-year waiting period for divorced spouse's benefits upon other spouse's remarriage.
- Sec. 103. Months ending after deceased individual's death disregarded in applying early retirement rules with respect to deceased individual for purposes of limitation on widow's and widower's benefits.

#### TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986

- Sec. 201. Exclusion from gross income for interest on overpayments of income tax by individuals.
- Sec. 202. Deposits made to suspend running of interest on potential underpayments.
- Sec. 203. Partial payment of tax liability in installment agreements.

#### TITLE I—BENEFIT ENHANCEMENTS

#### SEC. 101. REPEAL OF 7-YEAR RESTRICTION ON ELIGIBILITY FOR WIDOWS AND WIDOWER'S INSURANCE BENEFITS BASED ON DISABILITY.

(a) WIDOW'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(e) of the Social Security Act (42 U.S.C. 402(e)) is amended—

(A) in paragraph (1)(B)(ii), by striking "which began before the end of the period specified in paragraph (4)";

(B) in paragraph (1)(F)(ii), by striking "(I) in the period specified in paragraph (4) and (II)";

(C) by striking paragraph (4) and by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively; and

(D) in paragraph (4)(A)(ii) (as redesignated), by striking "whichever" and all that follows through "begins" and inserting "the first day of the seventeenth month before the month in which her application is filed".

(2) CONFORMING AMENDMENTS.—

(A) Section 202(e)(1)(F)(i) of such Act (42 U.S.C. 402(e)(1)(F)(i)) is amended by striking "paragraph (5)" and inserting "paragraph (4)".

(B) Section 202(e)(1)(C)(ii)(III) of such Act (42 U.S.C. 402(e)(2)(C)(ii)(III)) is amended by striking "paragraph (8)" and inserting "paragraph (7)".

(C) Section 202(e)(2)(A) of such Act (42 U.S.C. 402(e)(2)(A)) is amended by striking "paragraph (7)" and inserting "paragraph (6)".

(D) Section 226(e)(1)(A)(i) of such Act (42 U.S.C. 426(e)(1)(A)(i)) is amended by striking "202(e)(4)".

(b) WIDOWER'S INSURANCE BENEFITS.—

(1) IN GENERAL.—Section 202(f) of such Act (42 U.S.C. 402(f)) is amended—

(A) in paragraph (1)(B)(ii), by striking "which began before the end of the period specified in paragraph (5)";

(B) in paragraph (1)(F)(ii), by striking "(I) in the period specified in paragraph (5) and (II)";

(C) by striking paragraph (5) and by redesignating paragraphs (6) through (9) as paragraphs (5) through (8), respectively; and

(D) in paragraph (5)(A)(ii) (as redesignated), by striking "whichever" and all that follows through "begins" and inserting "the first day of the seventeenth month before the month in which his application is filed".

(2) CONFORMING AMENDMENTS.—

(A) Section 202(f)(1)(F)(i) of such Act (42 U.S.C. 402(f)(1)(F)(i)) is amended by striking "paragraph (6)" and inserting "paragraph (5)".

(B) Section 202(f)(1)(C)(ii)(III) of such Act (42 U.S.C. 402(f)(2)(C)(ii)(III)) is amended by striking “paragraph (8)” and inserting “paragraph (7)”.

(C) Section 226(e)(1)(A)(i) of such Act (as amended by subsection (a)(2)) is further amended by striking “202(f)(1)(B)(ii), and 202(f)(5)” and inserting “and 202(f)(1)(B)(ii)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 2002.

**SEC. 102. EXEMPTION FROM TWO-YEAR WAITING PERIOD FOR DIVORCED SPOUSE'S BENEFITS UPON OTHER SPOUSE'S REMARRIAGE.**

(a) WIFE'S INSURANCE BENEFITS.—Section 202(b)(5)(A) of the Social Security Act (42 U.S.C. 402(b)(5)(A)) is amended by adding at the end the following new sentence: “The criterion for entitlement under clause (ii) shall be deemed met upon the remarriage of the insured individual to someone other than the applicant during the 2-year period referred to in such clause.”.

(b) HUSBAND'S INSURANCE BENEFITS.—Section 202(c)(5)(A) of such Act (42 U.S.C. 402(c)(5)(A)) is amended by adding at the end the following new sentence: “The criterion for entitlement under clause (ii) shall be deemed met upon the remarriage of the insured individual to someone other than the applicant during the 2-year period referred to in such clause.”.

(c) CONFORMING AMENDMENT TO EXEMPTION OF INSURED INDIVIDUAL'S DIVORCED SPOUSE FROM EARNINGS TEST AS APPLIED TO THE INSURED INDIVIDUAL.—Section 203(b)(2)(B) of such Act (42 U.S.C. 403(b)(2)(B)) is amended by adding at the end the following new sentence: “The requirement under such clause (ii) shall be deemed met upon the remarriage of the individual referred to in paragraph (1) to someone other than the divorced spouse referred to in such clause during the 2-year period referred to in such clause.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 2002.

**SEC. 103. MONTHS ENDING AFTER DECEASED INDIVIDUAL'S DEATH DISREGARDED IN APPLYING EARLY RETIREMENT RULES WITH RESPECT TO DECEASED INDIVIDUAL FOR PURPOSES OF LIMITATION ON WIDOW'S AND WIDOWER'S BENEFITS.**

(a) WIDOW'S INSURANCE BENEFITS.—Section 202(e)(2)(D)(i) of the Social Security Act (42 U.S.C. 402(e)(2)(D)(i)) is amended by inserting after “applicable,” the following: “except that, in applying paragraph (7) of subsection (q) for purposes of this clause, any month ending with or after the date of the death of such deceased individual shall be deemed to be excluded under such paragraph (in addition to months otherwise excluded under such paragraph).”.

(b) WIDOWER'S INSURANCE BENEFITS.—Section 202(f)(3)(D)(i) of such Act (42 U.S.C. 402(f)(3)(D)(i)) is amended by inserting after “applicable,” the following: “except that, in applying paragraph (7) of subsection (q) for purposes of this clause, any month ending with or after the date of the death of such deceased individual shall be deemed to be excluded under such paragraph (in addition to months otherwise excluded under such paragraph).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to benefits for months after November 2002.

**TITLE II—AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986**

**SEC. 201. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.**

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to items specifically excluded

from gross income) is amended by inserting after section 139 the following new section:

**“SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTEREST ON OVERPAYMENTS OF INCOME TAX BY INDIVIDUALS.**

“(a) IN GENERAL.—In the case of an individual, gross income shall not include interest paid under section 6611 on any overpayment of tax imposed by this subtitle.

“(b) EXCEPTION.—Subsection (a) shall not apply in the case of a failure to claim items resulting in the overpayment on the original return if the Secretary determines that the principal purpose of such failure is to take advantage of subsection (a).

“(c) SPECIAL RULE FOR DETERMINING MODIFIED ADJUSTED GROSS INCOME.—For purposes of this title, interest not included in gross income under subsection (a) shall not be treated as interest which is exempt from tax for purposes of sections 32(i)(2)(B) and 6012(d) or any computation in which interest exempt from tax under this title is added to adjusted gross income.”.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 139 the following new item:

“Sec. 139A. Exclusion from gross income for interest on overpayments of income tax by individuals.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received after December 31, 2006.

**SEC. 202. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS.**

(a) IN GENERAL.—Subchapter A of chapter 67 of the Internal Revenue Code of 1986 (relating to interest on underpayments) is amended by adding at the end the following new section:

**“SEC. 6603. DEPOSITS MADE TO SUSPEND RUNNING OF INTEREST ON POTENTIAL UNDERPAYMENTS, ETC.**

“(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN AS PAYMENT OF TAX.—A taxpayer may make a cash deposit with the Secretary which may be used by the Secretary to pay any tax imposed under subtitle A or B or chapter 41, 42, 43, or 44 which has not been assessed at the time of the deposit. Such a deposit shall be made in such manner as the Secretary shall prescribe.

“(b) NO INTEREST IMPOSED.—To the extent that such deposit is used by the Secretary to pay tax, for purposes of section 6601 (relating to interest on underpayments), the tax shall be treated as paid when the deposit is made.

“(c) RETURN OF DEPOSIT.—Except in a case where the Secretary determines that collection of tax is in jeopardy, the Secretary shall return to the taxpayer any amount of the deposit (to the extent not used for a payment of tax) which the taxpayer requests in writing.

“(d) PAYMENT OF INTEREST.—

“(1) IN GENERAL.—For purposes of section 6611 (relating to interest on overpayments), a deposit which is returned to a taxpayer shall be treated as a payment of tax for any period to the extent (and only to the extent) attributable to a disputable tax for such period. Under regulations prescribed by the Secretary, rules similar to the rules of section 6611(b)(2) shall apply.

“(2) DISPUTABLE TAX.—

“(A) IN GENERAL.—For purposes of this section, the term ‘disputable tax’ means the amount of tax specified at the time of the deposit as the taxpayer's reasonable estimate of the maximum amount of any tax attributable to disputable items.

“(B) SAFE HARBOR BASED ON 30-DAY LETTER.—In the case of a taxpayer who has been issued a 30-day letter, the maximum amount

of tax under subparagraph (A) shall not be less than the amount of the proposed deficiency specified in such letter.

“(3) OTHER DEFINITIONS.—For purposes of paragraph (2)—

“(A) DISPUTABLE ITEM.—The term ‘disputable item’ means any item of income, gain, loss, deduction, or credit if the taxpayer—

“(i) has a reasonable basis for its treatment of such item, and

“(ii) reasonably believes that the Secretary also has a reasonable basis for disallowing the taxpayer's treatment of such item.

“(B) 30-DAY LETTER.—The term ‘30-day letter’ means the first letter of proposed deficiency which allows the taxpayer an opportunity for administrative review in the Internal Revenue Service Office of Appeals.

“(4) RATE OF INTEREST.—The rate of interest allowable under this subsection shall be the Federal short-term rate determined under section 6621(b), compounded daily.

“(e) USE OF DEPOSITS.—

“(1) PAYMENT OF TAX.—Except as otherwise provided by the taxpayer, deposits shall be treated as used for the payment of tax in the order deposited.

“(2) RETURNS OF DEPOSITS.—Deposits shall be treated as returned to the taxpayer on a last-in, first-out basis.”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 67 of such Code is amended by adding at the end the following new item:

“Sec. 6603. Deposits made to suspend running of interest on potential underpayments, etc.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to deposits made after the date of the enactment of this Act.

(2) COORDINATION WITH DEPOSITS MADE UNDER REVENUE PROCEDURE 84-58.—In the case of an amount held by the Secretary of the Treasury or his delegate on the date of the enactment of this Act as a deposit in the nature of a cash bond deposit pursuant to Revenue Procedure 84-58, the date that the taxpayer identifies such amount as a deposit made pursuant to section 6603 of the Internal Revenue Code (as added by this Act) shall be treated as the date such amount is deposited for purposes of such section 6603.

**SEC. 203. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.**

(a) IN GENERAL.—

(1) Section 6159(a) of the Internal Revenue Code of 1986 (relating to authorization of agreements) is amended—

(A) by striking “satisfy liability for payment of” and inserting “make payment on”, and

(B) by inserting “full or partial” after “facilitate”.

(2) Section 6159(c) of such Code (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting “full” before “payment”.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 of such Code is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

“(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. SHAW) and the gentleman from California (Mr. MATSUI) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. SHAW).

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

Mr. Speaker, on Mother's Day the Nation honored the love and daily sacrifices of our mothers in raising us and unstintingly giving of themselves both in the workforce and at home. Not just our mothers, but all women play an essential role in advancing our Nation's economic success and the American spirit, which is why it is so important to take the steps we can to enhance the Social Security benefits that are so crucial to women's retirement income security.

Many of the changes in the Social Security program over time were specifically designed to help women, such as the addition of the wives' and widows' benefits in 1939, mothers' benefits in 1950, divorced women's benefits in 1965, and disabled widows' benefits in 1967. By providing spouse and survivor benefits, lifetime inflation-adjusted benefits, and a progressive benefit formula, Social Security helps keep millions of women out of poverty today.

Although we face significant choices ahead in strengthening Social Security's financing for future generations, both Republicans and Democrats agree we must continue to enhance Social Security for women. The Social Security Benefit Enhancements for Women Act is a critical first step both towards increasing women's retirement income security and in forming the building blocks of a bipartisan dialogue on how best to strengthen Social Security for all the American people.

H.R. 4069, as amended, takes a first step towards updating benefits and helping women meet their needs. This legislation will not affect Social Security's long-term financial picture, but it will make meaningful improvements for over 12,000 women when it is implemented.

The Social Security Benefit Enhancements for Women Act increases benefits for certain widows, it allows more disabled widows to qualify for disabled widow benefits, and enables certain divorced spouses to avoid the unnecessary 2-year waiting for the benefits. These enhancements are particularly necessary because elderly and disabled widows and divorced spouses are more likely to live in poverty.

The subcommittee worked with the Social Security Administration to identify these benefit enhancements, and several women and senior organizations agreed these changes are an important start in updating Social Security to improve women's retirement securities. AARP said, "The bill targets improvements for widows and divorced spouses, and it will help ensure that Social Security continues to provide valuable economic support for older

women who rely on Social Security for much of their retirement income." Moreover, these provisions have solid bipartisan support.

Furthermore, this bill continues the subcommittee's traditional process of making sure benefits are not increased within the Social Security System at the expense of other retirees or workers. We insisted on that when we repealed the earnings penalty and enacted the Ticket to Work legislation. According to the Social Security actuaries, this bill succeeds in increasing benefits without affecting the financial picture for the program. That means that mothers and grandmothers can have better benefits but not at the expense of their daughters and their granddaughters.

Some have proposed not meeting this bipartisan tradition, proposing even more expansive increases in women's benefits, but without addressing Social Security's financial challenges. To pay for the benefits, the general income tax receipts are transferred into Social Security in an amount that would be available if we increase the top tax rate. But we have not, and that means some other family worker or business would have to pay the bill sooner or later.

There is more we need to do for women, and we will. The President's bipartisan commission proposed increasing widows' benefits and guarantees that minimum-wage workers do not retire into poverty. My legislation, the Social Security Guarantee Plus Act, saves Social Security for 75 years and beyond; and it includes provisions to increase widows' benefits, reduces the penalty women pay who temporarily leave work to care for young children, expands eligibility for young disabled widows and divorced spouses, and reduces the government pension offset. Other Members of Congress have also introduced plans that directly enhance women's benefits.

Many of our Nation's mothers and seniors depend upon Social Security for much or all of their retirement income. One of the best ways to honor the women of America is to continue our long-standing tradition of enhancing Social Security for women and other vulnerable seniors and sow the seeds of cooperation rather than harvest the chaff of political acrimony. I ask that we all vote in favor of H.R. 4069.

Lastly, Mr. Speaker, I insert for the RECORD a statement that provides additional information about these enhancements for women and how they were developed, as well as letters of support we received from AARP, Independent Women's Forum, National Committee to Preserve Social Security and Medicare, United Seniors Association, Women Impacting Public Policy, and Women's Institute for a Secure Retirement.

SOCIAL SECURITY BENEFIT ENHANCEMENTS FOR WOMEN ACT OF 2002  
PURPOSE AND SUMMARY

The Social Security Benefit Enhancements for Women Act of 2002 improves fairness and

updates benefit eligibility requirements, resulting in higher benefits and expanded eligibility for certain elderly and disabled widows and divorced spouses, who are among the most likely to live in poverty.

BACKGROUND AND NEED FOR LEGISLATION

Historically, women depend more on Social Security than do men for their retirement income. Women represent 58 percent of all aged Social Security beneficiaries, and approximately 71 percent of beneficiaries age 85 and older. On average, Social Security provides about half of total income for unmarried women (including widows) age 65 and older, and it is the only source of retirement income for 26 percent of unmarried elderly women. Social Security provides a crucial safety net for women's income security—without Social Security over half of elderly women would live in poverty.

There are several aspects of Social Security that are particularly important to women. At birth, women are expected to live almost 6 years longer than men. At age 65, women are expected to live about 3 years longer than men. Social Security protects women by providing lifetime, inflation-adjusted benefits to workers and their survivors, which help protect them from falling into poverty throughout their retirement as assets are spent down, other sources of pension income fail to keep pace with inflation, or after a spouse dies.

In addition to living longer, women tend to earn less than men. In 2000, the median weekly earnings for female full-time wage and salary workers were \$491, or 76% of the \$646 for their male counterparts. Social Security's progressive benefit formula protects women by replacing a higher percentage of earnings for low-wage workers than for high-wage workers.

Another reason women earn less than men over their lifetimes is time spent outside the workforce caring for children or other family members. Of workers first receiving benefits in 1999, women worked a median of 32 years, while men worked a median of 44 years. The difference in time spent in the workforce is projected to narrow in the future, but women are still expected to work fewer years than men on average because of family-care responsibilities. Social Security protects women who have less labor force participation and lower wages than their spouse by paying spousal benefits.

Although vital to women's economic security, some aspects of the Social Security program have not kept pace with changes in women's participation in the workforce and trends in marriage and child-care. For example: two-earner couples receive lower benefits than one-earner couples with the same total earnings and age at retirement; parents who take time out of the workforce to care for a child receive no credit toward retirement benefits for those years; and a person must have been married 10 years to qualify for benefits as a divorced spouse, even though the median length of a marriage ending in divorce is around 7 years. Numerous proposals have been made to update and improve Social Security benefits for women, ranging from minor adjustments to spouse, divorced spouse, and survivor benefits, to credits for years spent caring for young children.

While many proposals to strengthen Social Security for women would reduce Social Security's long-term ability to pay benefits and are best considered as part of comprehensive legislation to strengthen Social Security, there are a number of ways to remedy current inequities in benefits and eligibility criteria with only a negligible effect on Social Security's finances. Once implemented, H.R. 4069 would improve benefits for

over 120,000 Americans according to estimates by the Congressional Budget Office, by improving benefits for divorced spouses and certain elderly and disabled widows.

#### SUBCOMMITTEE ACTION

The Ways and Means Subcommittee on Social Security held hearings on February 3, 1999, February 28, 2002, and March 6, 2002 devoted to the topic of the need to enhance Social Security benefits for women. In the course of these hearings 31 witnesses provided testimony regarding the importance of maintaining and improving Social Security benefits for women. These hearings included testimony from the Commissioner of Social Security, the General Accounting Office, Members of Congress, and experts on women's issues. In addition, witnesses at hearings on Social Security's long-term financing challenges and options to address those challenges have discussed the unique needs of women and the particular importance of spouse's and survivors benefits, the progressive benefit formula, and lifetime inflation-adjusted benefits.

The Committee on Ways and Means, Subcommittee on Social Security worked with the Social Security Administration to identify provisions that would help improve benefits for women without negatively affecting the Social Security Trust Funds. The provisions included in this bill generated strong bipartisan support. On March 20, 2002 Mr. Shaw, on behalf of himself and Mr. Matsui, Mr. Becerra, Mr. Brady of Texas, Mr. Cardin, Mr. Collins, Mr. Doggett, Ms. Dunn, Mr. Foley, Mr. Hayworth, Mr. Houghton, Mr. Lewis of Kentucky, Mr. McCrery, Mr. McNulty, Mr. Pomeroy, Mr. Portman, Mr. Ramstad, and Mr. Rangel introduced H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002.

These provisions serve both to enhance women's retirement income security and as the first steps toward a bipartisan dialogue on ways to strengthen Social Security for all Americans, and are supported by women's advocacy and senior's organizations, including AARP, Independent Women's Forum, National Committee to Preserve Social Security and Medicare, United Seniors, Women Impacting Public Policy, and Women's Institute for a Secure Retirement.

#### EXPLANATION OF PROVISIONS AND COMPARISON WITH CURRENT LAW

##### SECTION 2. REPEAL OF 7-YEAR RESTRICTION ON ELIGIBILITY FOR WIDOW'S AND WIDOWER'S INSURANCE BENEFITS BASED ON DISABILITY

###### PRESENT LAW

A disabled surviving spouse (including a disabled surviving divorced spouse in some cases) of a deceased insured worker can be paid monthly benefits if the surviving spouse is age 50-59 and becomes disabled before the latest of: Seven years after the month the worker died; seven years after the last month the surviving spouse was previously entitled to benefits on the worker's earnings record as a surviving spouse with child in care; or seven years after the month a previous entitlement to disabled widow(er)s benefits ended because the disability of the widow(er) ended.

###### EXPLANATION OF PROVISION

This provision would eliminate this time requirement for entitlement as a disabled surviving spouse or disabled surviving divorced spouse.

###### REASON FOR CHANGE

The current law provision leaves gaps in the protection of some disabled widow(er)s, because the 7-year period may not afford all of them adequate opportunity to qualify for disability benefits based on their own work history. Eliminating the 7-year deadline

would improve the benefit protection for disabled widow(er)s who currently fail to meet criteria for the current 7-year deadline, regardless of whether they qualify for disability benefits based on their own work history. For those widow(er)s who are able to qualify for benefits based on their own work history, it would improve protection by allowing them to get potentially higher survivor benefits.

###### EFFECTIVE DATE

Effective for benefits for months beginning after November 2002.

##### SECTION 3. EXEMPTION FROM 2-YEAR WAITING PERIOD FOR DIVORCED SPOUSE'S BENEFITS UPON OTHER SPOUSE'S REMARRIAGE

###### PRESENT LAW

If a worker has reached age 62 and is eligible to receive Social Security benefits (but has not applied for them), his or her divorced spouse can become entitled to divorced spouse benefits based on the worker's earnings record if the divorced spouse meets all the following conditions: The divorced spouse is age 62 or older; the divorced spouse is not married; the divorced spouse had been married to the worker for at least 10 years before the date the divorce became final; the divorced spouse has filed an application for divorced spouse benefits; the divorced spouse is not entitled to a retired or disabled worker benefit based on a primary insurance amount that equals or exceeds one-half the worker's primary insurance amount; and the divorced spouse has been divorced from the worker for at least two years.

In addition, if the worker is subject to the earnings test, divorced spouse benefits would be commensurately reduced, unless the divorced spouse meets the aforementioned conditions.

###### EXPLANATION OF PROVISION

Under the provision, if the worker remarries someone other than the divorced spouse, then the duration of divorce condition is deemed to be met as the date of the remarriage.

###### REASON FOR CHANGE

The 2-year waiting period was included as part of a provision enacted in 1983 that allows divorced spouses to collect benefits as the former spouse of a worker who is eligible for Social Security benefits, but who has not applied for them or is having benefits withheld because of the earnings test. In contrast, a married spouse cannot receive spousal benefits unless the worker is also receiving benefits, and may have spousal benefits reduced if the worker is subject to the earnings test. The 2-year waiting period was included to discourage couples from divorcing in order to circumvent restrictions on spousal benefits. However, the waiting period is not appropriate in cases where the worker remarries someone else.

###### EFFECTIVE DATE

Effective for benefits for months beginning after November 2002.

##### SECTION 4. MONTHS ENDING AFTER DECEASED INDIVIDUAL'S DEATH DISREGARDED IN APPLYING EARLY RETIREMENT RULES WITH RESPECT TO DECEASED INDIVIDUAL FOR PURPOSES OF LIMITATION ON WIDOW'S AND WIDOWER'S BENEFITS

###### PRESENT LAW

Under present law, the benefits of a widow or widower are subject to a limitation if the deceased spouse had become entitled to retired worker benefits before attaining the normal retirement age. This limitation, referred to as the widow(er)'s limit, restricts the widow(er)'s benefit to the benefit amount the deceased worker would have been receiving if still alive (but not less than 82.5 per-

cent of the primary insurance amount). The intent of the widow(er)'s limit is to maintain some degree of reduction in the benefits of the surviving spouse as a result of the deceased worker having become entitled to benefits before attaining the normal retirement age. If the deceased spouse's death occurs before the normal retirement age, no adjustment to the number of reduction months is made in computing the widow(er)'s limit to account for months the worker did not receive benefits due to the worker's death. (However, such an adjustment is made to the widow(er)'s limit to account for months the worker did not receive benefits due to earnings exceeding the exempt amount under the retirement earnings test.)

###### EXPLANATION OF PROVISION

Under this provision, if the deceased spouse's death occurs after he or she becomes entitled to a retired worker benefit and before he or she attains the normal retirement age, the widow(er) limit would be recomputed at the time the deceased spouse would have reached the normal retirement age. The recomputation of the widow(er) limit would exclude the month of death and all subsequent months in determining the number of months of early retirement reduction applicable for the benefit the deceased worker would be receiving if still alive. This would give the widow(er) a potentially higher benefit based on the deceased worker's earnings history.

###### REASON FOR CHANGE

In general, widow(er)'s benefits are limited to reflect the longer period of time the worker received benefits because he or she retired before attaining the normal retirement age. However, the widow(er)'s benefits are limited for the rest of his or her life, even, if the deceased spouse collected benefits only for a few months before dying. This results in unequal treatment of widow(er)s whose spouses received benefits for the same amount of time before they attained the normal retirement age, but who retired at different ages. This provision would base the widow(er) limit on the number of months the worker actually received benefits between the age of retirement and the normal retirement age, rather than the number of months between the age of retirement and the normal retirement age, thus equalizing treatment of widow(er)s of workers who collected benefits for the same number of months before the normal retirement age. (Also, this change is consistent with the way that the widow(er)'s limit is now adjusted to exclude months before normal retirement age in which the worker did not receive benefits due to earnings exceeding the exempt amount under the retirement earnings test.)

###### EFFECTIVE DATE

Effective for benefits for months beginning after November 2002.

AARP,

Washington, DC, April 18, 2002.

Hon. E. CLAY SHAW, Jr.,  
Chairman, House Subcommittee on Social Security, Washington, DC.

DEAR CHAIRMAN SHAW: AARP supports H.R. 4069, the Social Security Benefit Enhancements Act of 2002. The bill's targeted improvements for widows and divorced spouses will help ensure that Social Security continues to provide valuable economic support to older women who rely on Social Security for much of their retirement income.

The Association has long championed improved benefits for older women that are consistent with the program's long-term solvency needs. Over a decade ago, in hearings before this subcommittee regarding older

women and Social Security, we testified in favor of eliminating the requirement that widow/ers become disabled within seven years after their spouse died to qualify for disabled widows benefits. We are pleased that the change has been included in H.R. 4069. The proposed readjustment in the benefits of widows whose spouse retires and dies before reaching the age for collecting full benefits and the provision waiving the two-year waiting period for benefits for a divorced spouse whose former mate continues working but remarries are also long overdue.

The Social Security Benefits Enhancement Act will help Social Security continue as the guaranteed floor of income protection for workers and their families. The bill has broad, bipartisan support, and we urge prompt House action.

AARP will urge the Senate to adopt similar legislation to improve women's benefits under the current system. Enactment of this legislation would send a strong message to the American people that Congress can act in a bipartisan fashion to improve the Social Security system.

Sincerely,

WILLIAM D. NOVELLI.

UNITED SENIORS ASSOCIATION—NEW SOCIAL SECURITY LEGISLATION A “REAL WINNER FOR WOMEN”

WASHINGTON, DC.—United Seniors Association Chairman and Chief Executive Charles W. Jarvis wholeheartedly endorsed the Social Security Benefit Enhancements for Women Act, H.R. 4069, recently introduced by Congressman Clay Shaw, the chairman of the House Ways & Means Social Security Subcommittee.

“This bill is a real winner for Senior women. It shows Chairman Clay Shaw’s dynamic leadership in the House on Senior issues,” said Mr. Jarvis. “It will lift unnecessary burdens that women suffer under during their retirement years. It will also help women nationwide without negatively affecting the Social Security Trust Fund and the future financial stability of the Social Security system.”

United Seniors Association member Anna Janis of Colorado testified February 28th before Chairman Shaw’s Subcommittee hearing on “Women and Social Security”. Chairman Shaw’s legislation is the direct result of those successful hearings. H.R. 4069 improves fairness and eligibility requirements for women by: Increasing the unfair benefit limit on widows whose spouses both retire and die before the full retirement age; updating the eligibility requirements for disabled widows to ensure consistency with earnings requirements in current law; eliminating a needless two-year wait for some divorced spouses to receive benefits.

“We’re pleased that United Seniors Association and our Grassroots Leader, Anna Janis, could help in the development of these improvements to Social Security,” continued Mr. Jarvis. “Chairman Shaw has demonstrated his dedication to getting practical help for seniors in his District and around the Nation. H.R. 4069 is clearly a real winner for many senior women who struggle every day now just to make ends meet.”

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,  
Washington, DC, May 6, 2002.

Hon. CLAY SHAW,  
Chairman, Subcommittee on Social Security,  
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I wish to express our sup-

port for the three provisions contained in your legislation, H.R. 4069 the Social Security Benefit Enhancements of Women’s Act.

We understand that H.R. 4069 would improve benefits for widows of early retirees who die before reaching the Normal Retirement Age by repealing the current provision that subjects the widow’s benefit to the early retirement penalty.

Your bill would also repeal the 7-year period of eligibility for disabled widows who are at least 50 but not yet 60. Under a current law a widow must be at least 60 years old to collect widows benefits. However if she is at least 50 she can collect benefits as a disabled widow provided that she became disabled within 7 years of her spouse’s death.

Finally H.R. 4069 would eliminate the requirement that a divorce must have been in place for two years for the divorced spouse who is at least 62 to collect full spousal benefits, whether or not the working spouse is collecting benefits or is affected by the earnings limit.

Over 100,000 women will benefit from these three important improvements. We sincerely hope these are the beginning steps in efforts to rectify benefit inequities affecting all women. For those it does help the improvements are most welcome.

We appreciate your leadership on this issue. We urge all members to vote in support of H.R. 4069.

Cordially,

BARBARA KENNELLY,  
President and CEO.

WOMEN’S INSTITUTE FOR A SECURE RETIREMENT,  
Washington, DC, April 4, 2002.

Hon. E. CLAY SHAW, Chair,  
Hon. ROBERT T. MATSUI, Rnk. Mem.,  
House of Representatives, Subcommittee on Social Security, Committee on Ways and Means, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVES SHAW AND MATSUI: The Women’s Institute for a Secure Retirement (WISER) is a non-profit organization that seeks to ensure that poverty among older women will be reduced by improving the opportunities for women to secure retirement benefits. WISER works with community based organizations, advocates and policymakers to provide a key link between federal policy and individual women.

We are gratified that you are introducing the Social Security Benefit Enhancements for Women Act of 2002 during this session to improve benefits for elderly women. While the provisions of H.R. 4069 are modest, the 120,000 older women who will become eligible for benefits or receive higher benefits are the women who are the most likely to live in poverty—widows, disabled widows and divorced women.

Poverty among the elderly has greatly declined over the last two decades, but older women living alone are particularly at risk. Today, nearly 60 percent of older women in America are single; 45.3 percent are widowed and 7 percent are divorced. In contrast, only 26 percent of elderly men are unmarried.

We are heartened that the introduction of H.R. 4069 may be the first step toward enhancing Social Security benefits to ensure the long-term economic security of American women. We urge your colleagues to support this bill to improve Social Security benefits for older widows, disabled widows and divorced spouses.

Sincerely,

CINDY HOUNSELL,  
Executive Director.

WOMEN IMPACTING PUBLIC POLICY,  
Oklahoma City, OK, April 19, 2002.

Hon. E. CLAY SHAW, Jr.,  
House of Representatives, Chairman, Subcommittee on Social Security, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN SHAW: We are writing to inform you that the more than 250,000 members of Women Impacting Public Policy (WIPP) support H.R. 4069, The Social Security Benefit Enhancements for Women Act of 2002.

H.R. 4069 addresses several key issues that have long been of major concern to WIPP members: Increasing the unfair benefit limits on widows whose spouses both retire and die before the full retirement age; updates eligibility requirements for disabled widows to ensure consistency with earnings requirements in current law and; eliminates a needless two-year wait for some divorced spouses to receive benefits.

WIPP member Niesha Wolfe, a CPA based in Clarkesville, Tennessee, provided compelling testimony before your committee in February on these issues and others related to the unfair Social Security benefits women have been subject to for years.

WIPP, a national bi-partisan public policy organization, appreciates your efforts and fully supports H.R. 4069.

Regards,

TERRY NEESE,  
President.  
BARBARA KASOFF,  
Vice President.

INDEPENDENT WOMEN’S FORUM,  
Arlington, VA, May 6, 2002.

Hon. E. CLAY SHAW,  
Chairman, House Ways and Means Committee, Subcommittee on Social Security, Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SHAW: The Independent Women’s Forum strongly believes in comprehensive reform to strengthen our Social Security system and to make safe the retirement of America’s working women and men.

In February, I had the opportunity to appear before you and the House Subcommittee on Social Security to affirm the need for overall reform and to discuss some current inequities in the system. I specifically pointed out that women are financially disadvantaged under the current Social Security system. Women who interrupt their careers for family obligations, women who earn more than their husbands, and widows of wage earners fall into these disadvantaged categories.

You are attempting to correct inequities toward women through the introduction of H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002. We commend you, Mr. Chairman, for your recognition of these and other problems; and we hope that your leadership will show the way to a newly reformed and significantly strengthened Social Security system.

Sincerely,  
NANCY MITCHELL PFOTENHAUER,  
President.

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

Mr. MATSUI. Mr. Speaker, I yield myself 5 minutes.

First of all, I would like to congratulate the gentleman from the State of Florida, the chairman of the Subcommittee on Social Security of the Committee on Ways and Means, for bringing forth this bill; and I appreciate the fact that he has taken the opportunity to do so. I think it is a step in the right direction.

Obviously, the bill before us today is a good piece of legislation. It will, in fact, increase benefits for 120,000 additional widows, basically widows in which the other spouse, the spouse that passed away, took early retirement. It deals with widows who have become disabled. It obviously deals with widows that were divorced in terms of shortening the time in which they may be able to collect benefits. So this is a good piece of legislation.

Obviously, we can do more; and I introduced a bill 2 weeks ago that would actually provide greater benefits. Instead of 120,000 widows, our bill would in fact cover and increase benefits for 4.7 million additional widows by guaranteeing these widows a 75 percent benefit of what they previously had when both spouses were alive.

Right now, under the Social Security Act, widows receive only about 50 to 65 percent of what they received when the other spouse was still alive. We all know from studies that when one spouse dies, even though the income goes down, the day-to-day fixed costs, like rent, like house payments, like food, remain very high. In fact, we estimate that the average cost is about 80 percent of what they expended prior, when they were both living.

So when one spouse dies, it does not drop to 50 percent, it only drops down by 20 percent. So 80 percent of the expenditures still exist. Our bill would basically give every widow in America at least 75 percent of what both spouses had before one of the spouses passed away. So this is a guaranteed benefit.

This bill that we would like to offer today as an amendment, as I said, would take care of 4.7 million widows instead of 120,000. Unfortunately, because of the way the situation has been set up, this being a suspension calendar, we cannot offer that amendment.

□ 1630

Mr. Speaker, I did offer it in subcommittee. It failed on a partisan vote. Five Democrats voted for it; seven Republicans voted against it. It was never taken to the full committee, so we could not bring it there for a vote; and now we are left without an opportunity to bring it again for a vote. It is unfortunate.

The bill of the gentleman from Florida (Mr. SHAW) does move us in the right direction. It picks up 120,000 widows and increases their benefits, so we are all going to support it. But by the same token, I wish we would have had an opportunity to vote on the bill that I had introduced.

The bill that I introduced is being supported by the National Council of Women's Organization, an umbrella group of 150 women's organizations, the AFL-CIO, the National Committee to Preserve Social Security and Medicare, and the National Women's Legal Consortium. All of these groups support our legislation.

If I may just conclude, one of the problems that I have, I might make

this observation, the gentleman from Florida (Mr. SHAW) raised his privatization legislation. He says that he has embodied the terms of his legislation in that bill. I have to say that one of the concerns that I have and the reason we should pass the bill that takes care of 4.7 million widows in America today is once we move down the road to privatization after the November election, we are going to be cutting benefits. The gentleman's bill will cost over the next 20 years \$8 trillion in general fund monies going into the Social Security system. We do not have that. We do not have even a trillion dollars in general fund money available. How are we going to come up with \$8 trillion in general fund money? That being the case, there is no question. We are going to be cutting Social Security benefits if we adopt a bill like the gentleman's or adopt one of the three President's bills that he came up with during the commission discussion.

As a result of that, we need to take care of these widows today. We will not take care of them when we do Social Security reform if in fact we move as the President wants to move in the direction of privatization of Social Security. That will not take care of these widows. As a matter of fact, it will result in significant massive benefit cuts.

Mr. Speaker, I include for the RECORD letters in support of my legislation.

NATIONAL COMMITTEE TO PRESERVE  
SOCIAL SECURITY AND MEDICARE,  
Washington, DC, May 6, 2002.

Hon. ROBERT MATSUI,  
Ranking Member, Subcommittee on Social Security, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE MATSUI: On behalf of the millions of members and supporters of the National Committee to Preserve Social Security and Medicare, I wish to express our support for the provisions contained in your legislation, The Social Security Widow's Benefits Guarantee Act.

We are pleased that your legislation would increase the current benefit for surviving spouses to 75 percent of the combined benefit received by two spouses when both were living. Under current law, widows are effectively limited to 50-67 percent of what the couple had been receiving jointly. This change would have a dramatic positive impact on benefits for as many as 5 million Americans who are overwhelmingly women. As you know, four out of ten older women rely on Social Security for over 90 percent of their income.

Thank you for your leadership on this issue. We look forward to working with you to advance this legislation in the 107th Congress.

Cordially,

BARBARA KENNELLY,  
President and CEO.

NWLC URGES SUPPORT FOR INCREASES IN  
WOMEN'S SOCIAL SECURITY BENEFITS

(WASHINGTON, D.C.) The National Women's Law Center praised a bill introduced by Congressman Robert T. Matsui today to improve Social Security benefits for widows and widowers. The proposal, which draws upon NWLC recommendations to Congress, would increase benefits for surviving spouses and reduce poverty among widows, the largest group of poor elderly women.

"The bill introduced by Congressman Matsui would strengthen and improve Social Security for women. These improvements could be funded through savings that would result from freezing just one of the future tax cuts scheduled for the wealthiest Americans. The issue is one of priorities: to help elderly widows or give more tax breaks to millionaires. As Mother's Day approaches, we hope that members of Congress will think about the choices they are making," said Joan Entmacher, NWLC Vice President and Director of Family Economic Security.

Matsui's bill would increase Social Security benefits for surviving spouses to 75 percent of the couple's prior combined benefit. Currently, widows and widowers receive a benefit equal to 100 percent of the late spouse's benefit (if that is higher than their own benefit), which amounts to between 50 and 67 percent of the couple's prior combined benefit. The increase in survivor benefits would be capped to target those most in need, and is estimated to help about four to five million widows and widowers. The bill would finance the improvements with general revenue transfers.

Savings from not implementing future cuts in the top income tax rate would fully pay for these improvements. The top rate affects fewer than one percent of taxpayers, those with average incomes of \$1 million a year. The median income of widows and other non-married women 65 and older is about \$12,000 per year.

In addition to the increase in survivor benefits, the bill includes three much smaller benefit improvements to help certain disabled and elderly widows and divorced spouses. These smaller reforms are also included in a bill introduced in March by Congressmen Clay Shaw and Robert Matsui with bipartisan support.

"Poverty among the elderly is overwhelmingly a women's problem, and a majority of poor elderly women are widows. Increasing Social Security survivor benefits would significantly help this large and economically vulnerable group of women," said Entmacher.

ALLIANCE FOR  
RETIRED AMERICANS,  
Washington, DC, May 7, 2002.

Hon. ROBERT MATSUI,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE MATSUI: The Alliance for Retired Americans supports your legislation, the Social Security Widow's Benefit Guarantee Act.

Your legislation will correct the inequities that millions of Americans who have lost their spouses now face under the Social Security system. Nearly 5 million American widows and widowers currently live in poverty. This is a national scandal that must be corrected. By adjusting the Social Security benefit rates that widows and widowers will receive, your legislation will directly improve the quality of life for millions of older Americans.

The Alliance for Retired Americans stands ready to work with you so that this legislation can become law as quickly as possible. Sincerely yours,

EDWARD F. COYLE,  
Executive Director.

LEADING WOMEN'S GROUPS SUPPORT THE  
"WIDOW'S SOCIAL SECURITY BENEFIT GUARANTEE ACT OF 2002"

[WASHINGTON, DC, May 7, 2001].—The National Council of Women's Organizations (NCWO), the oldest and largest umbrella coalition of the nation's 150 major women's groups, announces its support for legislation

to strengthen Social Security for widows. The important bill is being introduced today by Congressman Robert T. Matsui (D-CA), Ranking Member of the House Ways and Means Social Security Subcommittee. The Matsui bill will improve survivor's benefits (most often for widows who outlive their husbands) by increasing benefits to 75 percent of what the couple had been receiving prior to the spouse's death. Raising this limit from the current 50-67 percent will aid an estimated five million elderly survivors.

"Without Social Security, over half of elderly women would be poor" said Heidi Hartmann, Ph.D., Chair of NCWO's Social Security Task Force. "NCWO has long supported Social Security benefit improvements to ensure that our nation's most vulnerable individuals are secure in their senior years. The Matsui bill is an important first step."

In addition, the bill includes provisions that eliminate the 7-year deadline for a surviving spouse or surviving divorced spouse to qualify for benefits on the basis of disability. It also treats the months the retired worker was deceased prior to the normal retirement age the same as months benefits were withheld or reduced because of the retirement earnings test for purposes of adjusting the limitation on widows and widowers benefits. Finally, it waives the two-year duration of divorce requirements if worker remarries during that time. These provisions will help 120,000 people.

STATEMENT BY AFL-CIO PRESIDENT JOHN J. SWEENEY IN SUPPORT OF THE SOCIAL SECURITY WIDOW'S BENEFIT GUARANTEE ACT OF 2002, MAY 7, 2002

One out of every seven elderly widows in this country lives in poverty, in spite of Social Security. These are women who worked their whole lives supporting their families in paid and unpaid work, raising children and grandchildren and caring for loved ones. Shortchanging widows is not consistent with the fundamental purposes of Social Security, and it is high time we fix the problem.

We strongly support the Social Security Widow's Benefit Guarantee Act introduced by Representative Matsui today. His bill would address the critical needs of these women. Most importantly, it increases the widow benefits under Social Security to 75 percent of what a couple's total benefit is before a husband dies, up to \$1,000 per month. Under current law, some widows get as little as half of the couple's benefit and none get more than two-thirds of the combined benefit. Rep. Matsui's bill addresses this shortfall in Social Security by increasing benefits for approximately 5 million elderly.

Congress could more than pay for these new protections by capping future income tax cuts for the highest income earners. For example, freezing the top federal income tax rate at 38.6 percent would be enough to provide increased benefits for widows. Under the terms of last year's tax cut legislation, the top income tax rate was lowered from 39.6 percent and is scheduled to fall farther to 35 percent by 2006. This part of the Bush tax cut benefits only the wealthiest individuals, affecting just the top 0.6 percent of taxpayers. They make, on average, more than \$1 million a year. That's more than 133 times a poverty-level income for an elderly widow.

With Representative Matsui's bill, Congress has a chance to get its values straight. American voters don't want more tax cuts for millionaires—such as the Republican leadership in the House pushed through last month—and they don't want politicians to gamble with their retirement security—such as the Administration would do by draining trillions of dollars out of Social Security to pay for privatization. Congress should do the

right thing, and support the Social Security Widow's Benefit Guarantee Act.

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

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

Mr. Speaker, the gentleman has a copy of my bill. The gentleman has critiqued my bill. The gentleman has been asked to give constructive comment to my bill. Now what we are talking about is not the bill before this committee, but when we start hearing the word privatization, the gentleman knows full well there are those in this House that will abuse the word privatization. Privatization is simply defined as taking something run by the government and turn it over to the private sector.

The gentleman from California knows full well that my Social Security reform bill leaves the Social Security system totally intact. We take not one dime out of the Social Security trust fund or the payroll taxes.

Mr. Speaker, I would like to say, so there is no misconception here, that the Social Security Administration under two Presidents, a Democrat and a Republican, estimate that by doing nothing, the cost of doing nothing which is the only bill that I have heard coming from the other side to save Social Security, is going to cost \$27 trillion over 75 years. Whereas the Social Security Administration, assuming that we borrow all of the money necessary to make up the shortfall in Social Security under my particular bill, that it will all be paid back and over that 75 years will create a \$1 trillion surplus. Which does the gentleman want? It is time that we work together.

There are those in this body that absolutely shamelessly use the word privatization when we are not going to privatize Social Security. Mr. Speaker, as long as I am chairman of the Subcommittee on Social Security, it is not going to be privatized; but we are desperately looking for some assistance from other side of the aisle. We need constructive engagement.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding me this time and thank him for his leadership in bringing this bill to the floor today. I also thank the ranking member for supporting this bill. We recognize this is a first step, and it is a good first step.

I rise in support of H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002. This bill makes commonsense corrections to Social Security law that will benefit widows, disabled widows, and divorced spouses. Social Security has been one of our Nation's greatest success stories, and particularly so for women. Women make up roughly half of America's population, yet they account for more than 60 percent of the Social Security beneficiaries. Three-quarters of the unmar-

ried and widowed elderly women rely on Social Security for more than half of their income. This legislation will help. The annual cost-of-living adjustment often does not amount to a great deal of money per recipient. However, it is often a crucial sum for seniors trying to keep up with escalating costs, particularly medical ones.

Once implemented, this bill will help over 120,000 women. This may not sound like a large number, but the bill is going to touch the lives of more than 275 people in each of our 435 congressional districts. Even if it helps one, that is great. This will help 120,000-plus. Social Security must be strengthened for the future. It must be done in a bipartisan fashion, and passage of legislation of shared concern like this bill is a very good place to start.

Mr. MATSUI. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the bill the gentleman has is a privatization bill. The gentleman can call it anything he wishes, but it is a privatization bill.

Dr. Peter Orszag, a professor at the University of California Berkeley, currently at the Brookings Institute, has studied the gentleman's bill, the DeMint-Army bill and the three proposals presented by the President through his commission; he said all of them are privatization bills.

What the bill of the gentleman from Florida does, it deals with arbitrage. Money is borrowed at 6 percent, and then is lent out at 10 percent. We all know arbitrage is a huge risk, and it could blow up. Once Americans have these privatization accounts, then there is a claw back. When they are ready to retire, they have to give 95 percent of the money that is accumulated to put back into the Social Security Administration. If in fact the arbitrage falls apart, the money will not be there. It is jeopardizing the Social Security system. In addition, it is a private account that is being set up that affects the Social Security benefits. So it is a privatization plan.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I rise in strong support of improving Social Security benefits for women, all women in this country. That is one of the reasons why I support the legislation today of the gentleman from Florida (Mr. SHAW). But we should be clear, this modest improvement in Social Security benefits for women should be considered nothing more than a downpayment of what we must do to help women who for years have worked very hard in and out of the home, in and out of the office, in and out of all of the workplaces of America, the chance to receive their fair share of retirement security.

Mr. Speaker, four out of every 10 women who are retired today rely on Social Security for 90 percent of all of their income. And 75 percent of all

women rely on Social Security for half of all of their income. Clearly Social Security is extremely important for women, more so than it is for men.

While we have done a tremendous job of decreasing poverty among our elderly, over the last 30 years or so we have seen a decrease of some 29 percent of poverty within the senior ranks in our country to something around 8.5 percent today of our seniors in poverty. When we look at widows, we find that their poverty rates are twice as much for the average senior in this country. We must do more.

Mr. Speaker, that is why I stand proudly to support the legislation of the gentleman from California (Mr. MATSUI), H.R. 4671, which would give women, widows, widowers their fair share within Social Security retirement benefits. What the Matsui bill does, which the Shaw bill does not do, it covers in a meaningful way Americans who deserve to have a meaningful opportunity to retire in comfort and security; 5 million people would be affected by the Matsui bill. We have about 120,000 women who would be helped by the Shaw bill. We should do it, but we have millions more who are out there waiting to receive their due. It is time for us to do this.

We cannot do retirement security on the cheap. We cannot continue to say that we will place Social Security first among all our priorities and not do it the right way. We cannot continue to say that we believe men and women should be able to retire in safety and security without doing it the right way. It is time for us to do this. We should pass this legislation. It is not enough. We should have had hearings on the Matsui legislation because, quite honestly, the American people deserve to know that we will protect our men and women in their retirement.

Mr. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. THURMAN).

Mrs. THURMAN. Mr. Speaker, first of all, let me say I do not know that anybody is not going to support this piece of legislation before us. What I do want to point out is this is a huge issue for a lot of people in and around this country. So often I have women who come to me because generally women live longer, who come to me and say my husband died, prescription drugs are going up. Everything is happening around me; and quite frankly, I cannot live on my Social Security alone. And I am not getting anything from my husband's Social Security.

The fact of the matter is, what concerns me most about this legislation today is there is going to be somebody who writes the story, and somebody is going to believe they are going to get something new or better than what they have gotten. The fact of the matter is, based on what I am seeing here, these are some very technical changes, changes that are not going to affect the same people that I think the gen-

tleman from California (Mr. MATSUI) and others, including myself, have in fact sponsored. We could actually be helping about 5 million elderly widows instead of a small portion.

I might just say it is my understanding that, and it is technical, it would eliminate the 7-year deadline for the onset of the disability in order to be eligible for benefits as a disabled widow or widower. The proposal would allow divorced spouses benefits to be paid before the 2-year period has elapsed if the former spouse has remarried, and the proposal would limit the widow's actual reduction to the number of months the worker usually received in benefits.

That is not the 5 million elderly widows and widowers that need the help. That is a very small amount of folks in this country. I think that is the real debate that we need to be having here and hopefully will happen in this committee. We have two very reasonable Members, but we have not had the opportunity to have the Matsui bill be heard.

Mr. Speaker, we are seeing trends for women. The last 7 years of life, we live longer, we have personal health care needs, we are hearing in the committee about the overpricing of medicines, all of those things that they no longer can pay.

□ 1645

There are also more women in nursing homes. Certainly this would help defray some of their cost. I just think that while we will support this today, what I would encourage and hope is that the committee, the Subcommittee on Social Security, will not leave it just at what I consider to be technical changes but will look at the wide picture, the picture of widows and widowers out there that really do need our assistance. Quite frankly, these are the folks that have been coming to us day in and day out explaining the concerns and needs that they have. I just do not think this is going to do that.

I do want to say that I hope we, in fact, will have an opportunity to discuss this, and certainly with the gentleman from California (Mr. MATSUI) and others, as to the importance of this whole issue on disability and Social Security and widowers' benefits.

Mr. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. I thank my good friend and colleague from California for yielding me this time.

Mr. Speaker, I rise today in support of H.R. 4069, the Social Security Benefit Enhancements for Women Act. This bill will help more than 120,000 Social Security beneficiaries. We wish it could be more, something like 4.7 million beneficiaries. It will provide enhanced Social Security benefits to women by increasing benefits for certain widows, by permitting more disabled widows to qualify for disabled widow benefits, and by allowing certain

divorced spouses to receive their benefits sooner.

As has been indicated by my good friend from California, the Social Security Benefit Enhancements for Women Act addresses the challenges women, and especially widows, face when it comes to Social Security. Women on average earn less than men throughout their lives and therefore have less to live on during their retirement years. The vast majority of Social Security beneficiaries are women. Women make up some 60 percent of all Social Security recipients over the age of 65 and roughly 72 percent of all beneficiaries over the age of 85. Additionally, women lose an average of 14 years of Social Security earnings because of time out of the workforce spent to raise children or to care for an ailing parent or an ailing spouse. Further, women generally have a higher incidence of part-time employment and therefore have less of an opportunity to save for retirement.

Mr. Speaker, Social Security is the cornerstone of our Nation's retirement system. This is especially true for women. Without these benefits, nearly three-fifths of women over the age of 75 in this country would live in poverty. If we privatized Social Security, we would undermine many of the benefits that women receive through the current system. A plan to privatize Social Security is a plan that will jeopardize women's Social Security benefits and will jeopardize the entire Social Security system.

Women live on average 6 to 8 years longer than men and therefore must make retirement savings stretch over longer periods of time. Women depend considerably upon Social Security's progressive, lifelong, inflation-indexed benefits. There is no plan to privatize Social Security that will safeguard account balances from erosion due to inflation. Privatizing Social Security would be a mistake for all Americans.

Mr. Speaker, the solvency of our Social Security system is at risk. More than 32 million Americans collect benefits from Social Security today.

Mr. Speaker, May is Older Americans Month. It is critically important for us to honor our older Americans and shore up Social Security.

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

Again, Mr. Speaker, I support the gentleman from Florida's legislation. I think it is a good piece of legislation. It will take care of 120,000 additional women and I think that is a step in the right direction. I only wish we had an opportunity to vote on my bill, as a number of speakers on my side of the aisle have indicated they would have liked that opportunity, because we think it is important to deal with this issue today given the fact that there is a lot of uncertainty out there of what might happen in 2003 after the election.

The President's people, Mr. Rove and others, have said that they do not want to bring this issue up this year, they want to bring it up in 2003 after the

election in terms of the whole issue of privatization. The real danger I see there is that once we embark upon that direction we are not going to be able to take care of these 4.7 million widows that my bill would take care of because we are going to be cutting benefits. I do not think there is any question about that.

The President's bill, for example, has three alternatives. One of the alternatives would require \$6 trillion of general fund moneys, which we do not have at this time. In addition, it would have 46 percent cuts in benefits over the next number of years in terms of recipients of Social Security. Each one of his proposals either requires an infusion of general fund moneys or cuts in benefits. The gentleman from Florida's bill is a riverboat gamble essentially.

Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. PELOSI), the Democratic whip.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time and I thank him for his leadership on this very important issue, for calling to our attention the distinction between the bill before us today, which we will all support, and what we could really be doing for widows in our country who are on Social Security.

Social Security is one of America's proudest achievements in social policy. No other program has brought so many people out of poverty, enabling millions to live with dignity. For millions of senior citizens, it is a lifeline. Unfortunately, the lifeline is severed for many when a spouse dies. H.R. 4069 takes a few small steps to improve benefits for widows, but its remedies leave millions of widows behind. The gentleman from California (Mr. MATSUI) has introduced legislation that comprehensively addresses this need. However, the Republican leadership did not follow the regular committee process and Democrats had no opportunity to strengthen the provisions of this bill on the floor today.

Given what the Republican budget does to the Social Security surplus, the small steps forward being proposed today are even less adequate. Both parties promised that protecting Social Security would be the top priority. Yet the Republicans' budget breaks that promise by spending \$1 trillion of the Social Security surplus over the next 5 years. The Republican plan to privatize Social Security would cost another \$1 trillion over the next decade.

Democrats have asked repeatedly for the opportunity to debate the Republican privatization plan and last month on this floor, it does not even seem like it has been last month, it seems like just a couple of weeks ago, every Democrat voted for a motion to say that the Republican proposal to make the tax cuts permanent could not proceed unless the Congressional Budget Office said that those tax cuts would not raid the Social Security Trust Fund. Every Democrat voted for that. Every Republican voted against it. The looming re-

tirement of the baby boom generation means that we cannot irresponsibly push this issue aside for another day.

This debate, like all debates on Social Security, has a disproportionate impact on women, who live 6 to 8 years longer than men on average and constitute 60 percent of Social Security recipients. Women continue to earn less on average than men and are less likely to have an employer-sponsored pension plan. Thus, the benefit structure of Social Security, which partially corrects disparities in income, is particularly important for women. Women are also more likely to work part-time and take time out of the workforce, 14 years on average, to raise their children and to care for ailing parents or spouses. As a result, they have less time to save for retirement.

Social Security must be protected for the elderly women who rely on it for their financial survival, and the concerns of women must be a priority in the ongoing discussion about how to preserve Social Security. That is why, of course, I will vote for what is on the floor today because approximately 120,000, 140,000 women will benefit, but let us not leave the millions of other widows behind whose needs would be addressed by the Matsui legislation.

Mr. MATSUI. Mr. Speaker, I yield myself such time as I may consume. I will sum up by making one other observation. I see the gentleman from Florida has a pay-for in his legislation. His bill will cost \$4 billion over the next 10 years. The interesting thing about the pay-for, however, is that it comes directly out of the Taxpayer Bill of Rights legislation in which he used the same pay-fors to pay for the revenue offsets in the Taxpayer Bill of Rights which passed in the sunset bill about the middle of April.

In addition to that, I understand the bill that is coming up tomorrow, the welfare reform package, they are using the same offsets to pay for that as well. So it will be kind of interesting to see how they really use their pay-fors in order to actually make this bill fully funded.

I might just finally point out that our bill does not take any money out of the Social Security Trust Fund. It comes out of general revenues, the same general revenues that my colleagues on the other side of the aisle would have taken in October of last year when they passed their first GOP stimulus bill, in which 16 of the largest low-taxed corporations in America would have gotten an immediate tax break of \$7.4 billion basically that would have been retroactive 16 years of the alternative minimum tax. Altogether it was \$25 billion in tax reduction for major corporations in America that really do not need it, including \$254 million to Enron and \$1.4 billion to IBM. All of these would have received tax cuts without a pay-for. We would take our pay-for out of the same source that the gentleman would have given major tax cuts to.

I see he paid for his. On the other hand, it is coming from the Taxpayers Bill of Rights or tomorrow's welfare reform package, so I find it somewhat inconsistent in terms of where his pay-for is actually going to come from. We support this bill. We wish we could have had a vote on our bill in the form of an amendment.

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

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

I would like to just comment briefly on the observation that the gentleman just made. There is an old saying that there are two things in life that are certain, one is death and the other is taxes. I think we can add to that the provision that bills are going to languish in the Senate and will not be taken up, so I would guess that these pay-fors are going to be used over and over again in this House until the Senate finally passes something, which the American people really would like to see them do and like to see us work together to do these things.

I would also like to say that this particular bill in the pay-for is a budget function. It does not take any general revenue and put it into the Social Security system as the gentleman from California's bill does.

Mr. Speaker, I would also like to at this time correct a figure that I gave the House earlier. I said that the cost of doing nothing was \$27 trillion. That figure is actually \$25 trillion over 75 years. When I look, and as I see and as I have heard and read from the gentleman from Missouri (Mr. GEPHARDT) and from the gentleman from California (Mr. MATSUI), they do not think that we have to do anything. They do not think we have to forward fund Social Security. Let me just run a couple of statistics by the House. I hate to take this time on this particular bill because it is peripheral to it, but in that all of the benefits that the gentleman from California keeps talking about in his bill are in my Social Security bill or my bill to save Social Security, I think it does have some justification to be discussed and particularly since my Social Security bill has been discussed at length as a privatization bill, which it is clearly not.

When Social Security first came online many, many years ago, there were 40 some workers per retiree. Now we are down to a little over three. Soon it will be a little over two. A pay-as-you-go system has served us well and as long as we had a lot of workers at the bottom and few retirees at the top, it was fine. It worked great.

□ 1700

But now we know and the actuaries have told us, and now through the Democrat administration and the Republican administration they have advised us that there is a deficit pending in the Social Security System over the next 75 years of \$25 trillion. Mr. Speaker, that is a lot of money. That is

money that can bring down an entire economy.

So I say to my friend from California and other Members that think there is no need to do something, we are going to be faced with a dilemma and we had better start facing it. Do we want to cut benefits by one-third? I doubt it. But that is what we will have to do if we are going to keep the system going as a pay-as-you-go system.

Do we want to increase payroll taxes by 50 percent? I am sure we do not. But that is what we are going to have to do if you are going to maintain benefits and keep it as a pay-as-you-go system.

Or do we want to rack up a deficit of \$25 trillion over the next 75 years? I am not making these figures up. I do not come to this floor unprepared with these figures. It is a question of what the administration has said through the Social Security System, now through a Democrat and a Republican administration.

So I think it is time that we quit the talk about privatization, quit the talk about raiding the trust fund, all of these sorts of things. It is pure nonsense, because we do not raid the trust fund, because there is no money in the trust fund. There are only Treasury Bills, and you cannot raid the Treasury Bills.

I would also say that over the years when the Democrats controlled this House and the Senate and spending was very much in the red, that the Democrats did not raid the Social Security trust fund, because the system just does not work that way. But those are great words to really worry our seniors.

The seniors of this country have paid into a Social Security system as they know it today, and this Congress or no Congress should touch it. We should maintain the system and the integrity of the system as exactly what they have paid into.

However, it is time for us to begin to think ahead. If we do not want to raise payroll taxes, if we do not want to cut benefits, then we had better start planning ahead for the next generation, instead of just the next election. All we have heard about from the other side is the next election. Let us be responsible legislators and get together and save Social Security. Let us be concerned about our grandkids and our kids.

This is tremendously important. I think about every one of my 13 grandkids every time I think about where are we going to leave this country and this great retirement system. These little bitty kids are going to be seniors some day; they are going to be facing the possibility of poverty. They are going to pay into a Social Security system all of their working years.

They deserve better, Mr. Speaker. They deserve a responsible Congress that will go ahead and put all this rhetoric aside and reform Social Security. Unfortunately, I do not think we are going to see that until after this election, because there are some in this

House that would rather have the issue that might change the majority of this House rather than saving Social Security for their kids. That is a sad commentary, Mr. Speaker.

With that, I would like to end on a positive note and urge that all of the Members of this body vote "yes" on H.R. 4069 which is before this House.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would remind all Members that it is not in order to cast reflections on the Senate.

Ms. DELAURO. Mr. Speaker, I rise in support of this legislation, but it is with my extreme disappointment.

Mr. Speaker, five million widows currently experience a drastic reduction of benefits of up to 50 percent after their spouse dies. The poverty rate remains a staggering 15 percent for widows. That is simply wrong. America's seniors should not have to be confronted with a dramatic reduction in their Social Security income at the same time their beloved spouse dies. It should not happen.

That is why we should be debating legislation today that would guarantee Social Security benefits for elderly widows. But we are not.

Instead, we are debating a totally inadequate Republican proposal that would cover only 125,000 widows. The Republicans would leave over four million widows—four out of ten of whom depend on Social Security for 90 percent of their income—with severely cut benefits.

But it is a small step in the right direction. Covering 125,000 widows is better than covering none, which is our only other alternative and which is why I will support this weak bill. But let's not fool ourselves into thinking it is enough. We could do more. Democrats want to do more.

Our substitute, which was not allowed to be considered today, would have helped approximately 4.5 million elderly people—one million of whom now live below the poverty level. It would have addressed this problem in a meaningful way that helps our seniors out of poverty.

Instead, the Republicans are trying to fool the electorate into think they care about this issue by offering something, anything. The fact is that the Republicans find no problem with denying over four million widows Social Security benefits while they look forward to spending \$8 trillion to privatize the system.

Mr. Speaker, we should be doing more.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the legislation we are considering today, H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002.

This bill makes a modest attempt to address current deficiencies in the manner that Social Security compensates some widows.

The fact is that women are more likely than men to be dependent on Social Security for their retirement. Because of the kind of jobs they are more likely to hold, the responsibilities that they face with children and the work interruptions that result from family commitments, women tend to have lower earnings than men, are less likely to have pensions and therefore are more reliant upon Social Security for their retirement.

The bill we are considering today rectifies a few inequities in the system that are faced by certain widows whose benefits are unfairly reduced by the rigidity of the system. However, if the Majority wants to truly begin to address the failings in the system for widows we should be considering Representative MATSUI's more comprehensive legislation today—H.R. 4671, the Social Security Widow's Benefit Guarantee Act.

Representative MATSUI's bill, which I proudly cosponsored, would go much further than the bill on the floor and grant real retirement security for poor seniors by guaranteeing widows a benefit equal to 75 percent of the combined benefits the couple had been receiving prior to the death of the spouse.

Guaranteeing a livable retirement benefit for widows is critical because they tend to be overwhelmingly dependent on Social Security.

As a group, 75 percent of elderly non-married women, including widows, rely on Social Security for half of their income.

In the short-term these women deserve the guarantee Mr. MATSUI's bill would provide. In the long-term, we need to make sure benefits are available as promised and not risk the future of the system by privatizing it.

The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 4069, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

#### PROHIBITING MEMBERS OF ARMED FORCES IN SAUDI ARABIA FROM BEING REQUIRED OR COMPELLED TO WEAR THE ABAYA GARMENT

Mr. RYUN of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4714) to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment, and for other purposes.

The Clerk read as follows:

H.R. 4714

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

#### SECTION 1. WEAR OF ABAYAS BY MEMBERS OF THE ARMED FORCES IN SAUDI ARABIA.

(a) PROHIBITION RELATING TO WEAR OF ABAYAS.—A member of the Armed Forces may not be required or formally or informally compelled to wear the abaya garment or any part of the abaya garment while in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty.

(b) INSTRUCTION.—(1) The Secretary of Defense shall provide each member of the Armed Forces ordered to a permanent

change of station or temporary duty in the Kingdom of Saudi Arabia with instructions regarding the prohibition in subsection (a). Such instructions shall be provided to a member within 10 days before the date of a member's arrival at a United States military installation within the Kingdom of Saudi Arabia or immediately upon such arrival. The instructions shall be presented orally and in writing. The written instruction shall include the full text of this section.

(2) In carrying out paragraph (1), the Secretary shall act through the Commander in Chief, United States Central Command and Joint Task Force Southwest Asia, and the commanders of the Army, Navy, Air Force, and Marine Corps components of the United States Central Command and Joint Task Force Southwest Asia.

(c) PROHIBITION ON USE OF FUNDS FOR PROCUREMENT OF ABAYAS.—Funds appropriated or otherwise made available to the Department of Defense may not be used to procure abayas for regular or routine issuance to members of the Armed Forces serving in the Kingdom of Saudi Arabia or for any personnel of contractors accompanying the Armed Forces in the Kingdom of Saudi Arabia in the performance of contracts entered into with such contractors by the United States.

(d) COMMANDER AUTHORITY.—Notwithstanding subsection (a), the commander of the United States Central Command may require the wear of the abaya garment in specific circumstances that, in the opinion of the commander, constitute an operational requirement essential for the conduct of the military mission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. RYUN) and the gentleman from Rhode Island (Mr. LANGEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas (Mr. RYUN).

#### GENERAL LEAVE

Mr. RYUN of Kansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4714.

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

There was no objection.

Mr. RYUN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak to the bill offered by the gentleman from Indiana (Mr. HOSTETTLER) and the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. Speaker, this legislation establishes certain requirements relating to the wear of the abaya garment by Members of the U.S. Armed Forces in the Kingdom of Saudi Arabia. This bill represents a compromise bill on an amendment proposed during the markup of H.R. 4546, the Bob Stump National Defense Authorization Act for Fiscal Year 2003.

Mr. Speaker, I think many Members feel the wearing of the abaya uniform by female service members should be entirely voluntary. I agree with that particular view. The pending legislation provides for such voluntary wear, except under specific circumstances that the Commander of the United

States Central Command may designate when the CINC determines that mandatory wear constitutes an operational requirement essential for the conduct of the military mission.

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

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

Mr. Speaker, before I explain the bill the gentleman from Indiana (Mr. HOSTETTLER) and I wrote together and introduced today, I would like to thank the Members who made this possible.

From the moment I introduced language that prohibited the requiring or strongly encouraging our military women to wear abayas, both the gentleman from Indiana (Mr. HOSTETTLER) and the gentlewoman from New Mexico (Mrs. WILSON) were by my side. As we negotiated with the committee, maneuvered through the Committee on Rules, floor consideration and final passage of the National Defense Authorization Act, the three of us illustrated the power of bipartisanship and determination. I am truly honored to have worked with such knowledgeable and dedicated Members of this body.

Mr. Speaker, I also want to thank the gentleman from New York (Chairman MCHUGH) of the Subcommittee on Military Personnel and the members of the Committee on Armed Services for their understanding and willingness to work with us to include this language in the defense bill. To clarify for the CONGRESSIONAL RECORD, it is the intent of the House that this language be included in the final defense bill that is passed by both Chambers and enacted into law.

Mr. Speaker, one last thank you before I highlight the importance of this legislation, and that is my constituent, Lt. Colonel Martha McSally. Many of you know her as the first female fighter pilot to fly in combat, as well as leader in the effort to change the military's policy of requiring military servicewomen in Saudi Arabia to wear abayas. For 7 years this battle was fought. She is a remarkable person, whose patriotism is undeniable, integrity unquestionable, and determination to do what is right unparalleled. I am deeply honored to sponsor this legislation today to help Lt. Colonel McSally end this battle once and for all.

My colleagues have heard me say it numerous times before: women make first-class soldiers and should not be treated like second-class citizens. This bill we consider today will prohibit the military from requiring or formally or informally compelling servicewomen in Saudi Arabia to wear abayas and would block the military from making regular procurements of abayas.

This sends a very strong message. It says Congress will no longer tolerate forcing our dedicated military servicewomen who are on the front lines risking their lives, protecting and fighting for freedom and democracy and to defend Saudi Arabia itself to wear a religious garment of faith most of them do not follow.

As you can see from this picture, the abaya and head scarf cover the entire body from head to toe. Our female servicewomen stationed in Saudi Arabia are wearing this and having the most radical of Islamic beliefs imposed upon them, even though the Department of State does not require or encourage any of its employees to wear the abaya. It does not require its employees to wear abayas while on duty precisely because they are representing the United States of America. Not even the spouses and dependents of the State Department staff wear the abaya, nor did Mrs. Cheney or former Secretary of State Madeleine Albright during their visits to Saudi Arabia.

The Government of Saudi Arabia itself does not require non-Muslim women to wear abayas. My colleagues may be interested to know that even General Schwarzkopf did not issue any mandate requiring the servicewomen to wear abayas during the Gulf War. Male servicemembers are not required to wear the abaya, grow beards or embrace any Islamic religious beliefs in this way, so neither should women. Forcing our female service troops to wear the abaya has a negative impact on our recruitment and diminishes morale, unit cohesion and the chain of command headed by female servicemembers. Most of all, this practice is completely unnecessary.

Mr. Speaker, this is about leadership. This is about sending a message to the world that America treats its citizens equally. And this message comes from the top. On November 17 of last year, President Bush launched a worldwide effort to focus on the brutality against women and children by the al Qaeda terrorist network and the Taliban. Under this regime, women were denied access to doctors and education and could not work outside the home or even leave the home by themselves.

This severe repression of women under the guise of religion masked an insidious discrimination that neither America nor many Muslims condone. In fact, most of the Islamic world recognizes women make important contributions to their societies. That is why America must affirmatively reject subjecting our military servicewomen to this discrimination and that is why I have fought to bring this bill to the floor today.

I urge my colleagues to join me, the gentleman from Indiana (Mr. HOSTETTLER), and the gentlewoman from New Mexico (Mrs. WILSON) in passing this legislation and ending the demeaning practice of making only American servicewomen wear the abaya.

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

Mr. RYUN of Kansas. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Speaker, I thank the gentleman from Kansas for yielding me time.

Mr. Speaker, I am proud to join the gentleman from Rhode Island (Mr. LANGEVIN) and the gentlewoman from New Mexico (Mrs. WILSON) in sponsoring H.R. 4714, a bill to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment.

Present DOD policy of "strongly encouraging" our female military personnel to wear the abaya sure sounds like an order to me. Christians like Lt. Colonel Martha McSally should not be forced to wear a Muslim outfit, especially when off duty and on their own time.

I am puzzled by the fact that our female military personnel are treated like second-class citizens while stationed on soil they are defending from Iraqi aggression. As a matter of fact, the State Department does not require its female embassy employees to wear the abaya in Saudi Arabia. When Second Lady Lynne Cheney accompanied Vice President DICK CHENEY on his recent visit to Saudi Arabia, she did not wear an abaya; she wore a business suit.

It gets better. The Government of Saudi Arabia, according to their officials in the D.C. embassy, does not require foreigners to wear the abaya.

Forcing our female troops to wear the abaya in the past and now today strongly encouraging them to do so has a negative impact on our recruitment and retention of highly qualified military personnel.

How many well-trained, well-qualified military personnel have separated from the military to avoid wearing the abaya in Saudi Arabia? How many have not decided to enlist in our U.S. military in the first place to avoid ever being forced to wear the abaya?

The argument that women should wear the abaya for force protection begs the question what are we doing in any country if the best force protection measure is wearing an abaya?

Likewise, I believe Lt. Colonel McSally was right when she said, "When you separate your troops into two groups and then impose the values of the host nation on one of them, to me that is abandoning your American values."

This important legislation informs our allies that while our presence in their country is advantageous to their security, we are there not to defend their values, but the values of Americans. Some of those are women who have volunteered to put their lives on the line for our liberties.

The time is now for the Congress to take control of this issue, given our responsibilities under Article I, section 8 of our Constitution; and H.R. 4714 does just that. I should not have to remind anyone in this Congress about the plaque that hangs in the House Committee on Armed Services room which

reminds us, all of us, including officials from the Department of Defense, that according to our Founding Fathers, "The Congress shall have power to make rules for the government and regulation of the land and naval forces."

□ 1715

In conclusion, Mr. Speaker, I would like to take this opportunity to commend Lieutenant Colonel Martha McSally for her courage in bringing this issue to the public's attention. For 6 years, she quietly tried to persuade the Pentagon to modify its policy with no success. She even discussed the issue with then Defense Secretary William Perry in 1995. In 2000, she lobbied then Secretary of the Air Force, Whit Peters. Moreover, she has written memos and met with top generals in the Air Force and still got nowhere.

It was not until she was questioned by a reporter for USA Today in April 2001 that she talked publicly about this policy, and I am glad she did. Otherwise, the Congress would probably still be in the dark about this religious liberty and quality of life issue for our female military personnel.

Mr. Speaker, I hope we take action to remedy this injustice now. I urge all of my colleagues to support H.R. 4714.

Mr. LANGEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON), our esteemed ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, first let me say I appreciate and applaud the persistence of the gentleman from Rhode Island (Mr. LANGEVIN) in behalf of this legislation. It is the right thing to do. I appreciate the work of the gentleman from Indiana (Mr. HOSTETTLER) and the gentlewoman from New Mexico (Mrs. WILSON) on this issue.

There was a phrase that the gentleman from Indiana (Mr. HOSTETTLER) used that is part of our Constitution. Mr. Speaker, the United States Constitution requires the Congress to raise and maintain the military and also to establish the rules and regulations thereof. Through my years in Congress, I have had the opportunity to do both and particularly, in writing rules and regulations insofar as military education is concerned and insofar as the structure of the military is concerned, which resulted in what we now call Goldwater-Nickles.

Mr. Speaker, this is the right thing to do. The Americans are in Saudi Arabia, have been in Saudi Arabia, were there to make sure that Saddam Hussein's troops did not come down south and into that country. They are there for the protection of that country. This is a very appropriate thing to do, to not make the American women of the military abide by anything but the American rules.

Mr. RYUN of Kansas. Mr. Speaker, I yield 5 minutes to the gentlewoman from New Mexico (Mrs. WILSON), a member of the Committee on Armed Services.

(Mrs. WILSON of New Mexico asked and was given permission to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Mr. Speaker, I want to commend the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Indiana (Mr. HOSTETTLER) for their leadership and their perseverance on this issue. This is a provision that probably should have been included in this year's defense authorization bill and may ultimately get rolled into that bill in conference, but without their perseverance we would not have been able to bring this bill to the floor of the House today.

It is my hope that the House tonight will send a very clear message to the Department of Defense that its policy on the wearing of the abaya, first making it mandatory and then strongly encouraging women service members in Saudi Arabia to wear the abaya, is completely unacceptable to this House and to the American people.

This bill, when passed, and I believe it will be passed and included in the defense authorization bill, or a stand-alone bill will pass the Senate, will end the DOD policy that affects American servicewomen serving in Saudi Arabia.

The sad thing is that this bill is needed at all. This policy should never have been put in place in the first place. When it was put in place and brought to the attention of senior commanders at the Pentagon, it should have been immediately repealed as transparently unconstitutional. Yet, it requires action by the United States House of Representatives in order to send a clear message to the Department of Defense that if they do not get it, we do, and they have to change this policy.

The Department of Defense changed its policy slightly by changing it from being mandatory to strongly encouraging American servicewomen to wear the abaya when off duty and off post in Saudi Arabia. Maybe that was clever from a public relations point of view, but for those of us who have served in the military, and I have, we know that "strongly encouraged" is not optional. When a senior officer tells a young service member that they are strongly encouraged to wear an abaya, that is about as close to an order as one can get. In fact, if one values one's military career, one will do it. If one values just one's freedom from hassles, from being labeled as a troublemaker or not a team player, it means one will do it, because it really means that one has to, because the commander says they are strongly recommending it. And they say that with a kind of tone in their voice that means, you do it or else.

It is those kinds of policies that we do not need in the United States military, and I think this goes beyond the issues of class, beyond issues of respect for women in positions of command. I believe that this is a first amendment issue.

The abaya is traditional Muslim garb. It is as inappropriate for the Department of Defense to order servicewomen to wear traditional Muslim garb, most of whom are Christians or Jewish who do not share the faith of women who choose to wear that dress, it is as inappropriate to do that as it is to tell servicemen serving in Israel that they must wear a yarmulke when they go to the Western Wall. Now, most servicemen would do so out of respect for the traditions of the country in which they are a resident. But it is inappropriate for the Department of Defense to force service members to wear religious clothing, pure and simple, and it is likewise inappropriate to strongly encourage that they do so.

This legislation is very clear in its language. It prohibits formally or informally compelling service members to wear the abaya. That covers all of the synonyms for "strongly encouraged" so that they could not just change it to "strongly recommend" or "highly recommend." They are prohibited from informally or formally compelling them. There is only one exception, and that exception is force protection. This House has rejected the DOD's spurious arguments about force protection, and that is exactly what they are.

The only exception is very narrowly crafted, and that is if it is essential to the conduct of the military mission and, in sitting on this floor with my colleagues and talking about what that might mean, if there was a serious civil unrest in Saudi Arabia and we had soldiers who are downtown in a building and we needed to extract them without local people knowing who they were, or for some reason for a special forces operation or to move people around, we may need to hide who our people really are. Those are the essential kinds of things that might justify such an order. Nothing else does.

I commend the gentleman from Rhode Island and the gentleman from Indiana for their leadership. This House will make a statement tonight that we will not tolerate this kind of policy from the Department of Defense, and we are strong enough and united enough to stand up for them.

Mr. LANGEVIN. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for his leadership on this important issue, and the gentlewoman from New Mexico also, who served in the military and who brings a great deal of knowledge and understanding to this issue. I thank her for her very impassioned statement before Congress today.

Our country is at war. Our troops overseas are risking their lives to protect our lives and our rights as United States citizens. Unfortunately, in

Saudi Arabia we have seen servicewomen who have lost their rights to wear their military-issued uniforms as they are protecting our rights. Instead, while fighting to protect our freedom and democracy, these women are being encouraged and sometimes required to wear an abaya. For those of us who are not familiar with it, it is a long black robe that covers a woman from head to toe.

Requiring women to wear this garment discriminates against them and violates their religious freedom by forcing them to adopt another faith's garb. It does not increase the safety and security of U.S. interests. Instead, it works against them. By discriminating against women in the military, we undermine the authority of officers stationed in Saudi Arabia and diminish morale among servicewomen.

Last December, Lieutenant Colonel Martha McSally, the highest ranking female fighter pilot in the Air Force, brought a lawsuit against the military for its practice of requiring servicewomen stationed in Saudi Arabia to wear this black garment, ride in the back seat of cars, and be accompanied by a man when off base. In response to her courageous suit, I sent a letter to Secretary Rumsfeld, along with 18 other Members of Congress, urging him to revoke this discriminatory policy against women serving in Saudi Arabia.

Mr. Speaker, I will include for the RECORD the referenced letter.

Mr. Speaker, let me be clear. The Government of Saudi Arabia does not require non-Muslim women to wear abayas and the State Department does not require them or even encourage any of its employees to wear this garment. Our Armed Forces should show the same amount of respect for its employees.

The bottom line is that our servicewomen are fulfilling a very difficult job in Saudi Arabia, and they deserve to be treated with respect. They must not be forced into a subservient position.

Mr. Speaker, U.S. servicewomen are valued, respected, capable members of our Armed Forces. It is the duty of the United States Government and its military to demonstrate to other nations how much we value our servicewomen serving overseas.

The United States must set a standard for equality around the world and stop this discriminatory treatment against American servicewomen.

I congratulate my colleagues on the committee for putting forward this bill. I support it strongly. It is an important statement in support of our women serving overseas in Saudi Arabia and other countries.

U.S. CONGRESS,

Washington, DC, Dec. 17, 2001.

HON. DONALD RUMSFELD,  
Office of the Secretary, Pentagon, Washington,  
DC.

DEAR SECRETARY RUMSFELD: We are very troubled to learn that American servicewomen stationed in Saudi Arabia are required to wear abayas and ride in the back

seat of cars when off base, and that they cannot go off base unless accompanied by a man. We are conscious of the need to maintain good relations with Saudi Arabia, particularly during this time of war; however, we understand that servicewomen are the only federal employees stationed in Saudi Arabia who are obliged to follow these rules.

Our servicewomen are fulfilling a very difficult job in Saudi Arabia, and they deserve to be treated with respect. By requiring servicewomen to adopt a subservient position, the military is sending the very clear signal that they are not deserving of equal respect. This has a particularly significant impact on officers, who are being asked to be subservient to men under their command. It is very difficult for these officers to maintain the same degree of authority if they must adopt a submissive role off base.

We urge you to revoke this policy and to treat servicewomen with the same dignity afforded other federal employees in Saudi Arabia.

Sincerely,

Carolyn B. Maloney; Betty McCollum; Janice Schakowsky; Lloyd Doggett; James P. McGovern; Nita Lowey; Peter DeFazio; Martin Frost; James Leach; Barbara Lee; Diane Watson; Lucille Roybal-Allard; Ellen Tauscher; Jim McDermott; Elijah Cummings; Julia Carson; George Miller; Neil Abercrombie; Diana DeGette.

Mr. RYUN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a result of the concerted efforts of several members of the Committee on Armed Services, this bill expresses the views of many Members of Congress regarding the wearing of the abaya by our military personnel serving in the Kingdom of Saudi Arabia. Moreover, it affords the commanders the latitude necessary to educate service members about the threats and allows such force protection measures as may be dictated by a unit's mission and location. I urge my colleagues to support this bill.

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

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume to just take a minute to thank the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from Indiana (Mr. HOSTETTLER) once again for their leadership and determination. I think that this bill sends a very clear message about how we expect our soldiers to be treated overseas and in this country.

Mrs. WILSON of New Mexico. Mr. Speaker, I rise in support of H.R. 4714, a bill to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment. I commend my colleagues on the Armed Services Committee—Mr. LANGEVIN and Mr. HOSTETTLER for their perseverance on this issue and for bringing this bill to the floor today.

This legislation will end a Defense Department policy affecting servicewomen stationed in Saudi Arabia.

It is a sad commentary that this legislation is needed at all. This policy should not have been implemented in the first place; it should have been changed rapidly when it was brought to the attention of senior commanders and the Pentagon; and the revised policy is also flawed.

This bill would have been part of the Defense Authorization bill this year, and it may be incorporated into that legislation in conference committee. It is my hope that the Defense Department won't wait to be forced to do the right thing.

Our vote tonight is to send a message to the Defense Department loud and clear: your policy requiring or strongly encouraging servicewomen stationed in Saudi Arabia to wear the abaya is without merit and is offensive to the American people. You need to change it, or the Congress will change it for you.

Mr. Speaker, those who choose to serve our country, regardless of gender, should be treated with respect by their commanders. There's a lot of talk about loyalty from the bottom up. But loyalty from the top down is more important, and more rare. Since the beginning of the Republic, Americans, both men and women have done their duty to secure the liberties that we enjoy. Women make first-class soldiers and should not be treated like second-class citizens.

But this legislation goes far beyond issues of class and respect for women in the service. The abaya is a garment that covers a Muslim woman from head to toe with only the eyes showing. It is associated by others and by servicewomen with the Muslim religion. Forcing American servicewomen—most of whom are Christian or Jewish—to wear traditional Muslim dress is deeply offensive to their religious beliefs and possibly unconstitutional.

But the Defense Department just doesn't seem to get it. They would never force American servicemen to wear a yarmulke in Israel or a crucifix in order to avoid harassment or be sensitive to the local culture. Indeed, the same regulation that ordered women to wear the abaya in Saudi Arabia prohibited servicemen from wearing local Saudi dress for men.

The Defense Department has never seemed to be troubled by this double standard that directs servicemen to dress conservatively while prohibiting the wear of local dress, and presumes that young servicewomen could not or would not follow similar command guidelines and ordered them to wear the abaya.

The Department's modified policy that "strongly encourages" women to wear the abaya only sounds satisfactory to people who have never been in the military. When an officer "strongly encourages" any young troop to do something, that is not optional. It means you darn well better do it if you value your career in the military. It means if you don't do it, you risk being branded as an attitude problem, a troublemaker, someone deserving extra (and certainly unwanted) attention that is likely to make your life a whole lot harder and possibly downright miserable. Every veteran in this body knows what I'm saying is true.

DOD's policy change to "strongly encourage" wearing the abaya was clever as a public relations move, but not clever enough to hide from this body that DOD wishes to preserve a practice offensive to military women and offensive to the American people and the beliefs we cherish.

Mr. Speaker, this legislation states that a member of the Armed Forces may not be required or formally or informally compelled to wear the abaya garment or any part of the abaya garment while in the Kingdom of Saudi Arabia. It prohibits taxpayer funds from being used to purchase abayas. It requires commanders to inform their troops of this policy and provide them a copy of it in writing.

The language "formally or informally compelled" is intended to cover a range of synonyms for "strongly encouraged". We did not want to prohibit DOD from "encouraging" wear of the abaya while they change their policy to "recommend" it, or "suggest" it. We are not interested in playing with words. DOD may not formally or informally compel wear of the abaya in any way. The current DOD policy of "strongly encouraging" wearing of the abaya is not consistent with this legislation and, if this legislation passes, it must be changed.

There is one exception in this legislation, and it deserves explanation. The Defense Department initially justified their abaya policy on the grounds of host nation sensitivity, even though neither the Saudi government nor the State Department require or strongly encourage wearing the abaya. In fact, the State Department also does not recommend that tourists—arguably the least prepared to deal with religious enforcers, called Mutawa'ihin—wear abayas. The recommendation for tourists is the same as for the male service members: conservative clothes that cover the arms and legs.

Then, as pressure grew, the Defense Department modified their policy and the justification for it on the grounds of "force protection". They maintain that they must continue to have the option of ordering women to wear the abaya if a commander considers it to be necessary for the safety of our servicewomen.

In passing this legislation, the Congress is explicitly rejecting this "force protection" argument. Indeed, in negotiations with DOD staff before the FY03 Defense Authorization Act came to the floor of the House, the DOD argued for a "force protection" exception that was so broad that it made the prohibition meaningless. The members of Congress involved in these discussions rejected DOD's arguments and the force protection exception is not included in this bill.

What we have included is a much narrower exception that says the commander of the United States Central Command may require the wear of the abaya in "specific circumstances" that "constitute an operational requirement essential for the conduct of the military mission."

First, the Commander of USCENTCOM may not delegate this authority to anyone else below him. Second, he may not do so based on a general need for "force protection" or "safety". The only time he may do so is if it is an operational requirement to complete the military mission.

In crafting this exception, we had in mind very unusual circumstances like special operations requiring concealment, an unusual need to move people in-country without the knowledge of the best country, or if there were widespread civil unrest to extract service members from a dangerous situation without detection or provocation.

Mr. Speaker, I hope this House will be heard today and that we send a resounding message to the Department of Defense. Your policy on wearing the abaya is inconsistent with our values as a nation and we insist that it be changed.

Mr. PAUL. Mr. Speaker, while I support this legislation, I would like to make a few observations. It is unfortunate that we are in a position where we must act on such legislation. Because of our unwise policy of foreign interventionism, which has placed thousands of

American service members in the Middle East including in Saudi Arabia, we are placed in a no-win situation. Either we disregard and mock the customs and culture of Saudi Arabia by refusing to adhere to dress codes that they have adopted, or we subject American women to a dress code that is offensive to our own culture and customs and is disrespectful to the sacrifices they are making for this country. What a choice, Mr. Speaker!

I am voting for this bill because I believe, on the whole, that it is preferable to place concerns about our own citizens over those whose homeland is being defended by American troops. Young Americans join the all-volunteer military as an act of patriotism in hopes of defending their country and their constitution. We in Congress must honor that sacrifice. It is bad enough that our troops are sent around the world to defend foreign soil. Asking them to comply with foreign customs which violate basic American beliefs about freedom in order to appease the very governments our troops are defending adds insult to injury. I do not believe a single female member of the armed forces enlisted for the "privilege" of wearing an abaya while defending the House of Saud or that one single male member of the armed forces enlisted in order to force his female colleagues to wear an abaya.

The fact remains that we continue to maintain troops in a place where they are not needed. It is the consequences of this dangerous policy that concern me most. Isn't it time to return to a more sound foreign policy, one that respects the culture of others by not intervening in their affairs? Is it not time to bring American troops home to protect America, rather than continuing to station them in far off lands where the protection they offer is not needed?

Ms. SLAUGHTER. Mr. Speaker, I rise today in support of this bill to prohibit the Department of Defense from requiring female service members to wear the 'abaya', a long black robe covering the body from head to toe, worn with a head scarf and often a veil.

Currently, the DOD requires U.S. servicewomen to wear the abaya when they leave base in Saudi Arabia. DOD policy also mandates that servicewomen cannot sit in the front seat of a vehicle when traveling off-base. I am outraged that DOD would not only tolerate, but perpetrate, this type of discriminatory treatment against American servicewomen. Our women in uniform are performing their duty to protect the interests of both the United States and of the host country. It is unfortunate that the Saudi government has so little appreciation for the contributions of U.S. servicewomen as to allow harassment of them to take place at the hands of the Saudi religious police. But it is unconscionable that our own government should uphold this institutionalized disrespect of women by requiring that Americans conform to these standards.

U.S. servicewomen are valued, respected, capable members of our armed forces. It is the duty of the U.S. government, including its military, to demonstrate to other nations the high regard in which we hold them.

It is important to note that official Saudi policy does not require non-Muslim women to wear the abaya. Similarly, the U.S. State Department allows its female employees to use their own best judgment when deciding how to dress when they go outside the embassy. The Department of Defense should show the same

degree of trust in its employees, and end this backward order regarding the abaya. This legislation would do just that, and I urge my colleagues to support it.

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

Mr. RYUN of Kansas. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Kansas (Mr. RYUN) that the House suspend the rules and pass the bill, H.R. 4714.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 29 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEARNS) at 6 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules and on approving the Journal on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 3694, by the yeas and nays;

H.R. 4069, by the yeas and nays; and approving the Journal, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

HIGHWAY FUNDING RESTORATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3694, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3694, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 5, not voting 19, as follows:

[Roll No. 159]

YEAS—410

Abercrombie  
Aderholt  
Akin  
Allen  
Andrews  
Armey  
Baca  
Bachus  
Baird  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett  
Bartlett  
Barton  
Bass  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Boozman  
Borski  
Boswell  
Boucher  
Boyd  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Brown (SC)  
Bryant  
Burr  
Buyer  
Callahan  
Calvert  
Camp  
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  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Dicks  
Dingell

Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Filner  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frank  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Graham  
Granger  
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  
Hinckey  
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  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
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  
Myrick  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Northrup  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascarell

Pastor  
Pelosi  
Pence  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reyes  
Reynolds  
Rivers  
Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Roukema  
Roybal-Allard  
Rush  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer

Saxton  
Schakowsky  
Schiff  
Schrock  
Scott  
Sensenbrenner  
Serrano  
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  
Stupak  
Sullivan  
Sununu  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thompson (CA)

Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Velazquez  
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 (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—5

Flake  
Paul

Royce  
Sessions

Shadegg

NOT VOTING—19

Ackerman  
Blagojevich  
Brady (PA)  
Burton  
Cannon  
Diaz-Balart  
Lee

Mascara  
McIntyre  
Murtha  
Payne  
Peterson (MN)  
Riley  
Rothman

Schaffer  
Stump  
Sweeney  
Terry  
Traficant

□ 1854

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 159 I was unavoidably detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

SOCIAL SECURITY BENEFIT ENHANCEMENTS FOR WOMEN ACT OF 2002

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4069, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 4069, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 16, as follows:

[Roll No. 160]

YEAS—418

Abercrombie	DeFazio	Hoyer
Aderholt	DeGette	Hulshof
Akin	Delahunt	Hunter
Allen	DeLauro	Hyde
Andrews	DeLay	Inslee
Armey	DeMint	Isakson
Baca	Deutsch	Israel
Bachus	Dicks	Issa
Baird	Dingell	Istook
Baker	Doggett	Jackson (IL)
Baldacci	Dooley	Jackson-Lee
Baldwin	Doolittle	(TX)
Ballenger	Doyle	Jefferson
Barcia	Dreier	Jenkins
Barr	Duncan	John
Barrett	Dunn	Johnson (CT)
Bartlett	Edwards	Johnson (IL)
Barton	Ehlers	Johnson, E. B.
Bass	Ehrlich	Johnson, Sam
Becerra	Emerson	Jones (NC)
Bentsen	Engel	Jones (OH)
Bereuter	English	Kanjorski
Berkley	Eshoo	Kaptur
Berman	Etheridge	Keller
Berry	Evans	Kelly
Biggert	Everett	Kennedy (MN)
Bilirakis	Farr	Kennedy (RI)
Bishop	Fattah	Kerns
Blumenauer	Ferguson	Kildee
Blunt	Filner	Kilpatrick
Boehlert	Flake	Kind (WI)
Boehner	Fletcher	King (NY)
Bonilla	Foley	Kingston
Bonior	Forbes	Kirk
Bono	Ford	Kleczka
Boozman	Fossella	Knollenberg
Borski	Frank	Kolbe
Boswell	Frelinghuysen	Kucinich
Boucher	Frost	LaFalce
Boyd	Gallegly	LaHood
Brady (TX)	Ganske	Lampson
Brown (FL)	Gekas	Langevin
Brown (OH)	Gephardt	Lantos
Brown (SC)	Gibbons	Larsen (WA)
Bryant	Gilchrest	Larson (CT)
Burr	Gillmor	Latham
Buyer	Gilman	LaTourette
Callahan	Gonzalez	Leach
Calvert	Goode	Lee
Camp	Goodlatte	Levin
Cantor	Gordon	Lewis (CA)
Capito	Goss	Lewis (GA)
Capps	Graham	Lewis (KY)
Capuano	Granger	Linder
Cardin	Graves	Lipinski
Carson (IN)	Green (TX)	LoBiondo
Carson (OK)	Green (WI)	Lofgren
Castle	Greenwood	Lowe
Chabot	Grucci	Lucas (KY)
Chambliss	Gutierrez	Lucas (OK)
Clay	Gutknecht	Luther
Clayton	Hall (OH)	Lynch
Clement	Hall (TX)	Maloney (CT)
Clyburn	Hansen	Maloney (NY)
Coble	Harman	Manzullo
Collins	Hart	Markey
Combest	Hastings (FL)	Matheson
Condit	Hastings (WA)	Mathsui
Conyers	Hayes	McCarthy (MO)
Cooksey	Hayworth	McCarthy (NY)
Costello	Hefley	McCollum
Cox	Herger	McCrery
Coyne	Hill	McDermott
Cramer	Hilleary	McGovern
Crane	Hilliard	McHugh
Crenshaw	Hinche	McInnis
Crowley	Hinojosa	McKeon
Cubin	Hobson	McKinney
Culberson	Hoeffel	McNulty
Cummings	Hoekstra	Meehan
Cunningham	Holden	Meek (FL)
Davis (CA)	Holt	Meeks (NY)
Davis (FL)	Honda	Menendez
Davis (IL)	Hoolley	Mica
Davis, Jo Ann	Horn	Millender-
Davis, Tom	Hostettler	McDonald
Deal	Houghton	Miller, Dan

Miller, Gary	Reyes	Strickland
Miller, George	Reynolds	Stump
Miller, Jeff	Rivers	Stupak
Mink	Rodriguez	Sullivan
Mollohan	Roemer	Sununu
Moore	Rogers (KY)	Tancredo
Moran (KS)	Rogers (MI)	Tanner
Moran (VA)	Rohrabacher	Tauscher
Morella	Ros-Lehtinen	Tauzin
Myrick	Ross	Taylor (MS)
Nadler	Roukema	Taylor (NC)
Napolitano	Roybal-Allard	Thomas
Neal	Royce	Thompson (CA)
Nethercutt	Rush	Thompson (MS)
Ney	Ryan (WI)	Thornberry
Northup	Ryun (KS)	Thune
Norwood	Sabo	Thurman
Nussle	Sanchez	Tiahrt
Obey	Sanders	Tiberi
Oliver	Sandlin	Tierney
Ortiz	Sawyer	Toomey
Osborne	Saxton	Towns
Ose	Schakowsky	Turner
Otter	Schiff	Udall (CO)
Owens	Schrock	Udall (NM)
Oxley	Scott	Upton
Pallone	Sensenbrenner	Velazquez
Pascarell	Serrano	Visclosky
Pastor	Sessions	Vitter
Paul	Shadeg	Walden
Pelosi	Shaw	Walsh
Pence	Shays	Wamp
Peterson (MN)	Sherman	Waters
Peterson (PA)	Sherwood	Watkins (OK)
Petri	Shimkus	Watson (CA)
Phelps	Shows	Watt (NC)
Pickering	Shuster	Watts (OK)
Pitts	Simmons	Waxman
Platts	Simpson	Weiner
Pombo	Skeen	Weldon (FL)
Pomeroy	Skelton	Weldon (PA)
Portman	Slaughter	Weller
Price (NC)	Smith (MI)	Wexler
Pryce (OH)	Smith (NJ)	Whitfield
Putnam	Smith (TX)	Wicker
Quinn	Smith (WA)	Wilson (NM)
Radanovich	Snyder	Wilson (SC)
Rahall	Solis	Wolf
Ramstad	Souder	Woolsey
Rangel	Spratt	Wu
Regula	Stark	Wynn
Rehberg	Stearns	Young (AK)
	Stenholm	Young (FL)

NOT VOTING—16

Ackerman	Mascara	Schaffer
Blagojevich	McIntyre	Sweeney
Brady (PA)	Murtha	Terry
Burton	Payne	Traficant
Cannon	Riley	
Diaz-Balart	Rothman	

□ 1905

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "To amend title II of the Social Security Act to provide for miscellaneous enhancements in Social Security benefits, and for other purposes."

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 160 I was unavoidably detained. Had I been present, I would have voted "yea."

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3321

Mr. GRAVES. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 3321.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the pending business is the question of agreeing to the Speaker'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.

RECORDED VOTE

Mr. GRAVES. 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 371, noes 40, answered "present" 1, not voting 22, as follows:

[Roll No. 161]

AYES—371

Abercrombie	Davis (CA)	Herger
Akin	Davis (FL)	Hill
Allen	Davis (IL)	Hilleary
Andrews	Davis, Jo Ann	Hinche
Armey	Davis, Tom	Hinojosa
Baca	Deal	Hobson
Bachus	DeGette	Hoeffel
Baker	Delahunt	Hoekstra
Baldacci	DeLauro	Holden
Ballenger	DeLay	Holt
Barcia	DeMint	Honda
Barr	Deutsch	Hoolley
Barrett	Diaz-Balart	Horn
Bartlett	Dingell	Hostettler
Barton	Doggett	Houghton
Bass	Dooley	Hoyer
Becerra	Doolittle	Hulshof
Bentsen	Doyle	Hunter
Bereuter	Dreier	Hyde
Berkley	Duncan	Inslee
Berman	Dunn	Isakson
Berry	Edwards	Israel
Biggert	Ehlers	Issa
Bilirakis	Ehrlich	Istook
Bishop	Emerson	Jackson (IL)
Blumenauer	Engel	Jackson-Lee
Blunt	Eshoo	(TX)
Boehlert	Etheridge	Jefferson
Boehner	Evans	Jenkins
Bonilla	Everett	John
Bonior	Farr	Johnson (CT)
Bono	Ferguson	Johnson (IL)
Boozman	Flake	Johnson, E. B.
Boswell	Fletcher	Johnson, Sam
Boucher	Foley	Jones (NC)
Boyd	Forbes	Jones (OH)
Brady (TX)	Ford	Kanjorski
Brown (FL)	Fossella	Kaptur
Brown (SC)	Frank	Keller
Bryant	Frelinghuysen	Kelly
Burr	Frost	Kennedy (MN)
Buyer	Gallegly	Kennedy (RI)
Callahan	Ganske	Kerns
Calvert	Gekas	Kildee
Camp	Gephardt	Kilpatrick
Cantor	Gibbons	Kind (WI)
Capito	Gilchrest	King (NY)
Capps	Gilman	Kingston
Cardin	Gonzalez	Kirk
Carson (IN)	Goode	Kleczka
Carson (OK)	Goodlatte	Knollenberg
Castle	Gordon	Kolbe
Chabot	Goss	LaFalce
Chambliss	Graham	LaHood
Clay	Granger	Langevin
Clayton	Graves	Lantos
Clement	Green (TX)	Larson (CT)
Clyburn	Green (WI)	Latham
Coble	Greenwood	LaTourette
Collins	Grucci	Leach
Combest	Gutierrez	Lee
Conyers	Gutknecht	Levin
Cooksey	Hall (OH)	Lewis (CA)
Cox	Hall (TX)	Lewis (GA)
Coyne	Hansen	Lewis (KY)
Cramer	Harman	Linder
Crenshaw	Hart	Lipinski
Crowley	Hastings (FL)	Lofgren
Cubin	Hastings (WA)	Lowe
Culberson	Hayes	Lucas (KY)
Cummings	Hayworth	Lucas (OK)

Luther	Pickering	Skelton
Lynch	Pitts	Slaughter
Maloney (CT)	Platts	Smith (NJ)
Maloney (NY)	Pombo	Smith (TX)
Manzullo	Pomeroy	Smith (WA)
Matsui	Portman	Snyder
McCarthy (MO)	Price (NC)	Solis
McCarthy (NY)	Pryce (OH)	Spratt
McCollum	Putnam	Stark
McCrery	Quinn	Stearns
McGovern	Radanovich	Stump
McHugh	Rahall	Sullivan
McInnis	Rangel	Sununu
McKeon	Regula	Tanner
McKinney	Reyes	Tauscher
McNulty	Reynolds	Tauzin
Meehan	Rivers	Taylor (NC)
Meek (FL)	Rodriguez	Thomas
Meeks (NY)	Roemer	Thompson (MS)
Menendez	Rogers (KY)	Thornberry
Millender-	Rogers (MI)	Thune
McDonald	Rohrabacher	Thurman
Miller, Dan	Ros-Lehtinen	Tiahrt
Miller, Gary	Ross	Tiberi
Miller, Jeff	Rothman	Tierney
Mink	Roukema	Toomey
Mollohan	Roybal-Allard	Turner
Moran (VA)	Royce	Udall (CO)
Morella	Rush	Upton
Myrick	Ryan (WI)	Velazquez
Nadler	Ryun (KS)	Vitter
Napolitano	Sanchez	Walden
Neal	Sanders	Walsh
Nethercutt	Sandlin	Wamp
Ney	Sawyer	Waters
Northup	Saxton	Watkins (OK)
Norwood	Schakowsky	Watson (CA)
Nussle	Schiff	Watt (NC)
Obey	Schrock	Watts (OK)
Ortiz	Scott	Waxman
Osborne	Sensenbrenner	Weiner
Ose	Serrano	Weldon (FL)
Otter	Sessions	Weldon (PA)
Owens	Shadegg	Wexler
Oxley	Shaw	Whitfield
Pallone	Shays	Wilson (NM)
Pascrell	Sherman	Wilson (SC)
Pastor	Sherwood	Wolf
Paul	Shimkus	Woolsey
Pelosi	Shows	Wynn
Pence	Shuster	Young (AK)
Peterson (PA)	Simmons	Young (FL)
Petri	Simpson	
Phelps	Skeen	

NOES—40

Aderholt	Hefley	Ramstad
Baird	Hilliard	Sabo
Baldwin	Kucinich	Stenholm
Borski	Larsen (WA)	Strickland
Brown (OH)	LoBiondo	Stupak
Capuano	Markey	Taylor (MS)
Condit	Matheson	Thompson (CA)
Costello	McDermott	Udall (NM)
Crane	Miller, George	Visclosky
DeFazio	Moore	Weller
English	Moran (KS)	Wicker
Fattah	Oberstar	Wu
Filner	Olver	
Gillmor	Peterson (MN)	

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—22

Ackerman	Mascara	Smith (MI)
Blagojevich	McIntyre	Souder
Brady (PA)	Mica	Sweeney
Burton	Murtha	Terry
Cannon	Payne	Towns
Cunningham	Rehberg	Traficant
Dicks	Riley	
Lampson	Schaffer	

□ 1915

So the Journal was approved.

The result of the vote was announced as above recorded.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. STEARNS). 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.

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

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

SPORTS AGENT RESPONSIBILITY AND TRUST ACT

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

Mr. OSBORNE. Mr. Speaker, recently the gentleman from Tennessee (Mr. GORDON) and I joined to introduce the Sports Agent Responsibility and Trust Act.

Each year, hundreds of college athletes are offered illegal inducements to enter into contracts prior to the exhaustion of the athletes' eligibility by unscrupulous sports agents. Often these actions result in three major problems.

Number one, the loss of the athletes' eligibility. Personally, I experienced having a player back in the 1980s who was offered some illegal inducements, lost his eligibility, and pretty much ruined his career. That same player was involved with some agents who really had given illegal inducements to several players around the country. They were eventually indicted on a number of felonies. They threatened some of the players with bodily harm. However, in the State of Nebraska, we lacked the laws to pursue these agents.

Secondly, there is a financial loss to the athlete and the school when illegal agent offers are involved. Again, a personal note, I had a player back in the 1980s who thought he signed a contract for giving 3 percent of his proceeds to the agent, but somewhere buried in the contract was 13 percent. So he lost hundreds of thousands of dollars. Fortunately, that player was able to recover more than \$300,000 because the agent with which he had signed the illegal contract had previously come from the State of California, where there are laws that govern agents, and since that agent had not registered under California law, we were able to recover \$300,000. However, in the State of Nebraska we could not do this because Nebraska, again, had no law that would enable us to prosecute.

Recently, an agent named Tank Black was sentenced to 5 years in prison for swindling athletes for more than \$12 million, and so we think this is important. It also allows the schools to file civil lawsuits against unethical agents.

Thirdly, another issue that is very important, a negative perception of intercollegiate athletics often results when athletes enter into illegal contracts with agents. So the recent pre-

vious cases would involve the University of Alabama, University of Louisville, University of California, University of Utah, Texas Southern, University of Miami at Florida, University of Southern California, Tennessee, Ohio State, Texas A&M, Florida State and others, and in each one of these cases the school really did nothing illegal. It simply had some players that entered into illegal negotiations with agents, and of course, this reflected negatively on the school.

Currently 17 States in our country, including my home State of Nebraska, have no regulations governing sports agents. The legislation that we are proposing provides a uniform Federal backstop that applies to all States. This bill does not supersede State law. It simply aids and abets those States that do have regulations governing sports agents.

This act brings sports agents under the jurisdiction of the Federal Trade Commission, which provides for a fine of \$11,000 per day per event. State laws cannot cross State borders. So until all 50 States adopt uniform standards there is not uniformity in the law regulating sports agents.

The Sports Agent Responsibility Act provides a separate Federal remedy for States Attorneys General to prosecute sports agents who attempt to exploit student athletes across State lines.

I urge my colleagues to join the gentleman from Tennessee (Mr. GORDON) and me as we try to protect intercollegiate athletics from unscrupulous sports agents.

CUBA'S DEVELOPMENT OF BIOLOGICAL WEAPONS

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

Mr. PALLONE. Mr. Speaker, I rise today to draw attention to a recent statement by the Bush administration confirming Cuba's development of a biological warfare program and the possible transfer of this knowledge to other rogue nations.

Mr. Speaker, Cuba is designated by the State Department as one of seven nations who sponsor international terrorism. However, since the collapse of the Soviet Union many Americans make the mistake of believing that Cuba is no longer a threat to our national security.

Recent votes here in the House have reflected this shift in public perception. Just 3 weeks ago we voted on a motion to instruct conferees on the farm bill to include a provision that would lift part of the trade embargo that would allow for public financing of agricultural trade with Cuba. I opposed this motion because I feel that it is shortsighted to lift economic sanctions when the Cuban government has done little to prove their worthiness of an economic partnership with the United States.

In fact, Mr. Speaker, Fidel Castro shows only his open hostility to the United States by pursuing biological warfare research. He has what are considered to be the most sophisticated biomedical capabilities in Latin America. Cuba stands as one of the few developing nations who plays a significant role in drug and biotechnology activities.

Mr. Speaker, there is evidence that Cuba is experimenting with anthrax, as well as a number of other deadly pathogens. Some experts believe that Cuba is even capable of making genetically modified germ weapons that are able to defeat vaccines and antibiotics.

Unfortunately, the possibility that a rogue nation only 90 miles from our shores is producing biological weapons is not the worst of our problems. Mr. Speaker, intelligence officials have evidence that Cuba may be selling its bioterrorist knowledge to other nations hostile to the United States.

Last year, Castro visited Iran, Syria and Libya, three nations that occupy spots on the State Department's terrorism list, along with Cuba and three nations that are currently attempting to develop weapons of mass destruction. During his visit to Tehran University, Castro stated that together Iran and Cuba could "bring America to its knees." An unnerving thought when we consider that Cuba is closer to the United States mainland than Washington, D.C., is to my home in New Jersey.

Mr. Speaker, it is time that we put the debate about Cuba and the Castro regime into the proper perspective for the American people. Too often people are only willing to see the economic benefit of trade with Cuba and lifting the trade embargoes. They do not understand that by lifting the embargo, without agreements by Castro to stop biological weapons production and without commitments on human rights or civil liberties, that we are giving Castro exactly what he wants.

Mr. Speaker, it is time we see Castro and his regime for what they really are, a continued threat to the security of the United States.

#### RURAL TANF

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, tomorrow this body will take up the reauthorization of the 1996 welfare law. Much has been said about this bill and no doubt debate will go on for some time. However, remarkably little has been said about one aspect of it, the rural aspect.

It will not be surprising to Members of this body that there is a difference between urban and rural areas. In fact, let me just tell my colleagues, 237 out of the 250 poorest counties in the United States in 1998 were nonmetropolitan, and that persists today.

One-half of rural American children and female heads of household live in poverty. Rural workers are nearly twice as likely to earn the minimum wage and 40 percent less likely to move out of low wage, entry level positions. Six out of 10 rural people in poverty do not own a car. The rural urban earning gap persists and actually has widened through the latter part of the 1990s. There is a gap of 73 to 70 percent.

Mr. Speaker, as we look at making work an essential part of the welfare effort, and I believe that work should be, in fact I think work is very honorable and we should encourage everyone to find the satisfaction as well as the responsibility of doing something that is valuable to themselves but also will have income, but the reality is this: Labor markets in rural areas are often very limited. There is a high unemployment rate in rural areas because the opportunities are not there.

So if we are indeed encouraging that more people should work, we need to then speak to putting in the infrastructure for training, jobs, day care and transportation, particularly those areas in the Mississippi Delta, the Appalachia and the Lower Rio Grande Valley and in Indian Country. It is in 240 of those 250 counties I talked about. So there are 240 counties in this country, the poorest counties, indeed will have difficulty finding jobs, maintaining the same work they had 3 years ago. Their unemployment indeed has gone up and the job opportunities have gone down.

The third exemption from time limits for counties with high rates of unemployment failed, let me say that again, failed to address the problem adequately in more rural areas. Official unemployment statistics underestimate the true rate of unemployment. There are many discouraged workers with few opportunities that do not even bother to go to the unemployment office or go seeking assistance because they know there are so little job opportunities. They know jobs do not exist, and therefore they do not even bother.

So if we use the known statistical data, that in itself is false, but also what we do know is that there is a lack of opportunity, and if indeed we wanted to find how States were responding to that, I have just submitted an amendment to the Rules Committee they ought to have to require each State governor to say to the Secretary in their plan how they propose to ensure there are job opportunities or if there are work opportunities, training opportunities, are there day care opportunities, transportation. All of that means new resources. So if we are not making any differential in adding new resources to rural areas, we are putting the governors in the States throughout the United States, putting them in a decisive difficult fiscal position, and we should ask them how they propose to meet that obligation that they are given.

So, in fact, in some rural areas the true unemployment is double. For ex-

ample, the official unemployment rate of Indian reservations often are 20 and 30 percent. However, according to the Department of Labor, it is sometimes higher than that, and yet we are requiring that individuals in those communities will have the same rate for the very poor.

Therefore, provisions of the legislation that are based on the official statistical data of unemployment is a false premise in order to give the governors the response to make a way. We need to find other ways of speaking to that.

So there needs to be a recognition, Mr. Speaker, that child care that is so essential for mothers to leave their children and go to work, that is not available in rural areas. Unless we are willing to provide for education and training, transportation, day care, the rural community will not be able to respond to the citizens who need that help, and the current proposal that is before this House has nothing in there. In fact, I will be asking for unanimous consent that we add that provision to the bill on the floor.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### RAISING THE DEBT LIMIT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Texas (Mr. STENHOLM) is recognized for 60 minutes as the designee of the minority leader.

Mr. STENHOLM. Mr. Speaker, tonight we want to come again before the body and talk about raising the debt limit.

□ 1930

It is fascinating, having been around this place for now almost 23 years, to hear and to see how various Members of this body react to certain situations that come up, depending on whether they are in the minority or in the majority. And there is no question that we have a serious problem facing our Nation coming up beginning this week, and then about June 28 it becomes of crisis proportion. Treasury Secretary Paul O'Neill has formally requested Congress to increase the statutory limit on the publicly held debt by \$750 billion, and that is billion with a "b," up from the current level of \$5.95 trillion to \$6.7 trillion.

Just today, Secretary O'Neill wrote the Congress again telling us that he will use up our borrowing authority by the end of this week and that we will have to begin juggling with the books in order to avoid a default, and by the end of June, at the latest, he will run out of maneuvers.

Last week, the Congressional Budget Office issued a report indicating that revenues are coming in much lower than expected and the deficit will be much higher than they projected earlier this year. It is likely we will borrow the entire Social Security trust fund and then some and still have a deficit of over \$150 billion this year.

The need for an increase in the debt limit of the magnitude requested by the administration cannot be explained by the economy and cost of the war. The administration projects that under the President's budget policies the national debt will be roughly \$2.75 trillion more debt than was projected at the beginning of last year, before the President's budget policies and this body enacted them. The cost of the war and the downturn in the economy explain roughly \$800 billion of that increase in projected debt, which leaves nearly \$1.9 trillion more debt than was projected a year ago that is not explained by spending on the war on terrorism or the economic downturn.

In fact, the administration acknowledged prior to September 11 that the debt limit would need to be raised much earlier than it projected when the President submitted his initial budget proposal in January. Last August, the administration indicated that it expected that the debt limit would have to be increased in 2003, 5 years earlier than they projected when the budget was submitted. Well, a year ago, the administration indicated that we would not need to raise the debt limit for 7 years and actually claimed that there was a danger that the government would actually pay off the debt held by the public too quickly.

The Blue Dogs warned about the danger of making long-term commitments for tax cuts or new spending programs based on projected surpluses and proposed setting aside half of the on-budget surplus for a cushion to protect against unforeseen changes. In fact, we supported a budget here about a year ago that would have been much more conservative than the budget that passed and was signed into law; but we, being in the minority, lost.

It is interesting when one listens to the leadership of this body, and here let me give a little quote. When President Clinton asked for a new bill to increase the debt limit, the gentleman from Texas (Mr. ARMEY), now the majority leader of this body, said: "He will get it, but with conditions." That was January 23, 1996. The same majority leader of this body, responding on April 9, called the debate over raising the debt limit "an academic question" and described the whole idea of a debt ceiling as "political." He said, "My

recommendation is to take the President's number and move it. Whatever number that is, I don't care." On January 23, 1996, the majority leader said, "House Republicans insist that any increase in the debt limit must be tied to substantial concessions by the White House in talks over balancing the Federal budget." On April 10, 2002, the same majority leader of this body said, "Congress and the House of Representatives should quickly approve President Bush's request for a \$750 billion increase in the on's borrowing authority."

Now, I agreed with Majority Leader Arme 6 years ago when there was a Democrat in the White House that was not putting forward a plan that would bring us into balance as quickly as we needed to. I agreed with the majority leader then, but I disagree with him tonight; and I disagree with the leadership of this body in refusing to put forward a plan to get us back on a balanced budget for our country.

That is what the Blue Dogs wrote the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), last Friday. The leadership of our Blue Dogs sent a letter to Speaker HASTERT in which we offered in good faith to work with our colleagues on the other side of the aisle to put together a blueprint, a new budget, if you please, that would get us back on a path of balancing our budget and getting out of the Social Security trust funds.

Now, I do not know why the leadership of this House has suddenly taken such a turn that we have seen taken over the last several years in which very seldom are ideas from this side of the aisle ever taken into serious consideration. Just last Thursday, we had the defense authorization bill on this floor, supported tremendously in a bipartisan way, as they always are. But we had a situation there that I do not recall seeing in previous years, in which Members on this side of the aisle had amendments but were denied the opportunity to have their amendment taken up and voted on on the floor of the House.

My colleague who will join me in just a moment, the gentleman from Mississippi (Mr. TAYLOR), had a couple of not unreasonable amendments. He felt very strongly that this body, the Congress, and the House of Representatives in particular, should have had an opportunity to debate whether or not we are going to have a new base closing commission. Not an unreasonable request. We had amendments that were allowed that had 10 minutes, 20 minutes; but the gentleman from Mississippi was denied. He exercised his right to express himself, and I hope the leadership of this body listened to what the gentleman was saying last Thursday.

What the gentleman was saying is, this body, the House of Representatives, has been the envy of most of the rest of the world since our very creation, in which individuals have the

right and the opportunity to bring up their ideas and have them discussed on the floor of the House and voted upon. What is so unusual about that and what is it that seems now that in most cases we do not have the kind of committee hearings, we do not have a rule that allows various Members to express themselves on this floor?

Well, tonight, we take this hour to talk about our willingness on this side of the aisle to work with our colleagues, if there are any on the other side that are interested, in restoring fiscal sovereignty, fiscal strength to the budget of the United States of America. We say this and we are prepared to offer some suggestions. In fact, it is interesting, there are very few of these suggestions that are new. They have all been tried. It matters not which side of the aisle. So this is what we want to talk about tonight.

We would like to see, before we vote to increase how much money our country can borrow, we would like to see a new plan, because the current plan is now telling us that we will have deficits as far as the eye can see. And as one Member who has spent a good part of the last 6 years trying to work in a bipartisan way, in a bicameral way on Social Security reform, it pains me quite a bit to see that we cannot even bring that subject up and talk about it. I hope that changes also.

Tonight we just want to again renew our offer, our plea to the majority of this body that before we increase our debt ceiling, let us take another look at the budget plan that we are operating under. If my colleagues on the other side want votes on our side, we have already said we will give those votes to increase the debt ceiling, but not \$750 billion with a blank check.

We are perfectly willing to give an increase in the debt ceiling that will get us to September 30 of this year. Let us wait and see how the CBO reestimates the spending and the revenue that are going to be coming in; and then let us take that new estimate and when we come back in September, let us pass a new budget, one of the better things we could do for the economy of this country.

And in so doing, then we would be prepared to offer another short-term debt ceiling increase to get us to next April or May. Again, let the new Congress come back, the new Congress that will be elected in November, and let us see what our economy is doing come January and a new round of budget discussions and budget debates. It seems to us that that makes sense. But it seems to the other side of the aisle that, no, we passed a budget last year, and we are going to stay with it no matter what.

The budget that was passed last year assumed 100 percent of the projected surplus and left no margin for error. We put ourselves on a course to run up our debt. Now that circumstances have changed, the projected surpluses have disappeared. And while we agree that

the unforeseen war on terrorism and economic downturn have had an impact on the budget in the short term, we do not believe that these events should be used to justify a return to chronic, long-term deficits or hide a \$750 billion increase in the debt ceiling.

The leadership of this body has indicated that they plan to slip language into the supplemental appropriation bill that will allow them to hide an increase in the debt limit in an omnibus conference report without any debate or vote. We do not believe that we should use a spending bill to fight the war on terrorism to hide or justify a long-term \$750 billion increase in the debt ceiling absent a plan to improve our long-term fiscal position.

Members on the other side were very willing to stand up and take credit when we were passing legislation that put us into the situation we face today and made an increase in the debt limit necessary. They should be willing to stand up and be counted now that it has come time to pay the bills by raising the debt limit.

We need a plan. Before Congress votes to raise the debt ceiling by \$750 billion, the President must work with Congress to put the fiscal house back in order, just as a family facing financial problems must work with a bank to establish a financial plan in order to get approval to refinance their debts. We will not vote to approve an increase in the debt limit to allow the government to continue on the current course of deficits as far as the eye can see.

Let me quote another leader of our House, my fellow colleague, the gentleman from Texas (Mr. DELAY), when he said, "We said from the beginning of this Congress that we want to negotiate with the President. But we cannot negotiate with a President that does not want to balance the budget. We do not want to negotiate over whether to balance the budget or not, we want him to submit a budget that balances by CBO, which he called for. We will negotiate with him in the parameters of a balanced budget and negotiate over the priorities within that balanced budget. But if the President cannot submit one, how do we negotiate apples with oranges? You know, the saying goes, if at first you do not succeed try, try again."

Here again, this is one Member that agreed with the gentleman from Texas (Mr. DELAY) back when he was talking to a different President. We agree tonight. And I do not believe that we should have a confrontation with this White House over this matter. I think the confrontation is right here within the House of Representatives. And that is what the Blue Dogs are offering again, the willingness to work with our friends on the other side of the aisle to come up with a new budget plan that does get us back into balance.

□ 1945

Mr. Speaker, with those opening remarks I turn to the gentleman from

Mississippi (Mr. TAYLOR) and yield to him to continue this discussion.

Mr. TAYLOR of Mississippi. Mr. Speaker, I am sure the gentleman from Texas (Mr. STENHOLM) will note that in the 6 years that our Republican colleagues have controlled the House, despite the talk of desiring a balanced budget, they have scheduled but one vote on a balanced budget amendment. I regret to say they are not as serious about a balanced budget as they promised the American people. But then again, they make a lot of promises that they do not keep.

I remember this one in particular. I remember flying up from my district in 1995 around Christmas when there was a government shutdown going on. The children of folks who had a mom or dad in a veterans' hospital were concerned. People in the shipping business wanted to know if the channels were going to get dredged. Americans were worried about illegal immigration and if the staff of a veterans' hospital were going to show up. There were a lot of concerns about shutting down the government.

One of the ways that the Republican leadership tried to mislead the American public that everything was fine, they ran this ad. This is Haley Barbour, the former head of the Republican National Party, a fellow Mississippian. It starts off, heard the one about the Republicans cutting Medicare, and he is holding a check for a million dollars, your name here.

It says, the fact is the Republicans are increasing Medicare spending by more than half. I am Haley Barbour, and I am so sure of that fact that I am willing to give you this check for a million bucks if you can prove me wrong. Sounds simple, right?

So here is the challenge. Here is why you have no chance for the million dollars, and it is a form to be filled out. It says, "The Republican National Committee will present a cashier's check for \$1 million to the first American who can prove the following statement is false: In November, 1995, U.S. House and Senate passed a balanced budget bill. It increases total Federal spending on Medicare by more than 50 percent from 1995 to 2002 pursuant to the Congressional Budget Office standards." Responses must be postmarked by December 20, 1995.

I guess I am one budget wonk, I do follow these things, and I knew from the minute that he printed that ad, that it was a lie. You see, the budget that passed in 1995 was projected to be \$200 billion in deficits; and let us remember, we are not talking a small amount of money. A lot of Americans pay \$1,000 a month on their house or rent note. If you made that payment 1,000 times, you have spent a million dollars. If you made that payment a thousand more times, you have then spent a billion dollars. The budget that he is calling balanced was \$200 billion in deficit.

So I called the Congressional Budget Office, and I got a copy of their budget

projections; and I went over to the Republican National Committee and left a letter for Mr. Barbour saying you have misled the American people. As a matter of fact, it is false, and I would like the million dollars. And since I used my office to do this research, I do not think it would be fair for me to keep the money, so I am going to give it to the University of Southern Mississippi to train people to be better mathematicians than you are. That was in December of 1995.

At the time Mr. Barbour said this, our Nation was \$4.973 trillion in debt, but he promised the American people to have passed a balanced budget bill. At the end of that year, their budget added \$250 billion to the deficit. A year later, \$190 billion more. A year later, \$113 billion more. A year later, \$146 billion more; all of the way up to year 2000, another \$20 billion.

What particularly irks me is after answering Mr. Barbour's challenge, and about 80 other folks around the country did so, the Republican National Committee, instead of saying gee, we misled you or maybe admitting they made a mistake, they sued us. I had to hire a lawyer to defend myself for filling out their form. The case is still now in court, interestingly enough. But Mr. Barbour, not only did you not balance the budget, but since the passage of that bill, we have added over \$1 trillion to the national debt.

See, like the gentleman from Texas (Mr. STENHOLM), I was appalled when a year ago a lot of my colleagues, the Speaker of the House, the majority leader, the majority whip were running around saying Washington is awash in money, huge surpluses as far as the eye can see. We do not know what to do with the money; therefore, we have to pass these tax cuts.

When the President said that a year ago right now, our Nation was \$5,661,347,798,002.65 in debt. Since the passage of the tax cuts, the debt has increased by \$323 billion. For those following this debate, I am going to do something a little different than what the Speaker or the majority leader and the President of the United States did. I am going to ask Americans to check my numbers. They are available to every American at [www.publicdebt.treas.gov/](http://www.publicdebt.treas.gov/), and see for yourself just how broke America is.

What is particularly galling, for those with teenagers who have a job, and who look on their pay stub and say, What is this FICA?, that is your Social Security taxes; and they are taken with the solemn promise that they are to be spent on nothing but Social Security.

If we could find the mythical lockbox that a lot of presidential candidates talked about, and opened it up, all that would be there is an IOU for \$1.260 trillion.

Further down on the pay stub we see money is deducted for the Federal health insurance program, Medicare. In that lockbox all we would find is \$263

billion is owed. The money has been spent on other things.

If you work for the Department of Defense and wanted to find their so-called lockbox, \$167 billion is owed to it. The Civil Service Retirement Fund, a lot of people work for our Nation, border agents, people in the Customs Department, Coast Guard, \$527 billion is owed to their trust fund right now.

Mr. Speaker, you have been the Speaker for almost 4 years. You come from the party that claims to be for fiscal responsibility. Yet in the 4 years you have been Speaker, you have not scheduled one vote on a balanced budget amendment to the Constitution of the United States. Almost every city has that.

When I was a city councilman down in Bay St. Louis, Mississippi, I remember the city attorney telling me next month we are going to put together the budget and it has to balance. If it does not balance, you and other council members are personally liable for the difference between what is collected in taxes and what is spent. I can assure Members, we balanced the budget.

A couple of years later I was elected to the State senate. Mississippi has a balanced budget amendment to its constitution. Again we were informed that if we spent more money than we collected in taxes, that we could be thrown out of office. Those are good rules. They are very good rules because it prevents this kind of nonsense from happening.

What is particularly distressing about this \$5.984 trillion debt that the President wants to raise by another \$750 billion, if the gentleman from Texas (Mr. STENHOLM) were on this floor on January 1, 1980, that number would have been less than \$1 trillion. What is particularly disturbing is that the children of the greatest generation, if they do not change the way they are doing things, could be remembered as the worst generation. I do believe that my parents' generation was the best. They survived the Great Depression, got us through World War II, Korea, Vietnam, built the highway systems, the Intercoastal Waterway; and they did it all for less than \$1 trillion in debt. As a matter of fact, if we went all of the way from the time George Washington became President until Ronald Reagan became President, our Nation was less than \$1 trillion in debt. Now 20-something years later, we are almost \$6 trillion in debt, and yet we cannot have a vote on a balanced budget amendment to the Constitution.

Mr. Speaker, I know you are a busy man, and I know the time on this floor is very busy. But you know what, today you scheduled a vote on the Nutria Eradication Act, and it is important to protect the marshland on the Chesapeake, it is important to those folks, and I know that they are doing a lot of damage to the marsh; but you scheduled 40 minutes of debate on the Nutria Eradication Act, and yet we cannot have a vote on a balanced budget amendment to the Constitution.

You scheduled another vote on concessions maintenance and wildlife refuge repair, and wildlife refuges are very important to a lot of Americans and seeing that they are properly maintained is important. You scheduled 40 minutes of debate on that, and yet you cannot find time to have a debate on a balanced budget amendment to the Constitution of the United States.

We found time to talk about the Waco Mammoth Site Area Study. They want to see whether or not they want to put a park there. You scheduled 40 minutes of debate, yet you cannot find time to have a debate on a balanced budget amendment to the Constitution of the United States.

As a matter of fact, you found time for all of those things, yet you did not have time to let this body decide whether or not we wanted to vote to kill the whole base closure process.

I particularly think base closures is a particularly dumb idea. It is not saving the taxpayers a dime; it puts a heck of a lot of people out of work. It has lost us vital defense installations like Cecil Field outside of Jacksonville, Florida. Three 8,000-foot runways, another 10,000-foot runway. Right now our military is looking for a place to put the new Joint Strike Fighter, they are looking for a place to put the F-18 E and Fs, and they are going to spend billions of tax dollars to build a brand new field for them when Cecil Field would have been a perfect match. The problem is that a previous round of base closures closed Cecil Field, and we gave the property away.

That was not done just once or twice; it was done over a hundred times around the United States of America. Places like the Presidio in San Francisco, given away. Places like Governor's Island off New York City, just a month ago the President gave it away. I was stationed on that island. It is probably worth half a billion dollars. The President gave it away.

Time after time, the so-called savings of BRAC were not; but there was one thing they did not tell the American public, before they gave these properties away, they had to clean them up. And we spent over \$13 billion of money to clean up bases that were given away so that the local governments could do what they wanted with them. In many instances, they sold them, and their city reaps a profit.

Mr. Speaker, you find time for a lot of fund-raisers and charitable events, and that I applaud. I would hope in the time remaining when you are Speaker, and you are guaranteed to be Speaker until December 31, that you would find time for this House to vote on a balanced budget amendment to the Constitution so this generation can start digging itself out of the label of being the worst generation.

There is not one parent in America who would walk into the local Cadillac or BMW dealership and say, I want the most expensive car on the lot, and you

can bill my 5-year-old 20 years from now when they are working, and let them pay the interest on it, too. There is not one American who would say I want the most expensive house in the county, I do not care what it costs because I have a 4-year-old grandchild, let them pay for it. But that is precisely what this generation of Americans is doing by running up \$5 trillion worth of debt in the past 22 years. There is no end in sight.

Mr. Speaker, if you care about kids and grandkids, if you really care about the future of this country that so many other Americans sacrificed their lives for, why not schedule a vote to see that it is here for our kids and grandkids? What is so terrible is not only owing that money, but until it is paid off, every single day, \$1 billion of the taxpayers' money is squandered on interest on that debt; and one-third of that interest is owned to German and Japanese lending institutions.

If the thought of two lending institutions of two foreign countries owning one-third of the American debt and being in a position to wreck our economy anytime they want, if that does not frighten the gentleman, I am sorry. It does frighten me.

I applaud the gentleman from Texas (Mr. STENHOLM) and the Blue Dogs for writing the Speaker and asking for a vote on a balanced budget amendment.

Mr. Speaker, I am putting you on notice right now: I will not vote to raise the debt. Enough is enough.

□ 2000

Mr. STENHOLM. I thank my colleague for that historic lesson there. I happened to remember one of the happiest days in my legislative career here in this body was in 1995 when Speaker Newt Gingrich did schedule a vote on the balanced budget constitutional amendment and it passed with the required two-thirds vote. I remember one of the saddest days standing in the back of the Senate a few weeks later and watching it lose by one vote. If it had passed the Senate at that time, we could not have passed the budget last year that we passed and we would not be here tonight talking about asking for a new plan, or increasing the debt ceiling.

You could have borrowed money to fight the war. That is totally permissible. Emergency. But you could not borrow the money, \$750 billion, to give this generation a tax cut with our children and grandchildren's money. You could not do that, any more than State and local governments could who have to operate under a constitutional requirement.

That is what we are here tonight to talk about, and lest we get into what I understand happened last week when our colleagues were here and the next speaker came up and started lambasting the farm bill because it spends too much and, therefore, it too is contributing to the problems that we have with our debt ceiling. Criticism

has arisen that Congress has passed a budget-buster farm bill. Yet Congress has been passing ad hoc emergency assistance legislation for the last 4 years because direct payments to support farm income were fixed and did not increase when farm incomes fell. Ad hoc assistance has totaled \$28 billion on agricultural programs, \$36 billion when you include nutrition programs. I can show you CBO's estimates of the bill that passed and the President signed yesterday that shows that we will spend less dollars of our taxpayer dollars each year beginning this year, 2002, and each year through 2011 under the bill that the President signed yesterday. That is less dollars. That is not inflation increases. That is less dollars. Since farm prices declined in 1998, farm program spending has averaged \$24 billion per year. We will be below \$19.5 billion in each year projected currently under the farm bill that passed.

Many will say that is too much money to be spent. On that we can argue. We can argue that, yes, it is too much money to be spent, but not if you live in farm country, not if you have been experiencing prices received at the marketplace that approximate Depression-era prices. Does this farm bill solve all of that? No, it does not. But one thing it does do, it gives predictability to our farmers and gives us an opportunity to answer the long-term problem, one of which I hope the Senate will soon do, and that is pass trade promotional authority so our President and his representatives can sit down and begin negotiating away the tremendous amount of subsidies that are present in the world today, including our own.

The spending for this bill the President signed yesterday was approved in the congressional budget passed in 2001 that contained the \$1.6 trillion tax cut. The spending for the ag bill was in the same budget. Congress has stayed within this budget in passing the bill. New estimates have shown both the cost of the legislation increasing \$9.3 billion and the cost of current farm programs increasing \$8.3 billion. These estimates are part of the same economic changes that have contributed to the surpluses of 2001 becoming the deficits of 2002.

I do not stand here tonight to say we shut our eyes to any part of the budget. The farm bill we passed last week fit within the budget resolution we passed last year. It is not fair to single out agriculture for being a budget buster when we complied with the budget resolution if we are not willing to revisit all other tax and spending items that were included in the budget resolution.

That is why we have come here to argue that we need a new budget resolution that responds to the changes in the budget outlook which looks at the entire budget.

We on the Committee on Agriculture are prepared to do our share in making tough choices to reduce spending on our programs if it is part of a comprehensive plan that puts everything

on the table and makes tough choices across the board.

This seems to escape a lot of people. There are those that believe we should not spend one penny in subsidizing our farmers. They completely ignore what is happening out there in the world. When other countries have the advantage of a weak currency compared to our strong dollar, I do not care whether you are producing cotton, wheat, corn, sugar, widgets, airplanes, you name it, it is very difficult to compete when we have as strong a dollar as we have and other countries have weak currency. That is a temporary phenomenon. It was kind of like seemingly that our income, our tax incomes were going to go up as far as the eye could see because we have come through a very, very good period of economic growth. The 1990s were unprecedented in economic expansion and growth in this country. Some believed, I guess, that it would continue to operate that way, but then, lo and behold, the stock markets quit going up and started coming down and tax revenues came down and it should not have taken a nuclear physicist to figure that out. But from the standpoint of agriculture we are still out there competing in the international marketplace and it is tough going right now.

But I made the argument last week when we passed that bill with 280 votes on the floor of the House that perhaps it is not a bad investment for the American taxpayer to spend a few pennies of their hard-earned money to support an agricultural system that has given America the most abundant food supply, the best quality of food, the safest food supply at the lowest cost to our people of any other country in the world, warts and all, subsidies and all, expenditures and all. No other country in the world's people are fed within 1.5 percent of the GDP, gross domestic product, in that country as well as Americans are, including the cost of the farm bill.

Could we do better? I will never say that we could not do better. But I think that some of the criticism that we are receiving from that is criticism that should not be given with a full mouth, because many of those who are criticizing are completely ignoring the fact that our grocery stores are full, the prices at least as far as the farmer is concerned and, well, let us just be totally honest, as far as the cost of food to the American people, no other country in the world is fed within 1.5 percent of the gross domestic product, and I submit to you tonight that it is because of farm policy that we followed in the past.

Things like the conservation title of this farm bill, the largest single increase in the history of our country in one bill. Yet some who purport to be environmentalists are criticizing it. It did not quite do it the way they wanted it done. There again, that is the American way. Everyone is entitled to their opinions.

The research, another strong part of this farm bill, continuing to put some investment of our taxpayer dollars into research in finding new and better ways and safer ways to grow our food.

Rural development. Out in rural America, things are not all going real well. Whether it be health care, whether it be education, whether it be jobs, all are directly dependent upon a sound and healthy farm income and we do not have one. That is why I think almost two-thirds of this body and two-thirds of the Senate passed and why the President signed the bill yesterday.

But I repeat, tonight we are talking about the debt ceiling and I am not about to stand on this floor and be as two-faced as some of the leaders of this body are when they say one thing when they are talking 6 years ago and they say another thing today. Increasing the debt limit is serious business. Having a budget game plan for this country that will get us back into a surplus or balanced budget, not so much a surplus although I would like to see us run a surplus and pay down a little more of our debt, and I would like to see us address the problems of Medicare, Medicaid and Social Security and do that before we do some of the other things that we are now talking about doing with the current economic game plan. We are not tonight suggesting to play politics with the debt limit, and we are certainly not trying to force a crisis.

Again, I repeat, Mr. Speaker, we, at least a good number of us on this side of the aisle, are prepared to vote to increase the debt ceiling, but not \$750 billion, and not until we have a new economic blueprint in place. We do not think that is unreasonable. It is exactly what you as the majority party were saying when it was a Democrat in the White House, exactly what you were saying then. You were right then. I repeat, you were right 6 years ago in forcing President Clinton to have a new economic game plan that ultimately came and brought us to the 1997 Balanced Budget Act. You were right then. Why are you insisting on being so wrong today?

We are willing to support a temporary increase in the debt limit to meet the expenses of the war and allow government to meet its obligations, but hold off on a long-term increase in the debt until we have a plan in place. We do not want to force a default on the debt, but we do want to use this debate as an opportunity to reexamine our long-term budget policies. It would be irresponsible to provide a blank check for increased borrowing authority without taking action to protect taxpayers from even further increases in the national debt.

The gentleman from Mississippi (Mr. TAYLOR) spoke about the need of scheduling another vote on the balanced budget constitutional amendment. The gentleman from Arkansas (Mr. BERRY) and others, the gentleman from Oklahoma (Mr. ISTOOK) on the other side of the aisle, are pushing for just that. I

hope we will see that vote later this year. We also would like to see some strong budget enforcement rules. They are just as important a component in restoring fiscal discipline and making sure the budget remains in balance once we have done the hard work necessary to bring it back into balance. The provisions of the Budget Enforcement Act of 1990 expire this year. Unless we renew our budget discipline, Congress will continue to find ways to break its own rules and pass more legislation that puts still more red ink on the national ledger.

Enforceable spending limits will serve as a fiscal guardrail to keep our spending within the Nation's fiscal means. The Blue Dog ABC's plan includes legislation introduced by the gentleman from Indiana (Mr. HILL) which would extend and strengthen the provisions of the Budget Enforcement Act that are set to expire this year. This legislation is similar to budget enforcement legislation introduced by Budget Committee Chairman JIM NUSSLE, but extends budget enforcement for 5 years and adds several provisions to improve enforcement of budget rules and increase accountability in the budget process.

I know what Chairman NUSSLE wants to do. I think there are some areas that we can in fact have some bipartisan support for because having meaningful caps on discretionary spending, all 13 appropriations bills, meaningful so that we live within them, is something that is good budget policy and will help be a significant part of this new budget plan that we have talked about.

Again, I repeat, those of us on Agriculture do not ask for an exemption. Far from it. We believe that we should be part of any changes in the budget process, including the criticism that is coming of our farm bill from some of our foreign friends, competitors. We have no intention, at least the bill that the President signed yesterday, there is certainly no intention by the President of the United States and no intention of the House Committee on Agriculture that we would not live up to the agreements that we have signed and agreed to live within and under in previous trade negotiations. What we said this time, though, is that we intend to have our negotiators negotiate from strength. We are allowed to spend in support of our agriculture in this country \$19.1 billion per year. We do not intend to spend \$19.1 billion, or less if necessary, and I hope it is necessary that we spend less, because one thing I hope the general public understands, the only reason we are having spending at the level that we are today in support of agricultural products is the fact that we have Depression-era prices.

□ 2015

Cotton is selling for 30 cents a pound and less; wheat, less than \$3 a bushel; and corn, about \$2 a bushel. These are the same price levels that we saw back

in the 1950s. If one's salary was 1950s vintage, one had better be a lot more productive today than you were then, or you would not be making too good of a living today. That is why, if prices go up, the amount of subsidization goes down.

Certainly I think the whole world would be better off if the amount of subsidization goes down, not up. We are perfectly willing, in the next round of negotiations, assuming the Senate will get on with doing their job in passing the trade promotional authority and we can get on with the negotiating, to reduce the amount of eligibility of subsidization in the United States on a par basis with other countries. The same is true on the budget.

Mr. Speaker, before I yield to the gentleman from Illinois (Mr. PHELPS), let me just conclude by saying that there are a significant number of Democrats who would be willing to support an increase in the debt limit as part of a responsible plan to restore fiscal discipline. The approach outlined by the Blue Dogs, an immediate, temporary increase in the debt limit with a larger increase allowed as part of a plan to put the budget on a path to balance, accompanied by strong budget enforcement legislation, provides a road map for a bipartisan solution to our fiscal problems and gridlock on the debt limit.

That is our offer. We think it is a reasonable offer. We would like very much to be included in being part of the solution, because borrowing another \$750 billion on our grandchildren's future is not the best option for us to be considering in this year of 2002, one of those years divisible by 2.

I yield to the gentleman from Illinois (Mr. PHELPS).

Mr. PHELPS. Mr. Speaker, I thank the gentleman for yielding to me. The experience and wisdom that the gentleman from Texas (Mr. STENHOLM), my good friend, brings to this body is invaluable, and I have watched him very closely since I have been a Member of Congress, almost 4 years now, and I have followed his lead as a member of the Committee on Agriculture and our standing leader and ranking member there, and one cannot go too wrong if one follows the reasoning and the thinking of the gentleman from Texas (Mr. STENHOLM). So I thank the gentleman for his input tonight. As a member of the Blue Dog organization and one of the leaders of that group that the gentleman founded, I thank the gentleman for giving me the opportunity to speak tonight on such an important issue.

I know that we have been here week after week, night after night as a group to try to drive a message home, one that many times is not all that popular and not easy to accept. But when we took our oath of office I, for one, took it very seriously to make sure that the citizens in my district, in my State, and in this Nation absolutely understand the truth and the numbers that

we are dealing with and that the decisions we make each day reflect what accuracy is all about, and that we project that on to the taxpayers, to the voters, to the general public.

The Blue Dogs have consistently focused on fiscal discipline, having always advocated honesty and responsibility in the budgeting process. When Congress considered the budget last year, the Blue Dogs warned about the danger of making long-term commitments for tax cuts or new spending programs based on projected surpluses. Now, in less than a year's time, we have seen a dramatic reversal of the once promising budgetary outlook. We now face projections of deficits and increasing debt for the rest of the decade that go far beyond the temporary impact of the economic downturn or cost of the war on terrorism, which we all support and which we must address and do it quickly and effectively.

Congress and the President, as the gentleman from Texas said, need to sit down, roll up our sleeves, and have an honest discussion about what we need to do to put the budget back in order, starting with the program that the Blue Dogs have outlined over the last several weeks, the ABCs of Fiscal Discipline. Remember, we are here to deal with the truth. The numbers that come into the Capitol's coffers, to the U.S. Treasury should be clear. There should not be all that much confusion on what we have on hand, what we have obligated to spend, and what we are thinking about embracing for future costs.

Now, there are a lot of things that have happened in the last year, in the last several months that have been unpredicted. Who would have thought we would have had the horrific events of September 11 that hurt our Nation in many ways, and it impacted us in an economic way. But we have other things that have happened: the recession, the tax cuts, and other spending that has been proposed and on the table now that we can control, that is within our control, and that is why I think people send us here to Congress to represent them.

My father is 81 years old, sitting out there now just recovering from a heart attack not quite 2 weeks ago. I remember his words and his generation, the elders of my church and the people that I think deal with wisdom more so than many of us in this generation. If you do not stand for something, you will fall for anything. Little did I know that a country music artist would come along and make \$1 million on that. If I had known that, I would have written the song if I had thought of it, I say to the gentleman. But it is so true. If one is not solid on something that is very important, a matter of one's convictions, and one does not try to pursue that goal in all the honesty and the fortitude that one can muster up, things go wrong. A lot of things come along that sound good and will divert you this way and that way, distract you from the real goal, from the real truth.

Mr. Speaker, it is hard to accept sometimes what the real truth is, but the fact of the matter is, we have a huge debt, and we have to assure the American people that we will be honest and accountable. People out there that work hard and play by the rules every day, surely, surely their elected officials such as us that are here in this body can afford them accountability and honesty in dealing with the numbers.

The Congressional Budget Office has reported numbers; the Office of Management and Budget, the administration's fiscal reporting group, offer some other numbers. Remember, I come from the State of Illinois, but make no mistake, I live almost 400 miles south of Chicago. So it is really a different world which I represent, largely rural, small farming area, coal mines, small businesses, people that are just dedicated to generational hand-me-down crafts and work ethic that is invaluable and immeasurable. But when I served 14 years in the Illinois House, I saw the same thing happen there, the frustration of here is the Economic Fiscal Commission reporting how much money they predicted would come in or projected revenues or what is on hand, and then the Bureau of the Budget, the Governor's reporting office. Well, guess what? The Bureau of the Budget reported a year or so ago, almost 2½, 3 years ago when the Governor took office in Illinois that we had over \$1 billion in surpluses. Guess what they all can agree on now? Mr. Speaker, a \$1.5 billion hole in the Illinois budget, and they are like a lot of States scrambling to try to come to the rescue to know what to do. And then the decisions that they were elected to make become even tougher decisions.

What can we do? Well, I think we need to avoid what is always obvious. How would we in the world agree to the rosier projections of 5 to 10 years on the very best of what can happen, rather than preparing for what could be the worst? That is, to me, beyond reason and comprehension. So budget enforcement. Unless we renew budget discipline, Congress will continue to find ways to break its own rules and pass more legislation that puts still more red ink on the national ledger. Enforceable budget restraints will shine a light on deceptive practices and construct a fiscal guardrail, keeping our spending within the Nation's fiscal means, which is what we ask of the American people and families to do every year, every day, and what they do is stay within their means. Those that are not staying within their means have the credit card debt stacked up; they have marriages falling apart because of financial problems that they brought on themselves. What I have found in life is that most of the problems that come their way are not from some uncontrollable force; they are self-induced. We bring them on ourselves. That is what we have done here. Maybe it has taken decades and generations before us,

other people that have served, and other administrations, but we collectively, all of us, have to take responsibility. So now collectively, let us admit we have problems. We had September 11, we had recession, and we had tax cuts that gave 55 percent of the surpluses or more back, and now we have a problem. Where is the new plan? Where are the people that want to be responsible enough to step forward and say, let us sit down together as reasonable people on both sides of the aisle or Independent, whatever one claims to be, and work out of this mess. Not hope for the best and keep our blinders on, but what shall we do?

Well, we need a balanced budget constitutional amendment, which I have signed on as a cosponsor and feel should require the President and Congress to submit and to enact a budget that is balanced, without using the Social Security surplus. This amendment could be waived, of course, in special times of war or military conflict or threats of national security. But for the first time, all of the other balanced budget constitutional amendments have been presented without addressing whether or not we would use Social Security. This one we intend to bring forth to say we should not use the Social Security Trust Fund. We should balance the budget, and if we borrow from our children and our grandchildren, then we get ourselves in a deeper mess.

So I hope that the Balanced Budget Amendment, constitutional amendment, excluding the Social Security Trust Fund, would be one way that we can show, one way that we can have a plan as to how we intend to get our fiscal house in order.

I could say much more, there are so many other parts of the ABCs, but in order to give time for other Members before we close out our time, I will yield back.

Mr. STENHOLM. Mr. Speaker, I yield the remaining 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I am so proud to be a member of the fiscally responsible Blue Dog Coalition and to be fighting with the gentleman, along with my other Blue Dog colleagues, for simple common sense in budgeting. A lot of people think there is a lot of complications and complexities with respect to how we budget in Washington, but the way we do it should be no different than any household in America budgets, how any small business budgets. We have to make sure that we have the revenues. We have to make sure that the books are balanced. We have to make sure that the checkbook is reconciled at the end of the month. If we do not have revenues, somehow we increase them. I voted for every single tax cut we could because the American people need that kind of tax relief. Some say we have to cut expenses. What is there to cut? Are we going to cut prescription drugs? Are we going to cut Social Security? Are we

going to cut defense budgets? Nobody supports that. Others say we should borrow the money.

But there is another thing that we can do. We do not want to borrow the money. We do not want to ask our children to shoulder the burden for the fiscally irresponsible decisions that we make in Washington. There is another alternative. Once again it was brought to our attention in today's New York Times in a story by Paul Krugman called The Great Evasion. We are losing about \$70 billion a year in revenues by irresponsible and unpatriotic American corporations who rush off to Bermuda, open up mail drops in Bermuda, say that they are now doing business as foreign corporations and do not have to pay their fair share of taxes. They wrap themselves in the American flag to sell their products and then renounce their American citizenship to do business abroad and do not pay their fair share of taxes.

Now, there are colleagues on both sides of the aisle who have had enough of this kind of irresponsible behavior. Rather than increasing taxes, which so few of us want to do, and rather than gutting important programs, which so few of us want to do, it is time for the administration to step up to the plate and say, enough is enough.

□ 2030

We are not going to allow American corporations to run to these Bermudan tax havens, flee their fair share of taxes. No American family is permitted to do that. No American family was able to register themselves in Bermuda to escape their fair share of taxes. We should not allow American corporations to do that as well.

Mr. Speaker, I thank the gentleman.

#### IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes as the designee of the majority leader.

Mr. TANCREDO. Mr. Speaker, before I get into the main topic of this evening's discussion, that being immigration and immigration reform issues, I am compelled to respond to some of the comments made by our colleagues on the other side with regard to the budget dilemma that we all face here this evening. It is the dilemma faced every year, I suppose, and has for many many decades; and that is that we will always be spending more money in this body than we take in, or at least that was the case for all of the time, for the at least 40 years prior to the time that the Republicans took control of this body.

The Democrats, of course, ran an imbalanced budget for many, many, many years. And I am in complete sympathy with those Members of the Democratic Party who say that that is an improper way to run government; that, in fact,

we should be looking more to how businesses and industries run their business and States run theirs by having balanced budgets every single year. And I certainly completely and wholeheartedly agree. But I must say that as I listen to, on one hand, what I believe is an articulate plea for a balanced budget and, on the other hand, an articulate excuse for a vote for the farm bill which we just passed, it is hard to reconcile those two concepts.

This farm bill being, of course, one of the, percentage-wise, the greatest increase in any domestic policy program in, I think, history. I am not sure, but certainly in a long, long time. Widely criticized for being what it is, an incredible pork-laden boondoggle, and then to say in the next breath we have to do something about government spending, we have to control government spending.

And, if I may be so bold, I had to ask a staff person, because I am not really familiar with all of the variations of shades of different colors, and I asked one of the staff here a few minutes ago, What is the palest blue there is? And the young lady told me it was cornflower. Cornflower is the name of the color. Cornflower blue.

So I would suggest that the Blue Dog Democrats think about changing their names to the Cornflower Blue Democrats because they are not really Blue Dog Democrats. They are not really stuck to this issue of balanced budgets. What they are saying, I think, is that, and there are exceptions to this rule, that we are going to establish today, and, yes, I will yield to the gentleman who I assume is coming up to ask for that particular motion.

Mr. STENHOLM. Mr. Speaker, I appreciate the good humor in which the gentleman is approaching the cornflower blue. But let me point out that the farm bill, the \$73.5 billion, the gentleman, I believe I am correct, voted for that budget that provided the \$73.5 billion that the gentleman from Texas (Mr. COMBEST) and I, the speaker tonight, and others then proceeded to mark-up the bill. It was not called those critical comments when it passed as a budget, but it is only after we have put together the policy in which the criticism comes.

I would appreciate the gentleman acknowledging that as I was talking about balancing the budget, that I included farm spending in any reductions in spending that must accompany any kind of a new budget. That is what we are saying, and I do not think that is inconsistent at all.

Mr. TANCREDO. Reclaiming my time, and I appreciate the gentleman's observations, it is, of course, true that I have voted for a budget resolution that I wish we could hold to and this is a way in which we can all, I think, contribute to that possibility; and that is a vote against any appropriations bill that does not conform to that budget resolution. Any budget, any appropriations bill that puts us outside of that

scope which I intend, that is the way in which I intend to vote and have in the past voted.

I mean, we have to be, as I say, consistent with this because it is difficult for people who listen to this debate to understand that on the one hand we call for fiscal constraint, which I appreciate the gentleman has in the past and certainly even today has been a strong supporter of that issue, but we cannot accept that mantle of a fiscal conservative while at the same time doing things that bust the budget. But because of our issues, our individual concerns, the gentleman was very articulate in explaining the problems of the farm community in America, and no doubt his observations are accurate. But do you not see, every single person who is connected to any one of the various 13 appropriations bills we have here can come up, and do regularly, talk about the particular issue. It is the problem with education in America that we must, in fact, involve the Federal Government to the extent now that was never conceived of in the past.

We should both, I think, use the Constitution as a measure to help us determine what is an appropriate role for the Federal Government. And the gentleman, I must ask and I will yield for his response, what is the constitutional role of the Federal Government? Where in the Constitution does it set out a purpose for us to be the primary support for the farm, for the agricultural community? As I would say the same thing, by the way, in the area of education and Health and Human Services, I believe it is not there. I look at the Constitution. I do not find it. I find only a relatively narrow role for us, especially in the area of defense. Other than that, we could use that. That is the way we could defend our vote against these pork-laden, constituent-driven pieces of legislation that put us every single year in the position of saying, My stuff is okay. My stuff is appropriate. Everybody else's is out of the question and is a budget-busting bill.

Mr. Speaker, I yield to the gentleman.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for yielding.

Let me say, in the Constitution there is a little part of it that says "promote the general welfare." And I appreciate the gentleman's pointing out that it is difficult to find supporting our farmers in the Constitution.

I do not stand on the floor and say that we are special or we are different than anyone else. Well, I guess I do. That was not a correct statement. I do believe that American agriculture and producers have done a pretty good job of feeding America and a good part of the rest of the world and do believe as we argued strenuously for the amount of money that was passed. So I guess, yes, I do, I do believe that.

But I also believe very strongly that anyone else that has an opinion should have the opportunity to stand and

make the same arguments. If I can get 217 of my colleagues to agree with me, it passes, and that is our system. If I might just continue. I want to get back, I agree with the gentleman, on the 13 appropriations bills, and that is why if the gentleman heard what we were talking about a moment ago, we think we ought to put a meaningful, reasonable cap on discretionary spending as part of the budget process. I think the gentleman and I will find, maybe not an agreement on the amount, but at least that we would find an agreement on the policy and procedure that we should follow to have a little bit of restraint.

I appreciate the gentleman's generosity. I appreciate the gentleman admitting that he voted for the budget that provided for the \$73.5 billion. So I take a little bit of offense when the gentleman stands on the floor as he did starting tonight by decrying this \$73.5 billion when he was the one joining, not with me because I did not support this budget, but he said \$73.5 billion was not an obscene amount of money for the budget we operate under.

Now times have changed; and, therefore, we are saying now let us take another look at the budget. If we need to trim, let us trim; but let us trim across the board.

Mr. TANCREDO. Reclaiming my time, I thank the gentleman for his observations. Of course, times have changed and exactly that. First of all, we are talking about a \$73 billion maybe \$140 billion farm bill. There is a big difference there. It could go to \$140 billion. That was not in the budget resolution. And so to say that I have voted for the latter as opposed to the former is inaccurate, and I would also suggest that the gentleman is absolutely correct. If one can get the required number of votes in the House, one can pass anything. And I guarantee you, we have done it year after year, time after time. And it is the way, I understand entirely, it is the way the process is run. But I suggest that it should be perhaps incumbent upon all of us as we approach all of these bills coming up, the supplemental, I do not know, I think this week sometime, and a variety of other spending bills, I will watch for the Democrat and the Cornflower Blue Democrats to see how they vote because I will be voting "no" on all of them because I believe we should stick inside the budget. I thank the gentleman for his cordial relationship and his willingness to discuss this issue with me tonight.

I also remember thinking while I was listening to the discussion earlier here there was a comedian during the 70's and 80's. And his tag line was, "The devil made me do it. The devil made me do it." And he used to end his little skit with that all of the time. And of course, what he was saying was I did not want to do all of these bad things, but the devil made me do it, so it is okay.

I listen to all of this discussion about how bad it is to have these horrendous

expenditures and budget-busting bills all over the place for which my colleagues on the other side voted for most of the time as far as I can remember. And then to say, The devil made me do it. I do not know how we got here but this is bad, and somebody has got to impose some fiscal discipline on me. Somebody has got to make me behave. Somebody has got to make me say, you know what, I do not think we should vote for all this stuff. If everybody imposes a balanced budget amendment, then I will be able to take my medicine.

I am all for a balanced budget amendment, Mr. Speaker, absolutely. I will vote for it anytime, anyplace, anywhere. It is okay with me. But I think it is just the funniest thing in a way to listen to people who, as I say, from the other side of the aisle especially, and talk about budget constraint and fiscal responsibility, the devil must have been making him do it here for 40 years before we ever came in control in this body and now they want to seek forgiveness. Well, the Lord says that that is possible. So who am I to suggest that they are not truly repentant?

On to another issue, the issue of immigration and, specifically, immigration reform. In the past several weeks we have passed legislation in this body, and, as a matter of fact, yesterday the President signed a piece of legislation into law that will have the effect of tightening down on what heretofore can be described only as the most liberal immigration policy in the world of any country in the world. It is almost a misnomer to indicate there is an immigration policy in the United States because that implies, of course, that we have control over the process; that we establish how many people are going to come into the country every year like every other nation in the world does. We control it. We know who is coming in. We know how many. We know what they will be doing here. We know when they leave. I say that is the implication of saying you have an immigration policy.

The reality, of course, is we do not. We have not. And even the passage of this recent legislation euphemistically called the Border Security Act, we will not have accomplished the goal of border security.

A couple of weeks ago the House passed a bill by an overwhelming margin that was designed and is often referred to as the abolishment of the INS and the creation of a new body. Well, of course, it really was not all of that. As is often the case here, we have a tendency to name things, I guess, a little euphemistically and to create these illusions about what we do here.

Now, the reality is we passed a very tepid bill designed to reform the INS, the Immigration and Naturalization Service.

□ 2045

Much more needs to be done to actually reform that organization, much

more than what we did in our bill in the House. In fact, what has to happen is that we must take from every agency presently charged with responsibility for border control, that being the Customs under the Treasury, Agriculture, a variety, DEA, all kinds of agencies have border control responsibilities, of course Border Control under the INS. The Forest Service has some responsibilities in areas. We have national forests that adjoin international boundaries, and what we have to do, Mr. Speaker, is to consolidate all of those agencies, all of these parts of agencies into one agency, with a clear mandate, with a very clear line of authority, so that everyone who works for that agency knows exactly what they are supposed to be doing and know that they have the full support of this Nation in that endeavor. That agency should be put into the Homeland Defense Agency, should be run out of Tom Ridge's shop or whoever is the subsequent head of that organization.

That is what we should do. That is what everyone who studies this area understands needs to be done. Now, we did not do that. We did not do that in the bill we passed in this House. We split the agency into two, which is good. We said they are going to have an enforcement responsibility and they are going to have what I call the immigration social worker side of things, the welcome wagon. Those will be the two separate responsibilities. They will be reporting to two different chiefs who in turn will be reporting to a single individual in the Department of Justice.

That really is not a lot different than what we already have. It really is not because among other things almost all of the people who will be running those two separate organizations within Justice are the people who are presently running the single organization we call the INS. Names will be the same but titles will be different, and we assume that by changing someone's title we will change their attitude or improve their competencies, but my colleagues and I know, Mr. Speaker, and I think the American public understand fully well that just changing titles will not change the way it is run.

Unfortunately, today within the INS we have people who are not, number one, competent to do the job and it starts from the top. The gentleman, very nice gentleman, Mr. Ziglar, whom I have nothing against personally, seems like a very pleasant individual. Unfortunately the water is so far above his head in trying to operate this agency that it is almost pathetic.

Mr. Ziglar was appointed several months ago because he had been the doorkeeper of the Senate. That was his job before he became the head of an agency with 30,000 people and an \$8 billion budget. He should not be there. He is not able to run the agency. He is not able to run it because the force of his personality cannot control it, and secondly, he is not able to run it because of course it is an enormous bureau-

cratic organization, moribund, plagued with inertia and internal incompetence and protected by Civil Service.

So even if we had some of the finest people, even if we had someone with enormous capabilities as head of the organization, their ability to actually change the course of this big ship, they could be turning the wheel as hard as they can and they will notice that the bow hardly ever moves because all of the people are turning the wheel as fast as they can, they realize there is nothing connecting the wheel to the rudder. It is going its own way, and that is a problem, and it will not be solved by the bill we passed in the House.

Here is the rub with that particular bill. It is going to the other body and it will not be improved. It will not be made better. We will see a conference report on this. It will pass and it will be something far short of what we passed in the House, and then we will all walk away from here and tell our constituents not to worry, we voted to abolish the INS and we are going to construct a really great agency to handle this problem.

Okay. That is the problem. That is a big problem, and I ask my colleagues to just think about that for a minute over here, that the INS today, regardless of what we pretended to do in the House, abolishing the INS, that was the way it was presented to us, regardless of that, regardless of the words we used, the reality is we added a lifeboat to the Titanic. I voted for it. It is a pretty good idea. I think it is a good idea. In fact, who would say we should not have added lifeboats to the Titanic? That would be good. I voted to do it. It is not going to stop the ship from sinking.

Yesterday in the Rose Garden the President signed a bill that, as I mentioned earlier, called Enhanced Border Security, and it is adding a couple of more lifeboats to the Titanic. It is good. Glad we are doing it. It will give us the ability to track people eventually. 2004, 2005, it will give us the ability supposedly, and we have done this before actually. We have actually mandated this before, and nobody ever carried it out, so we will see. If agencies carry out the law, it will give us the ability to track people who come into the United States. People who request a visa will actually have to have some sort of identifier, a biometric identifier, which is a term for fingerprint probably. Eventually other maybe more sophisticated approaches but initially fingerprints. So we will know if, in fact, the person asking for this visa is, in fact, who they say they are. That is good. Good idea.

Also, schools will be required to participate in this and tell us whether people who are here on student visas are still in school. We have done this before. Everybody complained. We pulled back because the schools said, please, we do not want all that paperwork and what if it discourages all our foreign students from coming here. We make a

lot of money, and we said, okay, well, never mind, we are going to try again. Try again when students were not coming to class, when they were not educated anymore in the course work. That will be good. I am all for it. Another lifeboat.

It will create a database that will allow various agencies of the Federal Government, the FBI and the INS and everybody, to identify potential terrorists or people who pop up on a terrorist list. We will be able to go and this name will come up, and it will say, oh, that guy came into the United States, or lady as the case may be, on such and such a date and he is here or he has gone, and that is good. I am glad.

We will still have, by the way, Mr. Speaker, we will still have the visa application that anyone can go to the Web site for the State Department and look this up. I love it. This is great. I always think it is a metaphor for the entire INS debate. It is called the temporary visitor visa, and it says about the third or fourth question, I am paraphrasing only slightly. It says are you a terrorist; are you planning to come into the United States and blow things up and commit acts of terrorism; have you committed acts of terrorism in other countries; are you a member of the Nazi Party. It is all one series of questions, and then the person checks over one box, yes or no.

So this potential terrorist says, yeah, I am, I am terrorist, I am a member of al Qaeda and I am coming in to blow up a building or distribute some sort of biological warfare agent, and at the bottom of this visa, because of the efforts of a Member of the other body from Massachusetts, very big Member of the body, there is an additional little asterisk and it says, after you answer yes or no to this question, are you a terrorist, if my colleagues go to the bottom and it says answering yes does not mean that you will be denied access to the United States.

So we still have that, but now that is okay because we will know if the terrorists come in, they will sign up. Naturally, they will say of course I am coming in, I am a terrorist, here I am and here is my terrorist credentials, and I am coming in to do a lot of damage.

Now, for those folks who admit to being terrorists this is a good idea that we have them register. I am all for it, but supposing, just supposing, I mean, I know this is a great hypothetical, but just supposing a potential terrorist decides to come into the United States and not sign up as a terrorist, not actually apply for a visa, now my colleagues say that cannot be because of course everybody coming into the United States applies for a visa, comes here as a visitor, a guest of the United States, tells us who they are, where they are going to be and for how long.

I say these things, of course, with tongue in cheek because everybody knows that our borders are porous and that only our most honest people in

the world for the most part say they are coming in, especially to apply through the regular process, but of course millions and millions of others come in a different way. They do not wait, they do not waste time filling out visas, requests for application to the United States. They come across the border.

These are two pictures of the border along the Arizona-Mexican border near Nogales, Arizona. We took them a couple of weeks ago when we were down there on a fact finding trip. This barbed wire fence, if it can be distinguished on the television, I am not sure, here, that is separating Mexico on the other side of this fence from the United States. Down here, same thing, barbed wire fence, but there is only a cattle guard separating Mexico from the United States.

This part of our border is actually more demarcated, more defined than many parts of the border that have absolutely no distinguishment, here and on the Canadian border. We have 1,900 miles in Mexico of the border and 4,000 miles on the northern border.

I guess I ask my colleagues, Mr. Speaker, when I hear people on the other side, people on our side, people in the administration, people talking about the fact that we should not try to connect immigration to terrorism, because most people come into the United States and they are completely and entirely looking, they are mostly looking for a good job, a way to send some money home, and they are not looking to do us damage, and this is absolutely true. Undeniably true, but of course, there are people who come into the United States for other reasons, and when they come into the United States for other reasons, may I ask my colleagues if they think it is logical for us to assume that they are all going to come via a visa process, especially when we start to tighten it up.

The 19 hijackers who committed the atrocities here in the United States in September were all here on visas. Some of them of course overstayed their visas. Some were here fraudulently, but they were all on visas. If we make it tougher for those people, Mr. Speaker, which I am all for, I am all for asking if you are a terrorist, please, let us know on this document, sign up right here, tell us you are a terrorist, and we can keep track of you. I am all for doing that.

□ 2100

But just supposing, I mean wildest stretch of your imagination, supposing they choose not to tell you that they are a terrorist and not to sign up that way on the visa. Why, may I ask, is it so hard to understand that there is a connection? Why is it so hard to understand that they would in fact come in a very easy portal, that they would walk across the border?

Here, this one on the bottom, the cattle guard, at least that protects us from illegal cattle coming into the

United States. This one does not even protect us from that because there is no cattle guard. It is just a big deeply rutted road. And by the way, this road is not on any Forest Service map. It does not exist on any map you have ever seen because, of course, it is just illegals coming into the United States.

And this is the greatest thing of all, Mr. Speaker. You know, you can go to our Web site, it is [www.House.Gov/Tancredo](http://www.House.Gov/Tancredo), then you go to the immigration part of it and you will see all this stuff in greater detail, and I encourage you to do it because it is hard to see this. But here is a sign that is facing our side of the border, and it says here: "All persons and vehicles must enter the United States at a designated port of entry only. This is not," underlined this is not, "a designated port of entry. Any person or vehicle entering at this point is in violation of the U.S.," certain codes and blah, blah, blah, blah, and a \$5,000 fine or penalty.

This is on our side. This is facing the United States. Then it is printed down here in Spanish. I am glad they are letting people know. I know a lot of illegal aliens coming into the United States finally get on our side, turn around and look at the sign and say, "Oh, wait a minute, I guess I better go back. It says here this is not a designated point of entry." So certainly they are going to turn around and go back and find wherever that point of entry may be. Probably it is in Nogales. Yes, that is right, it actually is; and they will go on down the road certainly and they will enter the country legally. I am sure that happens a thousand times a day, would you not agree, Mr. Speaker?

Here they are not even able to see a sign such as this. They are not able to say, "Well, gee, after I cross this cattle guard, I see now that I am in the United States illegally. I best turn around and go back." And one reason why there is no sign here, Mr. Speaker, as they were often placed there, folks from the other side of the border, primarily Mexican police, come across and tear them down every night.

We actually got to the point, the Forest Service people, because this is right on the Coronado Forest, a national forest, where the trafficking in illegal aliens and drugs is so great it is destroying the national forest. The degradation of that national forest is a national disaster. But not one single environmentalist has spoken out against it, interestingly. Not one.

The tracks, as I show you here, go on up into the forest. They have worn footpaths through the forest that now make it look like cobwebs all over the forest. There is trash. It looks more similar to a national dump than a national forest. And they set fires, campfires; and then they walk away from them. And of course especially at this time of the year, and this year the drought being what it is, the day we were there and just as we were leaving a fire started, again by someone coming across illegally. They believe it is

UDAs, that is the way it is referred to, undocumented aliens, because it is in the very remote areas; and it had consumed 35,000 acres in less than a day.

I do not know where it is now. I do not know if it is contained. I do not know. We cannot even go in and use the most up-to-date methods of fire suppressants. We cannot drop slurry because there is so many illegals going through the forest that it actually may harm them. They may get some stuff on them so they do not drop it. And they only fight the fire during the daytime, because in the nighttime they have had fire crews up there and the crews have confronted armed men, people carrying M-16s, because they are the people protecting the people carrying drugs; and they are coming in huge bands 20, 30, 40, 100. The forest is being destroyed.

Here, people who are hiking, picnicking, whatever, around the national forest, could mistakenly enter into Mexico, you see, because there are no signs telling you, like this one, be careful, you are leaving the United States, you are going into Mexico. And they do. They go into Mexico. And the reason why is, and I started mentioning this earlier when I spoke of them tearing down the signs time after time, we have actually put up over here, just a little farther inside here, two metal posts, two big metal posts with a metal sign. That had been cut out. The Mexicans came across that night with a torch and cut the sign down, because they want people to wander over, then nab them and throw them into the local hoosegow and then extort money from them. It is a way of making a few bucks down there. They want people to wander in so that they can then say you are here in Mexico illegally and you are going to make you pay the price.

But there is no connection, Mr. Speaker, no connection whatever; and how can we even talk about things like immigration reform and terrorist activities? How could we suggest that there is anything related here, just because you can waltz across this border with great impunity? And believe me, hundreds of thousands of people a year come through right here, millions of people across the border, both north and south. By the way, this is not unique in any way, shape, or form to Mexico. Of course the greatest numbers coming through are Mexican nationals. But nonetheless, we have the problem on both our borders and in our ports of entry on both coasts.

Recently, 25 suspected Middle Eastern terrorists evidently came in on cargo ships. They are here someplace. We do not know where. I do not know exactly how we found out about it, but I am glad we at least know they are here. Makes me feel a lot better. And hopefully they will be caught. I know we are judiciously looking at everyone in the United States who is not here legally and returning them to their country of origin, so certainly in a short time we will have them.

We have a huge problem, Mr. Speaker. It is a national security issue. To suggest anything else is to be naive to the ultimate. And to suggest that we cannot clamp down on this kind of situation, we cannot in fact protect our own borders, even if it means putting troops on the border, because it will be insulting to Canada and Mexico, to suggest that trying to enforce our own borders and protect the lives and property of the people in this Nation is an act that would turn certain constituencies in America against us defies the imagination. It defies anyone's ability to actually and appropriately characterize such a position.

There are people in the United States of America, regardless of their ethnic background, who are opposed to their own government trying to protect them and their property? I want to hear that. Because most of the people, Mr. Speaker, I guarantee you, by magnitudes that are actually astounding to me, numbers that are incredible, tell me that they are asking more from their government in terms of protecting them, and they are asking us to do something to cut down on illegal immigrants.

And, Mr. Speaker, this is not just something that white WASPish Americans are asking for. This is something all Americans are asking for. Everybody. Because everybody here who has come here legally, who believes in the sovereignty of this Nation is saying to us, What are you guys doing up there? And I mean we are talking Asian Americans and we are talking Hispanic Americans. I do not care what the ethnic background. By and large these people support our efforts to try and actually do something about border security and to reduce even the amount of immigration.

A vast majority of the people in this country recognize that is necessary. It is not ethically driven. This is not racially motivated. This is a matter that strikes at the heart of everything we should be doing here in this Congress. We should be looking, first and foremost, at the security of the Nation. And you cannot go in front of your constituents, I do not care who you are or where you are from, Brooklyn or Timbuktu, no, strike that, Brooklyn or Ray, Colorado, you cannot go in front of your constituents and say that we have in fact done anything to significantly increase the protection of our borders and, therefore, your safety. Because we have not.

I repeat: the tepid bill we passed here on INS reform will be destroyed, I predict. And by the time we see it in a conference, it will be something totally different and much less dramatic than it was even leaving here, and that was not much.

I also predict that unless we do this, unless we actually reform the INS, actually create an agency that has the resources and the direction to protect our borders, and the commitment internally, the people working for it who

know why they are there, who are on our side when it comes to whether or not we should be letting people in here illegally, and our side means saying no, unless we do that, we have not done anything to improve security.

All of the other stuff we have done, including the bill the President signed yesterday, which I supported because it was that life boat, and I am all for adding another life boat to the Titanic, but it will not keep the boat from sinking. Signing a bill and calling it border security implies, I think, far too much. It is not security if we have an agency that is completely and totally incapable of actually providing that security.

We must reform the INS first. And I mean real reform. Then all the other things we do, all of the other jobs we give it in terms of tracking, all of the other responsibilities we give it in terms of protecting the borders, expanding our observation and control of the border activity, all of those things will be easier to accomplish with an agency committed to that task. Because I know this, Mr. Speaker, and I will tell you, I have spent many hours with the folks who we give the responsibilities of being on the ground down at the borders, and they want to be supported by us. They want clear lines of authority. They want to be able to protect America. But they are working for an agency which is incapable of providing them with the leadership, direction, and resources to get the job done.

They will tell you personally, time after time after time, of the horrendous frustration they feel in trying to deal with this issue and do their jobs, do their jobs for their own families and for America. They want to do their jobs, but they are prevented from doing so because the agency itself is so incredibly, incredibly incompetent.

We will move just for the next few minutes to one final issue about which I am greatly concerned, and that is the issue of amnesty. We may talk about all that we have done in this body to protect the borders; but every single time we reconstitute, regenerate support for amnesty, every time that the administration pushes it, every time the other party brings it up, we are doing great damage to our ability to actually control the borders; and we are doing great damage to the moral character of the United States of America.

Here is why I say that. We call ourselves a Nation of laws. We tell the world to emulate us. We tell every country how important it is to disavow the rule of man and to accept the rule of law as the philosophy of government that all people should abide by and hearken to. And yet we suggest that 11 million people who are here illegally, who broke our laws coming into this country should be forgiven for that and given citizenship, in fact, rewarded.

□ 2115

Put them in line for citizenship ahead of all those millions of people

around this world who are reading the words on the Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free," and say how do I do that, I want to go there, I believe that the principles of the United States of America are the principles I want to live by; and I want to leave my country, I want to disavow any relationship, political relationship that I have with the country of my birth, and I want to start a new life in America, as perhaps your grandparents, I know my grandparents did.

We are telling all of those people every time we give them amnesty, we are telling all of the people who are waiting that they are suckers, and that the better way to get into the United States is to sneak in, stay under the radar screen long enough, and we will give you amnesty. It is a slap in the face to the people who have done it the right way, filled out the paperwork and waited the appropriate length of time, learned the language, learned our history, things we actually require of people coming into the United States. They did it right, and we are telling them, you are suckers. You should sneak in.

I know the allure is on our side. It is like the drug issue. We say there is the demand, there is always going to be the supply. There is the demand for cheap labor; and, therefore, they are going to come. I understand that part of the equation. I will be for any attempt on the part of the government, we have the laws, it is illegal to hire people who are not citizens of the United States or not here on the appropriate visa. It is illegal. Recently we finally started actually cracking down. I know Tysons Food and a couple of other big employers who acted covertly to bring workers into the United States for cheap labor are being fined. I would try to dry up the demand, but that does not excuse the supply. It does not excuse the fact that people come here illegally. We cannot reward them for that.

I am concerned because Monday, yesterday, President Vicente Fox said in a speech in New York, it may have been just a couple of days ago, President Fox of Mexico said the number one litmus test of our relationship with Mexico will be our willingness in the United States to give amnesty to the people who are here illegally. The number one litmus test.

One needs to ask himself, why would a President of one country demand from a President of another country the complete revulsion, if you will, of our own laws? Why would they demand that we ignore our own laws as a litmus test for their friendship, while at the same time, Mr. Speaker, at the same time they are asking for our friendship and declaring themselves to be the best friends of America on the continent?

We find that in calendar year 2001, Mexican government border incursions. Here is the seal of the President of the United States. This is the slide that I

was witness to, a slide presentation I was witness to when I went down to Douglas, Arizona. The briefing was presented by something called the HIDA, High Intensity Drug Area, and it is all of the agencies that get together and try to control the flow of drugs into the United States and the flow of illegals into the United States.

In their presentation they showed me this slide, and it says "Calendar year 2001, Mexican Government Border Incursions." I said Mexican government border incursions, what are you talking about? There were nine from the Mexican military and 14 from the Mexican police for a total of 23 in 2001. When I had a little more discussion about this, it turns out this is not unique in the year 2001; we have had over 100 such incursions over the last 7 or 8 years. The hundred have been documented. Many others go undocumented, we are told by the border police.

Some of these incidents have resulted in shots being fired by the Mexican military. Some have resulted in confrontation when guns were drawn on both sides, and finally people backed off. You have to ask yourself, what were they here for? What were members of the Mexican military and Mexican federal police doing in the United States of America?

I called the State Department, and they said they were probably lost. Probably lost? I do not suppose anyone wonders why we have 4,000 miles of border with Canada, much less defined, we have 1,900 miles with the border of Mexico, and we have at least 100 of these incursions by the Mexican military on the southern border, and I called the Canadian desk in the State Department and the Canadian Embassy and said, How many times have we had Canadian military wander into the United States getting lost because they could not find the line? They said never.

I said, How many times has the Canadian Mounted Police come riding across the border chasing someone and we found them in Detroit because they just got too far? It is not happening.

I will tell Members why it is happening on the southern border. Unfortunately, a large part of the Mexican military and the Mexican police establishment are corrupt, and they are coming across the border. Ask any member of our service on the border, any member of the border patrol there on the spot, ask them why it is happening, and they will say they are coming across to protect large shipments of narcotics coming across the border. Sometimes they come across to create a diversion pulling our people away from where that shipment is coming through.

Mr. Speaker, 90,000 pounds, and this is another slide. This is a gentleman coming through carrying several bags in these makeshift backpacks carrying drugs. This is Coronado National Monument, Arizona. This is May 7,

2001. Most come 20 or 30 or 40 protected by armed guards. In calendar year 2001, 11,300 seizures amounting to 2.476 million pounds of marijuana; cocaine, 42,000. That is just in this particular area, and I am just talking about the Coronado National Forest area.

Now, is this the act, I ask, of a friendly country? Why are we facing this is because President Fox, who I believe is a man who is trying to do a good job, I think he is an honest person; but, unfortunately, I do not believe he controls his own government. He certainly does not control some of the most important parts of it, including his own military. Corruption is so endemic, it is so bad that the President of that country cannot guarantee the actions of his own military and/or federal police. It is a sad commentary. I am sorry for him.

If I could wave a magic wand, Mexico would be a place with enormous wealth and a driving middle class, with everybody having the same chance to achieve their dreams and goals. But there is nothing that I can do about that, there is nothing that this body or the President of the United States can do to change the situation in Mexico.

The corruption is so endemic and it is connected to a government that still has connection to a socialist economic theory. The government still owns the oil company, for heaven's sake. While that is the case, while you have this combination of socialistic thought and socialistic economic thought and internal corruption, the economic prosperity of the nation will never, ever be achieved; and there is nothing we can do about it. No matter if we open the border tomorrow and walk away from every port of entry, which some would like us to do, even take away the barbed wire fence, for what little good it does, and walk away from the border. That is what some people want. Members know it is true. But it will not change the situation in Mexico. It will not be something that improves the lives of the people down there.

I am concerned that the Mexican government is not doing what is necessary to help us control our own borders. I am concerned that they are not helping us as the President asked them to do so. The President said, If you are not with us, you are against us. Then why are they not patrolling their own borders to stop incursions? Frankly, people are coming in through Mexico, not just Mexicans looking for jobs, other nationalities, Middle Eastern. One hundred ten Iranians were captured on a guy's ranch in Texas all dressed in string ties, white shirts and black pants thinking they could blend in, I guess.

This is a terrible problem connected to our own national security. It is also connected to the kind of country we will be, how many people will be here, the kind of environment we are going to leave for our children. Will it all be the environment that is today part of

that national forest which has been destroyed? Is that the kind of legacy that we want to leave? I think not.

We have to reduce immigration into this country. We have to reduce legal immigration to a manageable number; 300,000 a year is plenty. We have to put the same amount of effort into the protection of our borders as we put into the prosecution of the war in Afghanistan and around the world. We have to put the same degree of resources and the same degree of commitment into the defense of our own borders as we do to the prosecution of the war halfway around the world.

That may mean, as a matter of fact, troops on our border and demands to our neighbors, Canada and Mexico, to help us patrol it. It is incumbent upon us to do it, Mr. Speaker. It is our responsibility and no one else's. The States cannot do it. The Congress and the President must provide the leadership that the American people are demanding. We and the administration have to stop turning a deaf ear to the pleas of our countrymen to protect and defend our borders.

□ 2130

#### MIDDLE EAST CONFLICT

The SPEAKER pro tempore (Mr. TIBERI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 60 minutes.

Mr. HOEFFEL. Mr. Speaker, I would like to call to the attention of the House the very serious problem that exists in the Middle East and to report back to the House with several colleagues this evening on a trip taken to Israel the weekend before last to express solidarity with the people of Israel and with the government of Israel in light of the campaign of terror that has been directed against them by the Palestinians. We will be joined later this evening by the gentleman from Florida (Mr. DEUTSCH), who has organized, or attempted to organize, this evening an Oxford style debate between those of us who voted in favor of a resolution to express solidarity with the people of Israel and those few Members of the House who voted in the negative on that question. Unfortunately, those that opposed the resolution of solidarity with Israel have chosen not to participate in the debate this evening.

It is unfortunate, Mr. Speaker. We are missing an opportunity, I think, to have a good debate and a good discussion regarding the right of Israel to defend herself and the position of America that in my view should be not to try to limit Israel's right of self-defense. But I am happy to report that the gentleman from Florida has arrived, the organizer of the discussion this evening and the man who tried to organize this Oxford style debate to his great credit.

Mr. Speaker, I yield to the gentleman from Florida.

Mr. DEUTSCH. Mr. Speaker, I appreciate the gentleman yielding. We had scheduled it for 9:30. It is about 9:30. As you described, we made an offer and we actually had an agreement this evening to have an Oxford debate about the resolution. As many people who are watching and obviously as Members, we know that our normal debate that we have is not really debate. People almost read statements and they read them to each other and there is no discourse. I think those of us who supported the resolution, many of us sat through literally several hours of debate and at some level a great deal of frustration, because people say things that there really is no opportunity to ask them to respond to try to clarify their position or really even ask them to defend their position. So we had set up this where under the House rules there is an opportunity for an Oxford style debate to interact with Members. We offered that opportunity and again, I guess there were 21 Members that voted against the resolution and 29 that did not vote. It is less than 15 percent of the membership of the House, but a sizable number of people.

We had the opportunity to cancel this evening or go forward, and what we thought we might do is in a sense maybe try to even literally re-read some of the arguments that the opponents of the resolution made and really in an attempt to maybe flesh out what their thoughts were. I think those of us who will be here this evening defending the resolution obviously find it hard to articulate their positions. Maybe they are in fact positions that cannot be articulated.

I would like to start maybe this evening and read one and I have a number of quotes from opponents of the resolution and there is no point in mentioning names but you might remember this one. It was in a poem that was spoken by a good friend and a good colleague of ours whom I respect on so many issues but I was extraordinarily disappointed with his comments.

By poem he stated, "Oh, little town of Bethlehem, we witness and we cry, Israelis and Palestinians, both practice eye for eye."

Perhaps the gentleman from Pennsylvania would want to respond to that statement.

Mr. HOEFFEL. What struck me as off-target with that statement was the notion that there is some kind of equivalence here between the behavior of the Palestinians and the behavior of the Israelis. Our colleague who said that, who is a fine Member of this House, seems to feel that there is some moral equivalence between the actions of the two sides that he stated. That does not persuade me, Mr. Speaker, because what we are seeing on the side of the Palestinians are acts of terror directed intentionally against innocent, unarmed Israeli civilians, men, women and children. What we are seeing from the Israeli side are acts of self-defense, military acts by the armed forces of

Israel, but acts that are not designed to kill Palestinian civilians in some kind of retribution but acts by the Israeli army to defend Israel.

Mr. DEUTSCH. If the gentleman will yield, I think there are so many parallels between what the Israelis did with their incursion into the West Bank areas and what the United States did with our incursion into Afghanistan. This poem, I think, would in a sense give the same moral equivalency to the murderers who attacked the World Trade Center and the Pentagon and the plane that crashed in Pennsylvania with the United States military action in Afghanistan and really trying to set up a moral equivalency of that. There is a fundamental difference.

Again, these are different Members that spoke during the debate. I am going to quote another Member: "I thought there was one thing that might turn the tide in this struggle and it was a horrible tragedy in the end of March." And he showed a picture that actually was on the cover of Newsweek magazine, I believe, of two young girls.

"Look at these two young women. They look like sisters. One, Ayat al-Akhras, 18, was a suicide bomber who killed Rachel Levy at the grocery store, age 17. I thought that both sides would be so appalled by this unbelievable tragedy and see the hopelessness of this that they might turn toward peace. But, no, that has not happened there."

If we can, maybe if the gentleman from New York (Mr. WEINER) can respond.

Mr. WEINER. If the gentleman from Pennsylvania will yield, what is interesting, I would say to the gentleman from Florida, that that dynamic has been portrayed several times in the media, that there are so many parallels between the 17-year-old that straps dynamite to his or her chest and the 17-year-old that might have been taken as an innocent victim. But the fact of the matter is that that suicide bomber, that homicide bomber, is bringing the Palestinian people further, not closer, to their objective of having a homeland. I do not think any of us would agree in this body that if the Palestinians announced and did more than announce, they actually began to operate without violence and to sit down and really negotiate for a Palestinian homeland, if they would have done that arguably years and years ago, it would be a reality today.

We have to recognize one thing that some of my colleagues did not recognize in the debate. Someone who blows themselves up and anyone around them blows them to bits is not engaged in political speech. They are not engaged in debate. They are not furthering the cause of bringing the two sides together. What they are doing is murdering people.

We have to recognize what sometimes often gets overlooked is this notion that someone who is engaged in

suicide bombing is acting out of desperation that was created by another set of instances. There are all kinds of circumstances in the world that have been resolved without suicide bombing. In fact, most political conflicts in the world, thank God, do not result in one group of people attacking the civilians of the other side.

Mr. HOEFFFEL. Would the gentleman agree that the whole phrase of suicide bombing is also missing the point here? When I hear the phrase "suicide bomber," I think one person committed suicide. I think the gentleman used a separate phrase a minute ago that is a lot more illustrative of what is actually happening here.

Mr. WEINER. Let me give an example and the gentlemen in their most recent visit, I am sure, visited some victims in the hospital. I had the opportunity to visit a 15-year-old girl who was the victim of a homicide bomber. She was not killed, thank God, but she showed me her x-ray that included in it 18 hexagonal nuts that was packed around dynamite that were used as projectiles projected into her young body. This is savagery. This is not something that brings the debate any closer to closure. It is not something that brings the two sides closer.

Mr. DEUTSCH. If I could interject, again I am trying to bring quotes in from the debate against the resolution and this is again from a very esteemed colleague of ours, someone whom all three of us I know respect a great deal, but his statement was, and I am quoting, "Generations of Palestinians and Israelis have suffered in the region, but the violence of the Israeli-Palestinian conflict cannot be examined or addressed in isolation of decades of occupation of millions of Palestinians."

I think it ties directly to what you are saying, that in some way occupation justifies suicide bombings.

Mr. WEINER. We heard similar language throughout some quarters of the Arab world in reaction to September 11, is that this is what happens if you do not have an energy policy we like or a foreign policy or an agricultural policy, we send 15 suicide bombers to murder 3,000 Americans. We have to recognize, and we have to be able to separate. This is at its fundamental element a complex and gut-wrenching dispute over land. It is difficult. We have difficult political subtexts. We have biblical subtexts. We have historical subtexts. But these things cannot be resolved in an environment where one side is attacking the other side in the most savage and most despicable ways.

Mr. DEUTSCH. I think one of the interesting things, just in response to that exact point is that at the Camp David negotiations the Israelis were willing to give up and, in fact, offered 97 or 98 percent of the West Bank and Gaza and if you include some of the transfer of land in the Negev, effectively 100 percent of the land mass that is in a sense occupied. That was offered and it was rejected. So if the cause of

the disturbance is occupation, the Israelis offered to end the occupation.

Mr. WEINER. I would go even further than that. You do not need to go to Camp David at September of 2000. You can go to the Oslo process that began in 1993 that had the Israeli government entering into an agreement to end the occupation, to not only begin to foster democracy in the Palestinian region but to fund it. Many of the guns being used against Israeli soldiers today were provided by the Israelis because the Palestinians said we need a police force. The Israelis not only gave them uniforms and gave them funding but gave them the actual guns. You can go back to 1948, the birth of the Jewish state, where it was the Israelis who were prepared to say, listen, we will take a divided neighborhood, essentially, if it guarantees us peace. You can look at the Wye River agreement. You can look at the Mitchell plan. You can look at the Tenet plan. You can look at plan after plan where it was the Israelis who said yes, and it was the Palestinians that said no. But they said no because the only thing that it really was predicated on was peaceful coexistence, which leads one to believe that ultimately the Palestinian people themselves have to make a decision. They have to make a decision, do they want to continue to cross swords or do they ultimately want their own state?

I think the Members who are here on the floor would agree that if this was a peaceful struggle, it would have resulted in a Palestinian state generations ago.

Mr. DEUTSCH. It is funny, not funny but tragic, that if it was a Martin Luther King instead of a Yasser Arafat or a Gandhi instead of an Arafat, I think you are absolutely correct because the majority and even with the vote by the Likud Central Committee, which I think was a political statement, I as recently as today read polls of the Israeli public. The vast majority of Israelis support a two-state solution because they understand that is a solution, that there is a puzzle fit that works. That will happen at some point in time when there is a partner to engage in that solution.

□ 2145

The chart that I have up now, one of the things, had we been in an Oxford debate and had the other side showed up, was really the first chart that I was going to put up for today, and it is hard to read and hopefully the television camera is focusing in on it. But the Israeli incursion occurred on March 31. Prior to March 31, as many of my colleagues remember, starting literally 11 days or 12 days or 13 days before, there was a series of suicide bombings actually starting in March: March 2, March 5, March 7, March 9, March 17, March 20, March 21. March 27 was the so-called Passover bombing in Netanya where 27 Israelis were killed; and then the 29th, and then actually on the 31st was in Haifa, the restaurant that the

gentleman from Pennsylvania (Mr. HOEFFFEL) and I visited or, actually, the gentleman from Georgia (Mr. KINGSTON) and I visited. The gentleman from Pennsylvania (Mr. HOEFFFEL) was actually at another place in that period when we were in Israel, but that we visited on that trip that occurred on the 31st. Then after that series of suicide bombings, killing over 100 people, I could count them up, close to 100 people, maybe 150 people during that amount of time, one of the numbers that I have talked about on several occasions, and I will put this chart up just to reiterate that, Israel in terms of population is about one-sixtieth, one-fiftieth, one-sixtieth the size of the United States of America. We are about 300 million plus people, 5 million plus, and the equivalent, just in terms of population, when 50 Israelis are killed, it is the equivalent of 9-11 to the United States of America. I am describing March. It was the equivalent of three September 11ths.

Now, we know what the United States did after September 11. We went 6,000 miles to a country and appropriately, and I do not think there is a Member of this Chamber who did not support, I do not think effectively as Americans we did not support what we did. Can we expect anything less for the Israelis to do, when three September 11ths occurred in the month of March in their country. I think that is the justification. I mean if a country is not protecting its citizens from death, from terrorism; I mean that is our fundamental role as government, and that is what they did. In a sense, they did not have a choice. The Israelis do not want to be in Bethlehem or Nabulus or Jenin any more than the United States wants to be in Afghanistan. We do not want to be in Afghanistan, but we are there for the reason that we have to be there, the same way they have to be there.

Mr. WEINER. Mr. Speaker, if the gentleman will yield, something else that is important to keep in mind, in that period from October 2000 to today the Israeli government and the Israeli people have not only been fighting terror by military means, almost at the same time and, frankly, almost in a counterintuitive way, given the way we have handled our attack since September 11, is that they have continued to keep the doors open to negotiation.

For example, when former Senator George Mitchell, who has some experience in negotiating peace in difficult parts of the world, when he traveled there, he came up with some principles of a plan, essentially to start a framework to get back to peace. It was the Israelis who said, although it asked for very difficult concessions from the Israelis, including lifting up the roots of many Israeli families and moving them out of their homes, the Israelis said yes. The Palestinians, who had to do essentially one thing, which was to stop bombing and stop firing, they said no.

Then we sent CIA Director Tenet over to the area to see if they could perhaps get the wheels started to the Mitchell plan. Once again, asked tough things of the Israelis, including loosening up border crossings at a time when they knew terrorists were coming through those borders, Israelis said yes and the Palestinians said no. Even when Vice President CHENEY and Secretary of State Powell visited the area to try to negotiate peace, it was the Israelis who expressed a willingness and the Palestinians who would not relent in their violence. In fact, some of the worst violence in the area on the part of the Palestinians have come when U.S. emissaries, trying to negotiate peace, have been there.

So at the same time, while a great deal of attention has been called to the fact of Israel going door to door trying to rout out terrorism, it should not be ignored that even in that context, even in the context of all of the carnage over the last 18 months, the Israeli people and their government have still said, do you want to make peace? We are ready to do it. I think that is to their great credit.

Imagine for a moment if bin Laden or Mullah Omar presented himself next week and said, you know what? I want to negotiate. I want to negotiate the peace here. Maybe if the United States gives up Texas and Louisiana, I will leave you alone, and I do not just say that because they are Republican areas, I would say to the Speaker, we are prepared to have a negotiation. We would laugh at it. Yet, in Israel, despite the carnage that they have had, they have been negotiating at the same time, hoping against hope that the Palestinian people would choose peace over violence.

Mr. HOEFFEL. Mr. Speaker, if I could give the gentleman an individual example of that spirit of the Israelis, that willingness to remain positive and to maintain their humanity in the face of this horror, let me tell my colleagues about Gila Weiss, a former constituent of mine who graduated from high school in my district in 1988 when she was known as Jennifer Weiss. Her parents still live in my district, Fred and Susan Weiss. Jennifer moved to Israel, changed her name to Gila, and is making her life there. On April 19, 2002, she was shopping at the Jewish market the Friday before Sabbath, finished making her purchases, walked to the bus to get the bus back to her apartment and, as she was approaching the arriving bus, a woman stepped off the bus and blew herself up. She killed 6 people, wounded 40, Gila among them, using a suicide vest such as is pictured in the photo of the gentleman from Florida (Mr. DEUTSCH) that I know he wants to talk about in just a minute. But let me just tell my colleagues about Gila.

She survived that blast, shredded with shrapnel; her eyesight is still in jeopardy today, but the doctors are optimistic that she will make a full re-

covery and she will recover from the wounds that the shrapnel caused. When the gentleman from Florida (Mr. DEUTSCH) and I visited the hospital on our trip to Israel, Gila was there to greet us, showing incredible spirit, and indicated, without even being prompted, that in the face of this terror that she had faced and incredibly survived, that she did not harbor hatred herself toward her attackers; the individual, now dead, or the Palestinian people or leaders that sent that bomber to that bus stop in Jerusalem.

When I returned from my trip, I gave a report to my district and asked Mrs. Weiss, Susan Weiss, to be with me. She talked about the injuries and the terrible ordeal that Gila had been through, and her parents, and then Susan Weiss, unprompted, told the assembled press corps in the suburbs of Philadelphia, Pennsylvania that she harbored no animosity, that she felt that we had to move forward and try to figure out some way someday, somehow to return this process to peace. Recognizing the need for defense now, recognizing the need for safety now, the security of Israel being paramount, but both Gila and her mother were prepared, even though they have suffered the worst kind of experience with terror, prepared to move forward to try to reach peace.

Mr. WEINER. Mr. Speaker, one of the things that is important about the story that the gentleman has just told, the Israeli people, because of their fundamental belief in democracy, something that our country shares and something that over 373 Members of Congress recognized when the resolution passed, on the other side of this debate is a group of people, the Palestinians who, in their schoolbooks, in their classrooms, even on their television screens, are preaching hatred.

The gentleman from Florida (Mr. DEUTSCH) made the mention of Nelson Mandela as a peacemaker. One does not have to go that far. One can look in that same region of the world not so long ago and look at the courageous stand of Anwar Sadat. One of the first things he did when preparing the Egyptian people who had been in a hateful, passionate war with the Israelis, one of the first things that he did as a sign of his courage that ultimately led to his death, is he turned to his own people in Arabic on Egyptian television and said, look, it is in our interests to make peace. We do not do it because we like them. We do not do it because we like their presence in the area, but it is because it is in our interests.

On the other hand, despite the requirement in the Oslo Accords that they stop teaching hate in their schoolbooks, they stop teaching hate to their children, the seeds of hate keep getting planted every day. This morning, if you flip on Palestinian TV during the cartoon hour, you will see commercials aimed at young children that have a playful song that says, put down your books, take up your arms, directed at

young children. We see protests in Nabulus. We have parents with their children on their shoulders, children like in all of our districts, except in these cases they have pretend suicide bomb belts around their waists.

The thing that I fear the most is irrespective of our intentions, irrespective of the feelings of the people of Israel and irrespective of even the best instinct of the Palestinian people, the seeds of hate that we are planting today among Palestinian children will take a generation to eradicate. That is the fundamental difference here. Someone should be held responsible for that, and I think that person should be that of the Palestinian Authority, Yasser Arafat.

Mr. DEUTSCH. Mr. Speaker, if the gentleman can yield for a second, trying to keep this in somewhat of a debate without another side being here, which I almost feel we should have an empty chair like they sometimes do in political debates when the other side does not show up. But it is interesting, much has been made in terms of who voted against it, why they voted against it, but there were Democrats and Republicans. Again, less than 15 percent of the Congress, but I am going to quote from one of our Republican colleagues and the quote is, "If we are going to bring peace to that troubled region, we must be scrupulously honest. There are piles of bodies in the Middle East, many of the victims of noncombatants, and both sides of the conflict have engaged in the slaughter of innocents."

Someone said that from the floor of this Chamber not that long ago, a week and a half ago. I see the gentleman from New York (Mr. WEINER) shaking his head no. Now he has an opportunity to respond.

Mr. WEINER. Mr. Speaker, I would say to the gentleman from Florida, and this is something that is easily verified, there has not been a single instance in the history of the conflict where, with the possible exception being the preemptive strike in the war of 1967 that the Israelis have initiated violence. When we see these images on television of kids throwing stones at Israeli soldiers and Israeli soldiers responding, invariably those are organized efforts by Palestinian protestors to engage in a highly publicized exchange.

There is not anyone who believes, for example, that the Israeli military had any interest in going into Ramallah, for example, knocking on doors looking for terrorists, had it not been for the fact that there had been horrific slaughters of innocent victims, including those observing the Passover holiday.

Mr. DEUTSCH. Mr. Speaker, if the gentleman will yield, one of the things that I guess is frustrating, having sat on this floor and listened to the debate is the simple distinction that the gentleman is making. It is so frustrating that these are well educated, well

thought of, thoughtful colleagues who have made these statements that I am reading word for word out of the CONGRESSIONAL RECORD on the debate. When the Israelis went into Jenin or for that matter Ramallah or for that matter other locations, because I talked a couple of minutes ago about the reason for the incursion, that there was this horrific activity occurring at monumental levels in their society.

One of the things that we witnessed in our visit to Israel was in a sense the proof on the other side, and this is one of many pictures that we have. One of the opportunities we had was to view just a fraction of the weapons that were seized during the incursion, about 10 percent of the weapons. In this Chamber, if we added all the weapons that we saw, it would probably fill this entire Chamber. Weapons of mortars, and I will show some additional pictures of machine guns and sniper rifles. But I think the most evil was literally witnessing suicide vests, and they are not kids creating suicide vests. I mean as we saw them, and my colleagues can see in the picture, they are commercially made. We actually saw different versions, summer versions, winter versions, autumn versions so that they would not be seen. But, in a sense, that is the proof of why.

I guess the frustration that an intelligent person could make a statement like that or make some of the other statements that I have read, not to distinguish; in the United States, we call it collateral damage. In our military action, in fact our ongoing military action in Afghanistan, there have been innocents who have died. We did not go house to house in Tora Bora. We bombed, as we should, absolutely as we should, as was appropriate and with the knowledge that there would be some collateral damage because of the risks involved and the morality involved in terms of doing it, it was absolutely appropriate. The Israelis could have attacked Jenin the way we attacked Tora Bora. They could have bombed from the air without risking lives. There is no question that a number of Israelis, a significant number of Israeli soldiers died because of the effort that they made. I do not doubt, and in fact I am sure, there were innocents who were killed in the action in Jenin. But I think not to understand there is a fundamental difference between someone being killed in that action where, by all accounts, the Israeli defense forces' efforts to make sure that civilians were not killed are minimized. I mean there are just so many specific accounts. In fact, before the soldiers went into the battle, their orders were to do everything possible, put their own lives at risk in terms of avoiding collateral damage. One thing also, I mean there is a whole different viewpoint when it does occur. The attitude of the Israeli defense force is not just remorse, but it is a horrific situation. It is tragic. There is no words that can possibly compensate.

□ 2200

But the entire attitude is a totally different attitude. The efforts of a megaphone to tell people to get out. Give them another chance to get out. Give them a third chance to get out. Tell them what is going to happen if they do not get out and give them every opportunity to get out. And yet we are hearing colleagues say that is the same as a murder bomber.

Mr. HOEFFFEL. If the gentleman would yield, what our colleague is missing is the intention behind the actions. The actions of the Palestinians when they commit terror, they are intending to kill innocent civilians and the Israelis are intending to defend themselves. That is the fundamental difference.

The action that the gentleman describes and both gentlemen have referred to, the military incursion into Jenin and other areas of the West Bank first was designed to stop the terror from continuing to come against Israel. It certainly was taken at great risk to members of the Israeli defense forces and 22 Israeli soldiers died in Jenin and had the Israelis chosen to bomb I doubt any Israeli soldiers would have died. But it also uncovered an extraordinary number of weapons, as the gentleman has mentioned, most of them in complete violation to the Oslo Accord that the gentleman from New York (Mr. WEINER) described.

The Palestinian police under Oslo were allowed to maintain handguns, rifles and AK-47s.

Mr. DEUTSCH. If the gentleman would yield, this is as he witnessed himself, and this is just a very small cache of mortars which obviously are illegal under the Oslo Accord.

Mr. HOEFFFEL. Exactly right. That is a very good picture illustrating the point.

What the Israelis seized were anti-tank missiles, rocket-propelled grenades, mortars, rockets, all in complete violation of the Oslo Accord. All there, as our friend, the gentleman from Georgia (Mr. KINGSTON), said, who identified himself as a sportsman, not there for sporting purposes, not there for hunting game during the doe season with a license from your local State government, but they are to kill people. That was the purpose of those weapons.

And the suicide vest that the gentleman identified a few pictures ago was the exact type of vest used in an attempt to kill Gila Weiss and that did kill six of the people that she was standing around with, total strangers.

Mr. DEUTSCH. Again, I will try to use some of these posters today, but this again is a sample of literally weapons, just a fraction of the weapons collected that could fill this Chamber, machine guns, sniper rifles, mortar guns, anti-tank weapons, none of which were allowed under the Oslo agreement.

Mr. WEINER. If the gentleman would yield for a question. Perhaps you can offer a little bit more explanation.

One of things that came up frequently on the floor among the opponents of the resolution was that we have to foster an environment where the moderate Arab nations could help a peace take hold in the Middle East. Perhaps the gentleman could explain to the Members where those weapons came from. Did they not come from a so-called moderate Arab state? And I am curious as to whether it seems like the export of someone who is interested in peace in the region.

Mr. DEUTSCH. As we reviewed them, we asked exactly those questions. Some of them were stolen Israeli weapons. Some of them were American weapons stolen or gotten through a third party. A lot of them were smuggled either through the tunnels from the Sinai into Gaza. Some of them, Israelis have very good information to believe that they were actually smuggled in Yassar Arafat's helicopter. So the weapons came from a variety of different sources.

Mr. WEINER. What about the Karin-A?

Mr. DEUTSCH. The Karin-A is a totally different issue which we can talk about. I think it is a significant issue as well. As the gentleman is well aware, the Karin-A was a ship that Israeli commandos captured that had \$20 million of weapons in it and had some very sophisticated weapons right off the shelf from Iran, including rocket launchers, rockets, not just mortars but rockets. The equivalents of our TOW missiles.

I actually have some pictures because we reviewed not just the weapons, these were weapons that were seized in the West Bank up to this point; they were weapons that were literally seized during the military incursion. And that in a sense, just these weapons are success or proof of the right and the necessity of the incursion because the suicide belt we saw in the previous picture, that suicide belt was not made to be put in a museum. It literally was made to be used. And the capture of that one belt prevented that one belt from being used, and we do not know how many lives and how many tragedies, and literally the tragedies are each one is as painful as we can possibly imagine in terms of human condition.

Did the gentleman from Pennsylvania (Mr. HOEFFFEL) want to add something to that?

Mr. HOEFFFEL. Well, the enormity of this, it is hard to appreciate unless you see the weapons. And the great variety, from brand-new modern weapons never used before seized from the Karin-A with an attempt to smuggle them in from Iran, to old battered, well-worn weapons that the Palestinians have obviously been using for years and years to homemade weapons, weapons made with sections of water pipe and slingshots for the firing pins to set off the ammunition put in these homemade weapons. An absolutely staggering

commitment to mayhem, to using violent means to try to win their political goals.

The enormity of the terror is hard to grasp unless you see the weapons, unless you talk to the families of the victims, unless you see the locations of the terror bombings in Jerusalem as we did on our walking tour. And when we hear the stories of the families and the human tragedies of innocents dying, not soldiers dying in combat for their country but innocents.

We have heard the story of Michal and Malka, two 15-year-old friends, inseparable, went to school together, lived next door to each other, had known each other since both were babies, 15 years old. They snuck off to get some pizza last August at the Sbarro restaurant in downtown Jerusalem and got blown to kingdom come. Their parents buried them side by side where they will rest forever.

That is hard to understand. It is hard to appreciate the horror for those families and hard to understand how anybody can justify such action. You can have the world's most difficult grievance; you can be really ticked off about something, and feel that the other guy is causing you a lot of aggravation, but how can you ever justify murdering innocent civilians?

Mr. WEINER. If the gentleman will yield, there is a broader political point here as well. And that is the Israelis have arguably tried everything under the sun to deter these kinds of attacks. That did not work. Now they are doing what they can to respond.

Some in the Chamber last week or 10 days ago in arguing against the resolution said perhaps we should recognize the grievance of the suicide bomber, sit down at the table and negotiate with them.

What lesson does that send to the next guy who is going to fly a plane into a tall building in the United States? What lesson does that teach the person who is sitting at home in Nablus or in Jenin about whether or not they should go and take up violence, not only against Israel but against the United States or anyone else with whom they might have a grievance.

We have to be very careful when we do what sometimes happens in the State Department here in the United States and we offer this sense of we kind of understand where they are coming from when they blow up a bunch of children in a shopping center. I believe we embolden further attacks. I believe we make it steadily, piece by piece, part of the political debate. It was truly mindboggling for me to listen to it. And we should stress very few Members of this Chamber, the gentleman showed pictures of his visit to Democrats, to Republicans, overwhelmingly from all regions of this country, this House and stood up and said we understand what Israel is facing. We support her in perhaps one of the strongest pro-Israel resolutions this House has ever passed.

Imagine for a moment if we did it. Imagine if we were a little more lukewarm and said, maybe we see the beef that the Palestinians have when they engage in suicide bombings. That creates more violence. I remember distinctly in June of 2001, Tel Aviv discoteque bombing. Horrific event. Someone gets in line at a discoteque on a Saturday night, teenagers all around, blows themselves up, blows up over a dozen young people around them. Quickly the United States, even the European community, which has never been very friendly to Israel, editorial pages everywhere said how outrageous, how disgusting it truly was. What happened? Israel did not respond immediately, and the Palestinians also recognized, you know what, we have gone too far. We are no longer getting sympathy and now people are recognizing how bloodthirsty we appear to be. It created a week, maybe 10 days of quiet.

When we strongly condemn these things, when we do not prevaricate, when we do not equivocate, when we do not draw these lines of equivalency that somehow justify the lines of terrorism, we save lives. That is something people have to understand. When they stand here, it almost sounds as if they are justifying the violence. In the quotes that the gentleman from Florida (Mr. DEUTSCH) read, I think it really does embolden some 15-year-old young person to say, maybe this is the way I will get my meaning; and they will be the next homicide bomber. As we have seen from these weapons, and I have said it on this floor before, this is a problem for Israel, true. But just the way a katusha rocket can shoot down an El Al plane, it can shoot down a Continental Airlines plane, God forbid, or a U.S. Airlines plane, God forbid.

The same people who are getting these weapons, because they think murder is a way to get their means, believe me, we are not miles and miles away as we learned on September 11.

Mr. DEUTSCH. Let me read, these are different Members, every quote so far this evening has been from a different Member. I will read from another Member: "We in this body have a constitutional responsibility to protect the national security of the United States. This one-sided intervention in a far-off war has the potential to do great harm to our national security."

I think that is exactly the point that the gentleman is making. That if someone is saying that, what is the implication, that there really is a duality, that there is both sides? And I think what was said is that for an act of terror, an act of killing innocents there are no two sides.

This is just a follow-up. Literally just another pick of weapons seized and there are more and there are more and there are more. The gentleman from New York (Mr. WEINER) asked just a comment on the Karin-A issue, and I thought since it is a relevant event, in a sense it was not directly tied to the

incursion, but it gives a sense of the context to the Palestinian Authority and Yassar Arafat personally.

The weapons on the Karin-A were \$20 million of weapons but literally weapons off the shelf of munitions factories in Iran. Mortars, as we see, large mortars of different dimensions for different distances, rockets, the equivalent of the United States TOW missiles, which are missiles that can be shot and steered after they are shot, anti-tank weapons that were made out of plastic so they cannot be detected, a very sophisticated operation that the United States and the Israelis and the world has not denied that Yassar Arafat's direct involvement in the purchase and the logistics of these weapons.

The sophistication of the weapons in a sense is highlighted by this container. All of the weapons that were seized on the Karin-A were actually in containers like this, which are watertight containers. In fact, some of the weapons were actually modified so that they could fit inside these containers. And the containers themselves were very sophisticated in that they had a specially built compressed-air-water compartment that would actually be able to have the containers set at a certain depth in the Mediterranean Sea so they could then be picked up later on with this buoy attachment. And that in fact could have escalated the conflict dramatically. Every weapon there was in violation of Oslo. Every weapon that was there was in violation of Oslo.

Mr. HOEFFEL. I thank the gentleman for yielding. I could not agree more. The violation of law and the agreement represented by these weapons really goes a long way towards showing the attitude of the Palestinians toward the agreement that they made and their intention for their future use in the Middle East.

The other thing that was quite persuasive to our group were the documents that the Israelis seized from the Palestinian Authority offices in the West Bank during the military incursion. Documents were seized in Arabic showing how the terrorists are funded, showing how the Saudis make payments to the terrorists and the families of terrorists, showing how Yassar Arafat's organization submits memos to him recommending that payments be made to a list of what they euphemistically call "freedom fighters." That would be in American English "terrorists." And how Yassar Arafat signs off on those memos asking for certain levels of funding.

□ 2215

In most cases he reduces the payments to be made to each individual, but there are signed documents showing to my satisfaction certainly, that Arafat has been directing terror. Certainly through the Fatah organization, the Tanzim and Al Aqsa Martyrs Brigades that he commands as head of Fatah, and these documents and the

gentleman has a picture up, and I would yield back to the gentleman in just a second, the documents plus the seized weapons certainly make clear to me that Yasser Arafat has been directing terror in the Middle East.

I am happy to yield back to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, I think the issue of the day and I think in a sense maybe if we move beyond the resolution and I think in a sense we have debated against the empty seat and we have debated successfully.

Mr. HOEFFEL. Would the gentleman agree we won the debate?

Mr. DEUTSCH. Mr. Speaker, I think in the environment we are at we won when we entered the Chamber and I think it is important, and I hope there is a discourse because clearly a number of our colleagues, again less than around 10 percent or so, articulated a position which I am just disappointed, and I think it is by lack of information, it is a lack of thought, lack of really thinking through the actual conditions of what occurred.

We would not talk about moral equivalency with the United States war in Afghanistan, and the similarity parallels are very real in terms of what the Israelis are doing, and as we both have said, there should be a Yasser Arafat exemption to the war on terrorism?

I would like to follow up though, and really, the issue of the day is should the Israelis continue to negotiate with Yasser Arafat? Is he the negotiating partner to try to get to the resolution of the conflict, and as the gentleman said, not only did the Israelis seize a huge amount of sophisticated weapons in their incursions and suicide belts and other things, but a huge amount of documents, which at this point in time no one is refuting the authenticity.

In fact, we met the parents of a soldier who actually downloaded some of the documents and was killed in a subsequent action, and he told his parents about it. So I do not think there was a scam of him telling his parents about what he did.

No one at this point is really questioning literally the authenticity of the document that is blown up on this chart and in Yasser Arafat's handwriting, which again no one is questioning at this point in time, is exactly what the gentleman described. It is a request to Yasser Arafat from a senior Fatah activist, Hassan al Sheik, for payments of \$2,500 for three known terrorists. I mean, people who are on Israel's most wanted list who the Israelis knew were involved in previous terrorist actions, in fact, through the Israelis, subsequently eliminated, and a request for \$2,500. Chairman Arafat, as my colleague had mentioned, says allocate \$600 to each of them in his own handwriting directly involved in that payment.

There are other documents. This is a longer list of 12 people who were involved in terrorist activities and for

this group, I do not see the exact amount, but again, with Arafat's signature, it is a \$350 payment for terrorist activities.

Mr. HOEFFEL. Mr. Speaker, let me ask the gentleman, does he think those payments are for putting a roof on Arafat's house?

Mr. DEUTSCH. I think what is clear is they are what they are.

Mr. HOEFFEL. Can there be any question about what those payments are authorized for, what the purpose behind them is?

Mr. DEUTSCH. They are what they are. Arafat, he was not a terrorist 10 years ago or 5 years ago or a year. He is still a terrorist. He was engaged in terrorist activity continuously, and his words might sound nice at this point in time, but it is not ancient history to go back.

Here is a document, a request from the Al Aqsa Martyr troops for money to the Palestinian Authority, and as shocking as each of the things are in terms of weapons, in terms of posters for suicide bombers, there is a specific request for 700 shekels, and I am reading it directly, this is for detonators for suicide bombers. We need every week five to nine explosive charges. Five to nine explosive charges every week, 700 shekels per week, directly to the PA by Al Aqsa Martyrs Brigade, people who are literally perpetrating the suicide bombs.

Mr. HOEFFEL. Mr. Speaker, the documents do indeed speak for themselves and leave one just no choice but to conclude that Yasser Arafat has directed terror, that he has in the past and he presently is, and the question is for this House, for this country what needs to be done in order to stop this activity.

It seems to me, I know the gentleman and I have discussed this, that there must be a recognition that Arafat, other Palestinians and the leaders of the Arab league must declare that terror must be renounced, that violence must be renounced and they must do this in word and deed. They have done it in word, but the documents that the gentleman has and the photographs of the weapons indicate that indeed they are still involved in terror and in financing terror.

Mr. DEUTSCH. This is going to be the last document and there is more, but this is dated March 24, 2002, and during the stage of these operations, and this is a copy of minutes of a meeting at the Ramallah headquarters, and Chairman Arafat is in attendance at this meeting along with Hamas, and the statements in the minutes of the meeting in Arabic are such that Chairman Arafat is upset that there was a bombing inside the green line when General Zinni was in Israel, and the inference is they would have preferred the bombing outside the green line and not when General Zinni was in Israel.

The Israelis did not write this. No one is questioning the authenticity. This is Arafat inside his own meetings,

meeting with Hamas, talking about terrorist activity, not trying to prevent them at any level in any way, and we could ignore this if we want to ignore it, but the weight is so overwhelming at this point that it is unignorable.

Mr. HOEFFEL. Mr. Speaker, the gentleman is entirely correct, and it seems to me that we need to make clear that both the United States and the government of Israel need to have someone to talk to representing the Palestinians that clearly renounces violence, that renounces violence and terror and that does so in word and deed and who, secondly, clearly recognizes the right of Israel to exist as a Jewish state, not as a state that someday may have a Palestinian majority because of the demographics, but a state that is recognized as a Jewish state with a full right to exist in peace and security.

Until we get those two commitments, a complete renunciation of violence and terror and a recognition of Israel to exist as a Jewish state, I do not see how we can go forward. I do not see how the Israelis can go forward in furthering the peace process when there is literally nobody to talk to presently on the other side that has any credibility whatsoever.

Mr. DEUTSCH. The gentleman is so on point with that comment. That is one of the tragedies going on right now. In fact, one of the tragedies I think as we both saw is as horrific and awful and inhumane the Palestinian attacks on Israelis have been, both Jews and Arabs, and we made a point as we have talked about to visit Arab dictums of terrorist bombings. In fact, the restaurant we talked about in Haifa was owned by an Arab Israeli and about half the victims were Arabs, not Jews, Arabs and Jews. The screws and the nuts and the ball bearings do not discriminate and, too, they are going to maim and kill.

The reality of how bad and awful that is, Yasser Arafat and the Palestinian Authority have been as bad and maybe even worse to their own people, indiscriminately killing people in just no type of civil process at all, destruction of an economy, corruption at levels which is untold, probably unmatched almost maybe anywhere in the world the level of corruption, and that in a sense is the entity that the United States is supporting.

What we have talked about on this floor previously, there is no, and we use the expression, there is no daylight between any Members of this Congress and the President and the war on terrorism and the efforts in Afghanistan, the efforts to stop terrorists with global reach whether they be in Iraq, in Syria or North Korea. There is no daylight between us, but I think there are many in this Chamber, in this country unfortunately who disagree with some of the President's actions in terms of trying to say, well, Yasser Arafat and these activities really are not as evil as they are.

One of the great things about President Reagan was when there was an evil empire he called it an evil empire and the Palestinian Authority is an evil empire, and we can call it white and we can call it black. If we call black, white, it does not make it white, and the same thing by saying, the leadership and these other things, the entity itself is evil, is corrupt beyond comprehension. We both heard stories that I would not say on this floor of some of the activities of the Palestinian Authority in terms of some of the behavior of some of the leaders that were beyond human discussion.

Let me follow up, though, just in terms of the Palestinian Authority itself. This is a reprint of a New York Times article April 20, 2002, and they interviewed a printer in the West Bank who had an ongoing contract with the Palestinian Authority to, after every suicide bomber who was killed, to automatically within several hours with information about that suicide bomber print up 1,000 posters to then be put up. This is just a sample form. That is the entity, the glorification of the suicide bomber is what we have seen.

Mr. HOEFFEL. We face the reality of what to do now. There can be little doubt regarding the complicity of Arafat in the terror. He is continuing to call for martyrdom for the Palestinians, and in the lexicon of the Palestinians, one who is a martyr is one who commits terror and is willing to die in committing that terror against Israelis.

What the gentleman and I need to do is to urge this House and our administration to clearly set out the conditions that need to exist before Israel can be expected to go forward, before the United States government can be expected to go forward.

We all want peace. There is no question about it. Even the Members that voted against this resolution certainly want peace. There is no question about the motivation. The disagreement can be in how to get there, but what conditions do we need to set forth?

I have stated, too, I am sure the gentleman could add, the absolute need for the Palestinian leadership and the Arab league leadership to renounce terror and to recognize Israel's right to exist as a Jewish state.

I know the gentleman has got additional views on what must happen next before we can go forward. I would be happy to yield back.

Mr. DEUTSCH. Mr. Speaker, I know our time is running out. I want to give both of us a couple of seconds to close, and the last two charts are directly on point on what the gentleman mentioned.

Yasser Arafat in the compound spoke about sending a million, the English translation is as my colleague so ably pointed out, martyrs to Jerusalem. The Arab word is "shaheed." If my colleagues were to ask any Palestinian what shaheed means, they know that it means suicide bombers. It does not

mean martyr. It is not an esoteric, theoretical term. It means suicide bombers, and specifically to the people that is what they hear.

As shocking as that is, the quote from Chairman Arafat's wife, literally that there would be no greater honor than for her son, if she had a son, to be a martyr, to be a shaheed, to be a suicide bomber.

I would close and give the gentleman an opportunity to close and say I wish that we had a discourse this evening with our colleagues who voted against this because I do not think there is any articulated, rational, moral position against the support of Israel that this Congress overwhelmingly and this country has overwhelmingly done.

□ 2230

Their fight is our fight. The attacks against them are attacks against us.

Mr. Speaker, I yield to the gentleman from Pennsylvania.

Mr. HOEFFEL. I thank the gentleman for yielding to me, Mr. Speaker, and let me make one more comment.

As the gentleman from New York said about the misnomer of suicide bomber, the phrase suicide bomber suggests one crazed person going off into a field and killing themselves with a bomb. We call what is happening in Israel the actions of suicide bombers, but in fact they are better named homicide bombers because they are not just taking out themselves, they are trying to kill as many innocent people as they possibly can.

That is the terror faced by Israel. That is what she has to defend herself against. And we can clearly state that Israel has the right to self-defense. It is not for us to set a limit on that right. It is up to us to support her in her activity, to make sure she survives; and she will survive with our support.

#### EDUCATION TAX CREDITS

The SPEAKER pro tempore (Mr. ISSA). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. SCHAFFER) is recognized for 60 minutes.

Mr. SCHAFFER. Mr. Speaker, tonight I want to talk about children and the topic of education. I believe it is the most important issue that we have to discuss, especially when we look out into the future of America and where we are headed.

My colleagues who preceded me had a very excellent discussion, the tenor of which I certainly concur with and agree. And I guess I would ask colleagues to consider this same debate or similar debates years and years from now, when the children of today are the leaders of tomorrow and are debating these important matters of international peace and security and all the topics that we deal with here in the Congress.

I would invite my colleagues who may be monitoring today's pro-

ceedings, if they are interested in engaging in this discussion or participating in it, to come join me here on the floor. The topic today is, again, education, and particularly with respect to the proposal of education tax credits. This is something that our President has mentioned frequently. This is a topic that has become well-known in several States that have preceded this Congress in exploring the topic of education tax credits, and it is an innovative idea and a way to try to get new dollars, additional dollars to children for the purposes of expanding and broadening their academic horizons.

I am one who believes here, Mr. Speaker, that if our children really are important, and I believe they are, that this Congress ought to be prepared to spend whatever it takes to give them the kind of quality education that they deserve here in America, an education that is second to none. Unfortunately, we do not have that today, yet we spend almost every dollar we can dream up here in Washington and take from the taxpayers in order to spend on education. We have spent considerable amounts of money on the Federal education system, and that is magnified even to a far greater degree when we consider the billions of dollars, in fact the trillions of dollars that have been poured into education around the 50 States and through local school districts.

At least at the Federal level, for the amount of money that we have spent, about \$125 billion over the last 10 years to be precise, we should have better results, and we should certainly expect those results to be far improved over and above the indications of today. Our President understands this, and that was the basis of the legislation he persuaded this Congress to pass last year. His first major legislative initiative was all about education, and this was the core of his campaign for office. He proposed doing for the country what he managed to accomplish in Texas, and that was to first take into account the huge numbers of dollars that have been spent on education and then start asking questions, like what do we get for the money.

The governor of Texas at the time, our current President, was led to establish a testing strategy for the State of Texas, and that testing strategy has been credited by many with raising the achievement levels of the poorest children in that State. The President touted as a candidate the successes of Texas throughout the country, and the American people seemed to agree with the President. He came to Washington and suggested we should do the same thing for the whole Nation, and the Congress, by a pretty overwhelming margin, agreed with him. Democrats and Republicans joined together to help the President pass what turned out to be a higher set of expectations for the Nation, a system of national testing.

I want to start there, because what the President actually proposed up front was not only a testing strategy, that was just a portion, and in fact a smaller portion of his proposal, but he also proposed greater flexibilities for the States, and the most important element, the core of the President's proposal, was school choice. Unfortunately, the school choice provisions were ripped out of the bill even before it came up for its first hearing here on the House side, and the flexibility provisions were removed too, by the time the bill got through over on the other side of the Capitol, and all the President was left with was this the smaller portion of the bill which dealt with testing mandates on States.

In order to get the institutions of the bureaucracy of education to go along with the President's idea, even one-third of his idea, we had to feed the beast a tremendous amount of cash. We had to give more money to the Department of Education and all of the institutions associated with it in order to get them to comply or to go along. But as I said, if our children are really important, and I believe they are, we should be able to be prepared to spend whatever it takes in order to improve their education opportunity, and we certainly did that in H.R. 1. We expanded the Department dramatically in exchange for the new accountability that goes along with it.

But we have not lost sight of the core element of the President's proposal, and that is the school choice element. Tax credits give us an opportunity to extend education choice to more and more Americans and their children, and do so without threatening the education bureaucracy in any way, without threatening all those institutions and lobbyists that have built themselves up around the rules and the red tape and the spending regiment of the education empire. It does so by bypassing all of that, and in fact we are going to continue to feed more money to the bureaucracy. That is really not in doubt. And I do not think anybody in the bureaucracy needs to be threatened in any way or believe that their jobs are somehow going to go away. On the contrary, we are going to give them more cash. That is already budgeted and that is going to happen.

But education tax credits allow and inspire new investments in education, and that is why they are so exciting and why I hope a lot of people are paying attention to the issue because it is a serious one. It is one that the President has given his word that he is going to help drive through this Congress. It is a topic that has arrived on the priority list of the agenda items for our leadership, our Committee on Education and the Workforce, and also members of some of the other committees, the Committee on Ways and Means in particular, which deals with tax policy, and a lot of people around the country are excited.

They are excited, Mr. Speaker, because they have managed to see how

tax credits work in a handful of States. There are six States, to be exact, that have tax credit legislation on their State law books and they are seeing the fruits of that. What I mean is they are realizing that by manipulating the Tax Code, taxpayers are eager to contribute money to the schools and to do so in a way that provides new kinds of education choices to children who have not had choice in the past.

Education choice is not such an important issue to those who are wealthy, because they can afford to buy it. They can afford to forego the property taxes, the income taxes, the sales taxes that they are paying right now, in generous proportions, I might add, to government-owned schools, and, instead, pay additional dollars for the tuition that it may cost to attend a private institution. So if you have money, school choice is really not something that is out of reach. By if you are poor in America, you do not have school choice, typically, except in a handful of places where these tax credits exist; or in some places where vouchers exist, which is something entirely different than what is being discussed tonight, still a good idea but different; and in places where private individuals have banded together to try to raise money to provide scholarships for low-income children.

That exists in almost every State, these student tuition organizations, as they are called. We call them in our legislation education investment organizations. They exist in all 50 States today, and they exist because of the generosity of many, many Americans who want to contribute their earnings and pay back to society in some way that offers real hope and opportunity for young children.

I have some letters from some of the children who have benefited from these investment organizations, these scholarship funds, and I will read from some of them. They are pretty inspiring and I think speak to why we need to be aggressive about achieving this legislation this year. But what we are really here to propose and to discuss is the legislation that is in the works right now that will be introduced within just a couple of weeks that will provide a change in the Tax Code to make it easier for Americans to contribute to these scholarship funds and to contribute directly to public schools for local priorities, for priorities that are established by local school board members or established by community leaders through the creation of these scholarship funds.

The tax credits work this way: for every dollar that you would contribute to a scholarship organization for poor children, or contribute to a public education facility, a local neighborhood school, you would receive a 50 percent tax credit from the Federal Government. So for every dollar you give to the school, you cut your tax bill in half for the equivalent contribution. And there is a cap on that. We cannot make

this unlimited, of course. We have to deal with some of the financial realities of the Congress. So this is a \$250 credit that will correspond to a \$500 donation.

I have a cousin in Colorado Springs who is a tax preparer, and just a couple of days ago she asked me about this proposal. And she asked, Will this benefit me? Will I be able to contribute to a school and get the credit, since my children are not in the school anymore? This is something that appeals to her, and she wanted to know if the credit would apply to her. And the answer is yes.

And I think the question itself is really what is so exciting about education tax credits, not only in this proposal but what we have seen by way of the record in several States, and that is parents and people in communities who are not even parents of children in the affected schools are eager and enthusiastic about contributing to an education model in which they fundamentally believe. The notion of school choice appeals to millions and millions of Americans. It does not appeal to all Americans, but it appeals to most Americans.

So for those who believe that it makes more sense to continue shoveling cash to the government, well that option is available. And in fact most Americans will be forced to do that whether they really want to or not, as we do today. But it provides a second option for those who want to try something different, who want to try to bypass that bureaucracy and get dollars directly to children.

So I am really enthusiastic about the proposal, and as more and more people learn about it and hear about it, they are joining up with the campaign that we have here in Congress to prepare the bill, to lobby our colleagues and persuade them that this is the right thing to do, that the experience in the States that have education tax credit legislation is an experience worth considering and something worth duplicating here in Washington.

I received a letter from somebody in Fort Collins, Colorado, they did not give me permission to use their name so I will not, but in the letter he says, one of my constituents says, "Education tax credits have the greatest potential to significantly and instantly affect change in our current educational system. As parents know best their children's strengths, needs and efficiencies, this tax credit would ensure that money spent would be used in the most beneficial and targeted way possible. With this legislation, parents would be empowered to ensure that their children are equipped with the academic and educational tools necessary to improve their quality of education. Also, as this tax credit is for all educational expenses, parental involvement in their child's education would be fostered and encouraged. This bill will ensure that economic considerations will never again keep lower-income children from receiving an all-

important supplemental education at home. The quality of our children's education stands to be greatly enriched by this legislation, just as millions of children across the United States would be affected as well."

Well, that is pretty compelling testimony, again from one of my constituents. And I may raise this with him at another time to see if I can use his name publicly. I do not have that permission now, as I mentioned. But this is the kind of letter that many of us are receiving here in Congress, and that is not the only one I have received in my office. Again, this debate is taking place in my home State, so people are in tune with it there.

□ 2245

As I mentioned, in some of the States that have passed tax credit legislations, and the best examples are Arizona, Pennsylvania, Florida, and Minnesota has passed a tax credit bill, too. What they are seeing in those States is really dramatic and remarkable. Here is some testimony that was delivered in front of one of the committees that took place in one of our States in terms of the impact that these scholarship funds are having. This is from a student named Sasha. She said again in prepared testimony, "My family applied for a scholarship for me to be able to study at the school that I consider a very special place."

Let me stop there. That really is the key because the definition of quality of education today under the bureaucratic model that we have established for the country falls into the hands of the bureaucrats who run the bureaucracy. Let us say you have a 5-year-old that is going to kindergarten, or maybe you have older kids and you move into a new neighborhood. You call the school district and say, Johnny is ready to go to school, what are my options?

The first question you will get is what is your address. When you deliver your address to the person on the other end of the phone, they will say your address corresponds to a particular neighborhood school. If they have a lot of money where the school is usually better, or if they move into a poorer neighborhood where unfortunately the records show and is amply demonstrated, usually means that the school is not a good one and not one you probably would choose if you had unlimited resources at your disposal.

With a tax credit, the goal is to move away from trusting somebody who does not know the name of your child with placing your child into a school that they think makes sense for this child that they do not know. Tax credits leave this decision to people who know the child better, the parents.

Sasha wrote, "My family applied for a scholarship for me to be able to study at the school I consider a very special place. It is special because it is where I learn the most and where I enjoy learning. It is a place where I can

dream, and have that feeling that I am going to be successful in my life, successful because of what I am learning right now. In the past, my mom tried to put me in Catholic schools, but she could not afford the tuition for very long. Now I am in my second year in the same school because of the scholarships she has secured for my sisters and me. I will be very happy if I can stay at my school and have the same good friends as long as possible. They are special, too."

Sasha goes on, "I think school is important because I have learned a lot of stuff that I did not know. I have just learned how to add, subtract, multiply and divide fractions. We will be doing geometry soon. I know I am learning all of this because algebra is coming. I think that might be fun. Going to Blessed Sacrament is important because the work is challenging, not easy. The most challenging subject is math because of the concept of algebra. At first math was easy, but now it is hard. I really try hard to get good grades." Sasha goes on and describes her experience in the school that she was able to choose as a result of her scholarship.

The reason tax credit legislation is relevant to this student is because manipulating the Tax Code to reduce the tax burden on Americans who contribute to such scholarship organizations will result in a massive cash infusion in America's education system, and it will result in the same kinds of positive experiences for more and more children across the country, just as the experience occurred to the student I just referred to.

Here is testimony from a teacher. This was given to the Colorado State legislature, testimony before that legislative body. This teacher's name is Maureen Lord. She is the supervisor for a group called Save Our Youth. She told the Colorado State legislature about a particular student named Joe Ray. "Joe Ray was designated learning disabled at the local public school. At the end of his fifth grade year, he was reading between a second and third grade level, hated writing anything. His distraction level was extremely high. To complicate things more, he had some fine motor problems. Being an elementary educator myself, I knew that Joe Ray would never be at grade level if he continued in the public school system where he only received an hour of special attention during each school day. His future looked dismal for accomplishing the basic skills he needed to go on to middle and high school."

Let me point out that this experience is not unique throughout the country, but it is also not the rule in most public schools. I would bet that if Joe Ray lived in a wealthy neighborhood, that Joe Ray would receive the kind of attention that he needed; but Joe Ray does not live in a wealthy neighborhood, he lives in a poorer neighborhood in Colorado. The only school that was

available to him was the one that the government said was available to him, and it was not a good fit.

The teacher, pleading on his behalf goes on, "One day on the radio, I heard about a private school that works with kids having problems similar to Joe Ray. Unbelievably, they were opening another branch in northwest Denver in the fall of 2000, and it would be located relatively close to where Joe Ray lived. After visiting the facility and meeting with the director, I knew this might be a fit for Joe Ray, but there were so many hurdles to overcome. One of the hurdles was the tuition. Joe Ray's family was in the lower socio-economic scale and anything short of a miracle was needed for him to be able to attend a private school. That is just what happened. Joe Ray applied for a scholarship, and received a 4-year partial scholarship to this private school. With the help from his mentor and his mentor's supervisor, the obstacles were falling one by one.

"Let me tell you more about the miracles. Joe Ray aced last semester's report card. His teacher says he is a wonderful young man to work with and eager learner. The multisensory math program is helping him to remember his times tables, and his confidence is growing. He now frequently looks you in the eye when he talks to you. This is just one young boy who is benefiting from the investment that scholarships made in his future. I hope this is of some encouragement to you. We at Save Our Youth are grateful."

Joe Ray also testified before the Colorado legislature. He said, "I am really glad I do not have to go to my old school anymore. There were always people selling drugs there. I was afraid to go to school because I didn't want to get beat up any more at my old school. They gave me the answers to the CSAP test," which is the State standardized test. That is pretty common. I hear that not only in Colorado but in several States.

"They were not very helpful to me with math, reading and writing. I did not like my old school at all. I like my new school because they help me better. They teach me in a way that is right for me. The teacher is nice to me, and there are so many other school kids. I also like that I do not have to switch classes. I like Dove Christian Academy so much I want to come back again. The new school I go to does help me a lot more. Dove Christian Academy does different things to help me learn. I read a lot better now, and I think my math and writing are better, too. I really thank ACE and the money they have given me. I am so glad I was able to come to the school and learn. Now I have a chance to get a good education and maybe even go to college. I never would have thought of that before if it weren't for ACE."

Pretty powerful testimony in one State that has an experience with education tax credits. We can do this for the whole country. We have a chance

to accomplish this in all 50 States and amplify the good record that is taking place in a handful of other States across the country.

This is a topic that is not one that belongs to Democrats or Republicans, conservatives or liberals. I happen to be a Republican, but this is a proposal that has been advanced by Democrats and State legislators around the country. It is supported by Democrats here. It is one that has been proposed in my State in the Colorado State senate, and a liberal one at that, and at the same time was being carried in the State House of Representatives by a very conservative Republican.

It has the ability to bring people together of different political persuasions because at its focus is America's school children. I have to confess when it comes to the education debate in Washington, too often children are the last individuals considered. We talk about them a lot, there is no doubt about that. We get nice pictures of them up here and try to suggest to the country and the world that the children are at the center of the debate, and I think they are in our hearts. We care about the kids, there is no doubt about that. But by the time the bills make it to the floor of this House and over to the other side of the Capitol, the lobbyists take over, and they watch every line item in these bills and make sure that their organizations and their members are not affected by the ideas that we advance to try to help children. The children are at a disadvantage because they do not have lobbyists here. Their parents vote for us as Congressmen and Senators, and sometimes Members get replaced when they do not fight hard enough. That does happen from time to time. The lobbyists watch much closer here. They fight hard to maintain and preserve the bureaucracy and the unions that go along with America's education system.

When you cross these powerful groups, the consequences are sometimes very, very dangerous because they have millions of dollars to spend against you. They have big political campaign war chests that they use to try to persuade people that if you do not persuade your constituents back home if you are not fighting hard enough for the bureaucracy, for the institution or the union, that that means you do not care about children and you should be replaced. They have a far more successful ratio of replacing Congressmen who do not stand up for the bureaucracy than the children do and their parents when children fail to be the objective of education debates.

Here is why this is true. This chart on my right explains how money gets down to a child. At the top is a hardworking taxpayer who pays his cash, a portion of his earnings through taxes. It is not voluntary; it is confiscated from his paycheck. Those dollars are confiscated by the Treasury Department. His employer is forced to send a portion of his paycheck to Washington,

D.C. to the Treasury Department. The Treasury Department takes account of all of these dollars, tracks how these dollars are coming in, so that politicians, me and my colleagues in Congress, we make decisions on how to spend these dollars. We spend a pretty sizable portion on the United States Department of Education. They occupy some large buildings. We allocate a big chunk to the Department, and it goes to those buildings two blocks away. Once it gets there, it is distributed and redistributed and transferred to States, all 50 States and territories and districts, the District of Columbia as well. At the State level the politicians there, the State legislators, they divvy up the dollars that come from the Federal Government as well as State and local dollars. They redistribute the funds to the State Department of Education and that whole bureaucracy.

□ 2300

The State Department of Education gives those dollars to the school districts in all 50 States. In Colorado there are 176 school districts. The school districts, of course, they are run by politicians, elected school board members, and they meet with all the interest groups that they have to deal with and they decide how to spend these dollars and apportion them for the various schools within a school district. Once the principals and the teachers and everybody at the school level have decided how to prioritize those funds, then these dollars finally get to the child way down here. By the time the taxpayer's dollar goes through this whole vortex of bureaucracy and politicians, the proportion of money that actually makes it to the child is very, very small. In fact, it has been estimated that somewhere around 30 to 40 percent of the tax dollar taken from the hardworking American for the purpose of education ever makes it down to the child.

That explains the politics of education in America, which has as much to do with the necessity of education tax credits as the positive outcome of tax credits themselves.

I have tried, as many of my colleagues have, Mr. Speaker, to try to change this system from within. I came here to Washington because I have got five kids of my own. I kind of feel that my children have kind of the dead hand of government laying over their shoulder as they try to progress in the public schools back home in Colorado. And so I wanted to come here and try to fix some of this nonsense. I spent 9 years as a State Senator trying to fix it from here down. We made some success, but this bureaucracy is large. Every one of these organizations has lobbyists and they have interest groups. The employees of the State Departments of Education and the U.S. Department of Education, they organize. The teachers in all of these districts, the National Education Association, the American Federation of Teachers, these are two

teachers unions that are frankly the largest political influence in America and they are all a part of this process. So when we come to Washington and suggest changing and improving or amending in any way the flow of dollars through this process, you get a big political fight on your hands. It is a fight worth engaging, do not get me wrong. I enjoy doing it. It is the right fight. My kids matter enough that I am willing to take it on and suffer whatever political consequences might occur. But sometimes we win. Sometimes we lose. Usually we lose. Anybody who wants to change this system usually loses, because the relationship between these agencies matters more to politicians in Washington and politicians in the States and ultimately to school board members than the child does down here in the bottom. I hate to admit that, but that is absolutely the truth. I would defy anyone to try to deny that and would welcome a vigorous debate on that point.

Again, I am willing to admit we all talk about the kid down here, but when the debate takes place on the House floor it is all the people who run these agencies that count the most, unfortunately. They are the ones who are heard the loudest. Their voices tend to drown out the child down here at the bottom and they drown out the expectations of the taxpayer, too.

Rather than try to tamper with all this in a tax credit bill or an education proposal, keep in mind that trying to improve this system is an ongoing function of the Education Committee and we are working on that, but that really is a separate debate than the proposal that we are rallying around now. Because rather than amend this or change it or do anything to this, we are going to leave it alone and try to bypass this process with new money, not the old money. We are going to continue to feed cash to this system in America. It is already budgeted this year. Mark my words, when the appropriation bill passes, we are going to grow the size of this bureaucracy because it does not matter who is in charge, it does not matter whether Republicans are in charge or Democrats are in charge, we are going to grow the size of this bureaucracy. That is the track record. That is the way it is. We have got to accept that. I finally have. But I am trying to find a way to get this guy's dollar to that child and tax credits is a way to accomplish that.

Here is how the tax credit model works. The hardworking taxpayer donates directly to the needs of a child. Again, they do this through a change in the Tax Code, not a change in the education bureaucracy. Because the Tax Code allows this taxpayer to make a donation based on what strikes him or her as a good idea, a local priority, an urgent need, and to donate to that cause rather than continue to shovel cash through that other system I just described, the bureaucratic model that is Washington, D.C.'s education system. When explained to Americans

across the country, this is what Americans prefer. Taxpayers like this guy have expressed to me, just as my cousin did last week, that even though she does not have children who are in schools anymore, she would love to have the advantage of a tax credit so that she could contribute to the education cause in her neighborhood, for somebody else's child, for a poor child whose future will not be so bright unless we are willing to put the cash forward to provide a little freedom for the child, a little liberty that wealthy parents can afford. It is not just the individuals who can contribute. Our tax credit proposal also entails corporate contributions, because we have heard from businesses around the country as well that if given the chance they would prefer to invest in an academic program in their neighborhood that is designed by a school board member perhaps or maybe by a superintendent or maybe by a church or a synagogue or maybe by a nonprofit organization, they would rather invest in something they believe in locally than continue to send exorbitant amounts of money here and have it filtered through this process that I described.

And they like the idea that tax credits allows us to begin to measure the fairness in education by the relationship between individuals rather than the relationship between these political entities. And like it or not, that is how we measure education fairness in America today. Schools keep track of how much each school receives. School districts keep track of how much school districts receive. They compare themselves to each other. Every State has got a lobbyist in Washington, by the way. Not the elected officials. I mean, they hire lobbyists to come here. Every State has lobbyists back here. The lobbyist's job is to make sure that Colorado, in the example of my State, is receiving generally the same amounts of money that Kansas is or Wyoming or any of our neighboring States. You have got this 50 times over as these lobbyists are measuring education fairness by the relationship between their political jurisdiction in their States. And then, of course, up here at the Federal level, agencies and departments, they just do not like to lose money. If a program received a billion dollars last year, the people who run that program want to make sure they receive at least a billion dollars next year, too. And if they have fewer students that they serve, that does not matter. If they do not serve students well, that does not matter. They just want the same amount of money or more, because that is how they get the plaques on their wall suggesting that they are good bureaucrats, good managers. These people work hard, they care, they have been trained well to operate within the system. In fact they have got their own language. If you ever sit in the meetings that I get to sit in on, you will learn about this whole new language that exists in the

education bureaucracy. They have got all these agencies and programs that are called by their initials, these terms that relate to my kids that we do not use at home but if you want to be involved in discussions about this, you have got to learn another language that is kind of irrelevant and makes no sense to the taxpayer up here at the top or the child down there at the bottom. Once again, that is fine for all the people who work in this system, but fairness in education should not be measured by the relationship between programs or States or school districts or individual schools. Fairness should be measured by the relationship between children down here at the bottom. That is what the tax credit proposal really allows us to begin to do.

We get to start thinking about some of these students that are referred to in this testimony I read. We even had some of these students who came to Washington here and testified in front of the Education Committee. When you hear from the children who speak in terms of their future and their hope and learning about algebra and getting back to grade level and going to college, students who have been written off in the past, when you hear these kinds of stories, you begin to care about the kids again. You do not care so much about the comfort of the bureaucracy anymore. We will acknowledge that the bureaucracy is a big organization. They have got lots of lobbyists. They have got a lot of political firepower. We are going to leave them alone. We are going to find a new way to change the Tax Code and help children achieve their academic dreams.

□ 2310

This chart is one that refers to just one scholarship organization that exists today, and this is the kind of scholarship organization that a tax credit would utilize in order to reach children. It is a rather large one, it is called the Children's Scholarship Fund. I pulled this off of the Children's Scholarship Fund's website. This shows the concentration of applications that this scholarship organization received from throughout the country. The blue areas are places in America where children apply to receive scholarships from one nonprofit organization in order to attend schools that the children and their parents wanted their children to attend. This is broken down based on concentration of students. I will not go through the whole chart here, but the light blue is anywhere where you have from 1 to 99 applicants in a State; the red dots, these large cities, Detroit, Chicago, New Orleans, we can see Atlanta, New York, and so on, Washington, D.C., Los Angeles, these are places where anywhere between 10,000 and 80,000 people who are interested in scholarships might live. Now, these are where the applications came from, and there is a pretty broad level of interest from throughout the country.

Unfortunately, the Children's Scholarship Fund, again, a private organiza-

tion, not a government institution; it gives scholarships out based on how many people want to contribute to the scholarship fund out of their own free will as a donation; they do not have unlimited resources. They cannot give scholarships to all of these kids who want academic freedom, who want a little liberty in their lives, who want to be treated as well as wealthy children are who can choose the kind of school they want to attend. So all of these applicants applied, but only a fraction of them actually walked away with a scholarship and ended up with some of the success stories that I read about a little earlier.

The second chart shows us the distribution of recipients, and it is broken down by counties. We can see that the scholarship fund, this particular organization, the Children's Scholarship Fund does a great job. They reach thousands of children around America, but there is a lot that are just overlooked by this one organization.

What a tax credit will allow is for every taxpayer in America to contribute to an organization like the Children's Scholarship Fund. This would be one of their options. As I say, this is a large one that has kind of a national emphasis, but every one of our States, Mr. Speaker, has an organization similar to this one in it, at least one. The State of Arizona has about 70 of them.

The reason Arizona, if I can use Arizona as an example, the reason Arizona has so many scholarship organizations in it is because Arizona as a State passed education tax credit legislation 3 years ago. As time goes on, more and more people are deciding to send their State tax dollars to these scholarship organizations to help children. The impact that it is having on Arizona's children, especially the poor, is rather remarkable. In fact, it has been studied pretty extensively.

I just happen to have the analysis of the Arizona tax credit plan, the Arizona scholarship plan. This is a report that was written by 2 researchers, Carrie Lips and Jennifer Jacoby. In fact, Carrie Lips now works here for the House of Representatives and the Republican Policy Committee. What this report shows is really remarkable. It shows that between 1998 and 2000, the tax credit in Arizona generated 32 million new dollars and funded almost 19,000 scholarships through more than 30 scholarship organizations. Now, that is \$32 million in the education system of Arizona that was not there before. It is \$32 million that did not come from Arizona's public education system, but new dollars that came out of the pockets of Arizonans on a voluntary basis, because the Tax Code in Arizona makes it easier for people to invest in the number 1, most important industry in America, which is education. They believe that in Arizona. Mr. Speaker, 19,000 scholarships in just 3 years. People care about this. They have made a huge difference in the lives of students there.



AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Vern Ehlers	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/22	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. John Mica	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. Marion Berry	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Lloyd Jones	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Elizabeth Megginson	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Christine Kennedy	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Jimmy Miller	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Collin Chapman	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
William Sharrow	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Glen Scammel	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Susan Bodine	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Trinita Brown	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Art Chan	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Frank Mulvey	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. John Mica	1/15	1/18	United Kingdom		1,032.00		809.00				1,841.00
	1/18	1/19	Belgium		257.00		211.00				468.00
	1/19	1/21	Germany		324.00						324.00
	1/21	1/22	Netherlands		220.00						220.00
Commercial airfare							3,718.00				3,718.00
Hon. Peter DeFazio	1/14	1/18	United Kingdom		1,376.00		402.00				1,778.00
Commercial airfare							4,615.00				4,615.00
Adam Tsao	1/18	1/19	Belgium		257.00		211.00				468.00
	1/19	1/21	Germany		324.00						324.00
	1/21	1/22	Netherlands		220.00						220.00
Commercial airfare							4,517.00				4,517.00
Elizabeth Megginson	1/15	1/22	United Kingdom		688.00						688.00
Commercial airfare							3,623.00				3,623.00
David Schaffer	1/15	1/18	United Kingdom		1,032.00		402.00				1,434.00
Commercial airfare							3,723.00				3,723.00
Stacie Soumbeniotis	1/15	1/18	United Kingdom		1,032.00		809.00				1,841.00
	1/18	1/19	Belgium		514.00						514.00
Commercial airfare							3,794.00				3,794.00
Hon. Eddie Bernice Johnson	1/13	1/16	South Africa		564.00						564.00
	1/16	1/20	Namibia		476.00						476.00
Committee total					37,998.00		25,376.00				63,374.00

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Round trip D.C. to Europe.  
<sup>4</sup> Round trip Eugene, OR to Europe.

DON YOUNG, Chairman, May 1, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Larry Combust	1/11	1/12	Brazil		208.00		(3)		119.00		327.00
	1/12	1/15	Chile		888.00		(3)				888.00
	1/15	1/17	Brazil		470.00		(3)		240.00		710.00
	1/17	1/19	Colombia		542.00		(3)				542.00
Hon. Mike Simpson	1/11	1/12	Brazil		208.00		(3)		119.00		327.00
	1/12	1/15	Chile		888.00		(3)				888.00
	1/15	1/17	Brazil		470.00		(3)		240.00		710.00
	1/17	1/19	Colombia		542.00		(3)				542.00
Hon. Tom Osborne	1/11	1/12	Brazil		208.00		(3)		119.00		327.00
	1/12	1/15	Chile		888.00		(3)				888.00
	1/15	1/17	Brazil		470.00		(3)		240.00		710.00
	1/17	1/19	Colombia		542.00		(3)				542.00
Hon. Ernie Fletcher	1/11	1/12	Brazil		208.00		(3)		119.00		327.00
	1/12	1/15	Chile		888.00		(3)				888.00
	1/15	1/17	Brazil		470.00		(3)		240.00		710.00
	1/17	1/19	Colombia		542.00		(3)				542.00
Lynn Gallagher	1/11	1/12	Brazil		208.00		(3)		119.00		327.00
	1/12	1/15	Chile		888.00		(3)				888.00
	1/15	1/17	Brazil		470.00		(3)		240.00		710.00
	1/17	1/19	Colombia		542.00		(3)				542.00
Alan Mackey	1/11	1/12	Brazil		208.00		(3)		119.00		327.00
	1/12	1/15	Chile		888.00		(3)				888.00
	1/15	1/17	Brazil		470.00		(3)		240.00		710.00
	1/17	1/19	Colombia		542.00		(3)				542.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002—  
Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Jason Vaillancourt	1/11	1/12	Brazil		208.00		( <sup>3</sup> )		119.00		327.00
	1/12	1/15	Chile		888.00		( <sup>3</sup> )				888.00
	1/15	1/17	Brazil		470.00		( <sup>3</sup> )		240.00		710.00
Tom Sell	1/17	1/19	Colombia		542.00		( <sup>3</sup> )				542.00
	1/11	1/12	Brazil		208.00		( <sup>3</sup> )		119.00		327.00
	1/12	1/15	Chile		888.00		( <sup>3</sup> )				888.00
	1/15	1/17	Brazil		470.00		( <sup>3</sup> )				710.00
	1/17	1/19	Colombia		542.00		( <sup>3</sup> )		240.00		542.00
Stephen Haterius	1/11	1/12	Brazil		208.00		( <sup>3</sup> )		119.00		327.00
	1/12	1/15	Chile		888.00		( <sup>3</sup> )				888.00
	1/15	1/17	Brazil		470.00		( <sup>3</sup> )				710.00
	1/17	1/19	Colombia		542.00		( <sup>3</sup> )		240.00		542.00
Hon. Charles Pickering	2/3	2/5	South Korea		436.00			7,195.00			7,631.00
Hon. Bob Schaffer	2/22	2/23	Germany		212.00						212.00
Hon. Eva Clayton	2/23	2/26	Italy		968.00			6,262.00			7,230.00
Committee total					20,588.00			13,457.00		3,231.00	37,276.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

LARRY COMBEST, Chairman, Apr. 10, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Frank M. Cushing	1/8	1/9	New Zealand		100.00						100.00
	1/10	1/15	Antarctica		500.00						500.00
	1/15	1/17	Australia		200.00						200.00
Commercial airfare							7,884.55				7,884.55
Dena Baron	1/8	1/9	New Zealand		100.00						100.00
	1/10	1/15	Antarctica		500.00						500.00
	1/15	1/17	Australia		200.00						200.00
Commercial airfare							7,884.55				7,884.55
Jennifer Miller	1/8	1/9	New Zealand		100.00						100.00
	1/10	1/15	Antarctica		500.00						500.00
	1/15	1/17	Australia		200.00						200.00
Commercial airfare							7,884.55				7,884.55
Dale Oak	1/8	1/9	New Zealand		100.00						100.00
	1/10	1/15	Australia		500.00						500.00
	1/15	1/17	Australia		200.00						200.00
Commercial airfare							7,884.55				7,884.55
Joel Kaplan	1/8	1/9	New Zealand		100.00						100.00
	1/10	1/15	Antarctica		500.00						500.00
	1/15	1/17	Australia		200.00						200.00
Commercial airfare							7,884.55				7,884.55
Hon. Joe Knollenberg	1/8	1/11	Germany		948.00						948.00
	1/11	1/13	Belgium								
	1/11	1/13	France		1,047.00						1,047.00
	1/14	1/17	England		1,576.00		( <sup>3</sup> )				1,576.00
Hon. Chaka Fattah	1/8	1/11	Germany		948.00						948.00
	1/11	1/11	Belgium								
	1/11	1/12	France		1,047.00						1,047.00
Part commercial airfare							416.40				416.40
Americo S. Miconi	1/8	1/11	Germany		948.00		( <sup>3</sup> )				948.00
	1/11	1/11	Belgium								
	1/11	1/13	France		1,047.00						1,047.00
Part commercial airfare							1,576.00				1,576.00
	1/14	1/17	England		1,576.00						1,576.00
							2,768.83				2,768.83
							136.60				136.60
Hon. Bud Cramer	<sup>4</sup> 12/29	<sup>4</sup> 12/31	Belgium		514.00		( <sup>3</sup> )				514.00
	<sup>4</sup> 12/31	1/3	Germany		798.00						798.00
	1/3	1/5	Czech Republic		606.00						606.00
	1/5	1/7	Hungary		568.00						568.00
	1/7	1/9	Austria		392.00						392.00
	1/9	1/13	United Kingdom		1,376.00						1,376.00
Hon. Todd Tiahrt	<sup>4</sup> 12/30	1/2	Philippines		582.00		( <sup>3</sup> )				582.00
	1/02	1/03	USA		194.00						194.00
Commercial airfare							4,539.60				4,539.60
							200.00				200.00
Hon. Jim Kolbe	1/12	1/13	Uzbekistan		260.00						260.00
	1/13	1/14	Tajikistan		254.00						254.00
	1/14	1/17	Pakistan		870.00						870.00
	1/17	1/19	Italy		516.00						516.00
Hon. Jack Kingston	1/12	1/13	Uzbekistan		320.00		( <sup>3</sup> )				320.00
	1/13	1/17	Pakistan		860.00						860.00
	1/17	1/19	Italy		720.00		( <sup>3</sup> )				720.00
Hon. John E. Sununu	1/12	1/13	Uzbekistan		320.00		( <sup>3</sup> )				320.00
	1/13	1/17	Pakistan		860.00						860.00
	1/17	1/19	Italy		720.00		( <sup>3</sup> )				720.00
Hon. Maurice D. Hinchey	1/12	1/13	Uzbekistan		320.00		( <sup>3</sup> )				320.00
	1/13	1/17	Pakistan		860.00						860.00
	1/17	1/19	Italy		720.00		( <sup>3</sup> )				720.00
Hon. Roger Wicker	1/12	1/13	Uzbekistan		320.00		( <sup>3</sup> )				320.00
	1/13	1/17	Pakistan		860.00						860.00
	1/17	1/19	Italy		720.00		( <sup>3</sup> )				720.00
Charles Flickner	1/12	1/13	Uzbekistan		260.00						260.00
	1/13	1/14	Tajikistan		254.00						254.00
	1/14	1/17	Pakistan		870.00						870.00
	1/17	1/19	Italy		516.00		( <sup>3</sup> )				516.00
Alice E.H. Grant	1/10	<sup>4</sup> 1/13	Uzbekistan		1,000.00						1,000.00
	1/13	1/17	Pakistan		860.00						860.00
	1/18	1/19	Italy		360.00		( <sup>3</sup> )				360.00
Mark Murray	1/10	<sup>4</sup> 1/13	Uzbekistan		1,000.00						1,000.00
	1/13	1/17	Pakistan		860.00						860.00
	1/18	1/19	Italy		360.00		( <sup>3</sup> )				360.00
Michael Stephens	1/20	1/24	France		1,196.00						1,196.00
	1/24	1/27	England		1,032.00						1,032.00



REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Greg Walden	1/25	1/25	Guantanamo Bay Cuba								
Hon. Peter Deutsch	1/6	1/11	Israel		1,248.00		4,433.75				5,681.75
Hon. Charlie Norwood	1/11	1/12	Brazil		208.00						208.00
	1/12	1/15	Chile		888.00						888.00
	1/15	1/17	Brazil		470.00						470.00
	1/17	1/19	Colombia		542.00						542.00
Hon. Nathan Deal	1/9	1/10	Nicaragua		201.00						201.00
	1/10	1/13	Colombia		331.00						331.00
	1/13	1/16	Paraguay		711.00						711.00
	1/16	1/18	Ecuador/Curacao								
Hon. George Radanovich	2/18	2/18	Canada				774.20				774.20
Damon Nelson, Radanovich Staff	2/18	2/18	Canada				777.47				777.47
Committee total					4,599.00		5,985.42				10,584.42

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

BILLY TAUZIN, Chairman, Apr. 23, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002.

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Barney Frank	1/6	1/13	Israel		2,684.00		3,333.70				6,017.70
Hon. Mark Green	1/13	1/16	South Africa		564.00						564.00
	1/15	1/15	Lesotho								
	1/16	1/20	Namibia		476.00		8,116.51				8,592.51
Hon. Vito Fossella	1/25	1/25	Cuba				( <sup>3</sup> )				
Hon. Bernard Sanders	2/15	2/16	Netherlands		198.00		( <sup>3</sup> )				198.00
	2/16	2/16	Belarus				( <sup>3</sup> )				
	2/16	2/21	Russia		1,720.00		( <sup>3</sup> )				1,720.00
	2/21	2/23	Germany		398.00		( <sup>3</sup> )				398.00
Hon. Michael Oxley	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Hon. Melvin Watt	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Terry Haines	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	2/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
James K. Conzelman	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Robert Gordon	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Paul Kangas	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Carter K. McDowell	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Patricia A. Lord	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		( <sup>3</sup> )				1,032.00
	3/26	3/29	Germany		852.00		( <sup>3</sup> )				852.00
Hon. John LaFalce	3/22	3/23	Belgium		257.00		( <sup>3</sup> )				257.00
	3/23	3/26	England		1,032.00		863.60				1,895.60
Committee total					24,457.00		12,313.81				36,770.81

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

MICHAEL G. OXLEY, Chairman, Apr. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Gilbert Macklin	1/14	1/18	Colombia		984.00		1,994.00				2,978.00
Marc Chretien	1/14	1/18	Colombia		984.00		1,994.00				2,978.00
Kevin Long	1/3	1/5	Venezuela		757.00		2,369.00				3,126.00
	1/5	1/10	Colombia		1,293.50						1,293.50
Christopher Donesa	1/6	1/10	Colombia		920.50		3,000.00				3,920.50
Hon. Christopher Shays	1/7	1/8	Turkey		468.00		5,941.00				6,409.00
	1/8	1/10	Israel		894.00				237.25		1,131.25
Lawrence Halloran	1/7	1/8	Turkey		468.00		5,933.71				6,401.71
	1/8	1/10	Israel		894.00				237.25		1,131.25
Nicholas Palarino	1/7	1/8	Turkey		468.00		5,933.71				6,401.71
	1/8	1/10	Israel		894.00				237.25		1,131.25
Dave Rapallo	1/7	1/8	Turkey		468.00		5,933.71				6,401.71
	1/8	1/10	Israel		894.00				237.25		1,131.25
Thomas Costa	1/20	1/26	Bolivia		1,023.00		2,988.00				4,011.00
Dave Rapallo	1/20	1/26	Bolivia		1,023.00		2,988.00				4,011.00
Hon. Ron Lewis	2/16	2/21	Russia		1,720.00						1,720.00
	2/21	2/23	Germany		398.00						398.00
	2/23	2/25	Netherlands		198.00						198.00
Hon. Todd Russell Platts	2/23	2/25	Germany		424.00		1,025.98				1,449.98
Hon. Sharon Pinkerton	1/16	1/18	England		688.00		4,973.00				5,661.00
	1/18	1/19	Belgium		257.00						257.00
	1/19	1/21	Germany		324.00						324.00
	1/21	1/22	The Netherlands		220.00						220.00
Committee total					16,662.00		45,074.11		949.00		62,685.11

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN BURTON, Chairman, Apr. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002.

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
David Abramowitz	1/13	1/16	Korea		614.00						614.00
	1/16	1/17	Hong Kong		280.00						280.00
	1/17	1/21	Vietnam		491.00						491.00
Round trip commercial airfare									6,233.91		6,233.91
Hon. Gary Ackerman	1/5	1/6	Jordan		235.00						235.00
	1/5	1/11	Israel		1,598.00						1,598.00
									5,835.95		5,835.95
David Adams	1/5	1/6	Jordan		235.00						235.00
	1/5	1/11	Israel		1,598.00						1,598.00
Round trip commercial airfare									6,841.15		6,841.15
	2/15	2/20	India		1,300.00						1,300.00
	2/21	2/24	Pakistan		636.00						636.00
	2/24	2/25	United Kingdom		294.00						294.00
Round trip commercial airfare									7,330.17		7,330.17
Douglas Anderson	1/13	1/16	Korea		872.00						872.00
	1/16	1/17	Hong Kong		349.00						349.00
	1/17	1/21	Vietnam		423.90						423.90
Round trip commercial airfare									5,766.26		5,766.26
Hon. Cass Ballenger	1/9	1/10	Nicaragua		96.00				( <sup>3</sup> )		96.00
	1/10	1/13	Colombia		623.00				( <sup>3</sup> )		623.00
	1/13	1/16	Paraguay		411.00				( <sup>3</sup> )		411.00
	1/16	1/18	Ecuador		94.00				( <sup>3</sup> )		94.00
Jessica Baumgarten	1/9	1/10	Nicaragua		201.00				( <sup>3</sup> )		201.00
	1/10	1/13	Colombia		543.00				( <sup>3</sup> )		543.00
	1/13	1/16	Paraguay		467.00				( <sup>3</sup> )		467.00
	1/16	1/18	Ecuador		94.00				( <sup>3</sup> )		94.00
Hon. Howard Berman	1/16	1/17	El Salvador		213.00						213.00
Round trip commercial airfare									2,427.50		2,427.50
Patrick T. Brennan	1/14	1/16	Paraguay		240.00						240.00
Commercial airfare									2,036.30		2,036.30
Malik Chaka	1/16	1/18	Ecuador		52.00				( <sup>3</sup> )		52.00
	1/6	1/11	South Africa		422.00						422.00
	1/11	1/14	Mozambique		558.00						558.00
	1/14	1/17	Kenya		606.00						606.00
	1/17	1/19	Uganda		514.00						514.00
Round trip commercial airfare									8,011.88		8,011.88
Hon. Eliot Engel	1/4	1/8	Israel		1,448.00						1,448.00
Round trip commercial airfare									4,398.20		4,398.20
Hon. Jeff Flake	1/13	1/16	South Africa		564.00						564.00
	1/16	1/19	Namibia		356.00						356.00
Round trip commercial airfare									6,763.58		6,763.58
Paul Gallis	2/16	2/19	Belgium		771.00				( <sup>3</sup> )		771.00
	2/10	2/21	France		700.00						700.00
Commercial airfare									2,866.16		2,866.16
Kirsti Garlock	1/9	1/10	Nicaragua		151.00				( <sup>3</sup> )		151.00
	1/10	1/13	Colombia		613.00				( <sup>3</sup> )		613.00
	1/13	1/16	Paraguay		367.00				( <sup>3</sup> )		367.00
	1/16	1/18	Ecuador		50.00				( <sup>3</sup> )		50.00
Kristin Gilley	2/15	2/20	India		1,100.00						1,100.00
	2/21	2/24	Pakistan		586.00						586.00
	2/24	2/25	United Kingdom		244.00						244.00
Round trip commercial airfare									7,330.17		7,330.17
Charisse Glassman	1/13	1/16	South Africa		564.00						564.00
	1/16	1/18	Namibia		238.00						238.00
Round trip commercial airfare									8,116.51		8,116.51
Matthew Cobush	1/8	1/12	China		1,180.00						1,180.00
	1/12	1/15	Hong Kong		1,233.00						1,233.00
	1/15	1/18	Japan		990.00						990.00
Round trip commercial airfare									6,269.25		6,269.25
Dennis Halpin	1/7	1/12	China		1,316.00						1,316.00
	1/12	1/15	Hong Kong		1,233.00						1,233.00
	1/15	1/18	Japan		990.00						990.00
Round trip commercial airfare									7,037.67		7,037.67
Hon. Earl Hilliard	1/3	1/6	Korea		804.00						804.00
	1/6	1/7	Japan		278.00						278.00
Round trip commercial airfare									5,871.41		5,871.41
Alyssa Jorgenson	1/13	1/16	South Africa		564.00						564.00
	1/16	1/20	Namibia		476.00						476.00
Round trip commercial airfare									8,116.51		8,116.51
Trish Katyoka	1/6	1/11	South Africa		422.00						422.00
	1/11	1/14	Mozambique		558.00						558.00
	1/14	1/17	Kenya		606.00						606.00
	1/17	1/19	Uganda		514.00						514.00
Round trip commercial airfare									8,011.86		8,011.86
Kenneth Katzman	1/5	1/6	Jordan		235.00						235.00
	1/5	1/11	Israel		1,598.00						1,598.00
Round trip commercial airfare									6,841.45		6,841.45
David Killion	1/16	1/22	Switzerland		1,554.00						1,554.00
Round trip commercial airfare									5,538.01		5,538.01
Hon. Tom Lantos	1/7	1/12	China		1,456.00						1,456.00
	1/12	1/15	Hong Kong		1,233.00						1,233.00
	1/15	1/18	Japan		963.00						963.00
Round trip commercial airfare									5,815.17		5,815.17
John Mackey	1/9	1/10	Nicaragua		201.00				( <sup>3</sup> )		201.00
	1/10	1/13	Colombia		663.00				( <sup>3</sup> )		663.00
	1/13	1/16	Paraguay		567.00				( <sup>3</sup> )		567.00
	1/16	1/18	Ecuador		94.00				( <sup>3</sup> )		94.00
	2/18	2/21	United Kingdom		882.00						882.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002.—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Round trip commercial airfare	2/21	2/23	Austria		292.00						292.00
Pearl Alice Marsh	1/6	1/11	South Africa		422.00		7,203.67				7,203.67
	1/11	1/14	Mozambique		558.00						422.00
	1/14	1/17	Kenya		606.00						558.00
	1/17	1/19	Uganda		514.00						606.00
Round trip commercial airfare											514.00
Caleb McCary	1/9	1/10	Nicaragua		181.00		( <sup>3</sup> )				181.00
	1/10	1/13	Colombia		513.00		( <sup>3</sup> )				513.00
	1/13	1/16	Paraguay		464.00		( <sup>3</sup> )				464.00
	1/16	1/18	Ecuador		00.00		( <sup>3</sup> )				00.00
	2/17	2/20	Haiti		308.00						308.00
Hon. Cynthia McKinney	2/23	2/26	Italy		968.00		671.50				968.00
Round trip commercial airfare							5,628.22				5,628.22
Joan O'Donnell	1/6	1/11	South Africa		422.00						422.00
	1/11	1/14	Mozambique		558.00						558.00
	1/14	1/17	Kenya		606.00						606.00
	1/17	1/19	Uganda		514.00						514.00
Round trip commercial airfare							8,011.86				8,011.86
Paul Oostburg-Sanz	1/9	1/10	Nicaragua		162.30		( <sup>3</sup> )				162.30
	1/10	1/13	Colombia		176.70		( <sup>3</sup> )				176.70
	1/13	1/16	Paraguay		450.90		( <sup>3</sup> )				450.90
	1/16	1/18	Ecuador		16.60		( <sup>3</sup> )				16.60
	2/17	2/20	Haiti		223.00						223.00
Round trip commercial airfare							671.50				671.50
Stephen Rademaker	2/19	2/20	Austria		146.00						146.00
	2/20	2/21	Belgium		207.00						207.00
	2/21	2/23	United Kingdom		588.00						588.00
Round trip commercial airfare							6,825.33				6,825.33
	2/20	2/21	Belgium		207.00						207.00
	2/21	2/23	United Kingdom		588.00						588.00
Round trip commercial airfare							6,825.33				6,825.33
Francis Record	2/18	2/21	France		1,210.00						1,210.00
Round trip commercial airfare							5,926.00				5,926.00
Grover Joseph Rees	4/12/30	1/2	Philippines		607.11						607.11
Round trip commercial airfare							4,718.50				4,718.50
	3/21	3/25	Peru		790.00						790.00
Round trip commercial airfare							5,387.00				5,387.00
Hon. Ileana Ros-Lehtinen	1/7	1/11	Israel		1,598.00						1,598.00
Round trip commercial airfare							3,306.00				3,306.00
Hon. Ed Royce	1/13	1/16	South Africa		564.00						564.00
	1/16	1/20	Namibia		476.00						476.00
Round trip commercial airfare							8,116.51				8,116.51
Thomas Sheehy	1/13	1/16	South Africa		564.00						564.00
	1/16	1/20	Namibia		476.00						476.00
Round trip commercial airfare							8,116.51				8,116.51
Hon. Christopher Smith	3/21	3/23	Peru		420.00						420.00
Round trip commercial airfare							5,521.50				5,521.50
Samuel Stratman	2/16	2/20	India		965.00						965.00
	2/21	2/24	Pakistan		586.00						586.00
	2/24	2/25	United Kingdom		294.00						294.00
Round trip commercial airfare							9,746.22				9,746.22
Valerie Van Buren	2/18	2/21	United Kingdom		882.00						882.00
	2/21	2/23	Austria		292.00						292.00
Round trip commercial airfare							7,203.67				7,203.67
Hillel Weinberg	2/18	2/20	India		470.00						470.00
	2/21	2/24	Pakistan		561.00						561.00
	2/24	2/25	United Kingdom		294.00						294.00
Round trip commercial airfare							7,834.34				7,834.34
Peter Yeo	1/7	1/12	China		1,456.00						1,456.00
	1/12	1/15	Hong Kong		1,233.00						1,233.00
	1/15	1/17	Japan		660.00						660.00
Round trip commercial airfare							6,773.17				6,773.17
Committee total					72,049.52		238,419.75				310,469.27

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.  
<sup>4</sup> Reflects fiscal year 2001.

HENRY J. HYDE, Chairman.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Anthony M. Babauta	1/5	1/12	Republic of Palau		1,900.00		5,959.55				7,859.55
Committee total					1,900.00		5,959.55				7,859.55

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JAMES V. HANSEN, Chairman, Apr. 22, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Eddie Bernice Johnson	2/23/	2/26	Italy		968.00						968.00
Commercial airfare							6,221.72				6,221.72
Committee total					968.00		6,221.72				7,189.72

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

SHERWOOD L. BOEHLERT, Chairman, Apr. 23, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

FOR HOUSE COMMITTEES  
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOEL HEFLEY, Chairman, Apr. 23, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Don Young	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama	642.00	642.00						642.00
Hon. Wayne Gilchrest	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. Collin Peterson	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. Vern Ehlers	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. John Mica	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Hon. Marion Berry	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Lloyd Jones	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Elizabeth Megginson	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Christine Kennedy	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Jimmy Miller	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Collin Chapman	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
William Sharrow	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Glen Scammel	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Susan Bodine	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Trinita Brown	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Art Chan	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Frank Mulvey	2/14	2/17	Uruguay		512.00						512.00
	2/17	2/19	Chile		592.00						592.00
	2/19	2/22	Panama		642.00						642.00
Committee total					29,682						29,682

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DON YOUNG, Chairman, Apr. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Jim Gibbons	1/7	1/15	Central/South America		2,022.50						2,022.50
Commercial airfare							4,597.49				4,597.49
Christopher Barton	1/7	1/15	Central/South America		2,022.50						2,022.50
Commercial airfare							4,286.67				4,286.67
Brant Bassett	1/7	1/15	Central/South America		2,022.50						2,022.50
Commercial airfare							4,286.67				4,286.67
Michele Lang	1/7	1/15	Central/South America		2,022.50						2,022.50
Commercial airfare							4,286.67				4,286.67
John Stopher	1/8	1/22	Asia		3,177.00						3,177.00
Commercial airfare							4,998.60				4,998.60
Hon. Douglas Bereuter	1/8	1/10	Asia								
Commercial airfare							1,866.79				1,866.79
Hon. Collin Peterson	1/9	1/18	Central/South America		1,525.00				(3)		1,525.00
Hon. Saxby Chambliss	1/9	1/16	Middle East		2,020.00				(3)	646.10	2,666.10
Hon. Jane Harman	1/9	1/16	Middle East		2,020.00				(3)	646.10	2,666.10

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Peter Hoekstra	1/9	1/16	Middle East		2,020.00		(3)		646.10		2,666.10
Hon. Richard Burr	1/9	1/16	Middle East		2,020.00		(3)		646.10		2,666.10
James Lewis	1/9	1/16	Middle East		2,020.00		(3)		646.10		2,666.10
Wyndee Parker	1/9	1/16	Middle East		2,020.00		(3)		646.10		2,666.10
Merrell Moorhead	1/23	1/26	Europe		1,032.00						1,032.00
Commercial airfare								6,247.67			6,247.67
Jay Jakob	1/23	1/26	Europe		1,032.00						1,032.00
Commercial airfare								5,115.17			5,115.17
Michael Ennis	1/23	1/26	Europe		1,032.00						1,032.00
Commercial airfare								5,115.17			5,115.17
Hon. Collin Peterson	2/15	2/22	Central/South America		1,745.00		(3)				1,745.00
Hon. James Gibbons	2/17	2/24	Asia		1,381.00				36.34		1,417.34
Commercial airfare								6,720.93			6,720.93
Michele Lang	2/17	2/24	Asia		1,381.00				36.34		1,417.34
Commercial airfare								4,631.11			4,631.11
Brant Bassett	2/17	2/24	Asia		1,381.00				36.34		1,417.34
Commercial airfare								6,720.93			6,720.93
Christopher Barton	2/17	2/24	Asia		1,381.00				36.34		1,417.34
Commercial airfare								6,852.19			6,852.19
Michael Meermans	2/17	2/24	Asia		1,381.00				36.34		1,417.34
Commercial airfare								6,720.93			6,720.93
Elizabeth Larson	2/19	2/24	Europe		1,308.00						1,308.00
Commercial airfare								6,834.46			6,834.46
Jay Jakob	2/19	2/23	Europe		1,032.00						1,032.00
Commercial airfare								5,116.32			5,116.32
Committee total					38,999.00			84,397.77	4,058.30		127,455.07

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

PORTER J. GOSS, Chairman, Apr. 23, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>

FOR HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHRIS SMITH, Apr. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO JAPAN, THAILAND, AND KOREA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 8 AND JAN. 20, 2002.

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. J. Dennis Hastert	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Hon. Jennifer Dunn	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Hon. Roy Blunt	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Hon. Kay Granger	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Doug Bereuter	1/8	1/10	Japan	Y86,645	660.00						660.00
Bill Livingood	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Scott Palmer	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
John Feehery	1/8	1/3	Japan	Y204,534	1,558.00		(3)				1,558.00
Sam Lancaster	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Chris Walker	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Susan Hirschmann	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Shant Ochs	1/8	1/3	Japan	Y204,534	1,558.00		(3)				1,558.00
Dr. Eisold	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Steve Rusnak	1/8	1/13	Japan	Y204,534	1,558.00		(3)				1,558.00
Mike Stokke	1/8	1/12	Japan	Y167,513	1,276.00						1,276.00
Hon. J. Dennis Hastert	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Hon. Jennifer Dunn	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Hon. Roy Blunt	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Hon. Kay Granger	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Bill Livingood	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Scott Palmer	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
John Feehery	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Sam Lancaster	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Chris Walker	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Susan Hirschmann	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Shant Ochs	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Dr. Eisold	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Steve Rusnak	1/13	1/17	Thailand	B40,832	928.00		(3)				928.00
Hon. J. Dennis Hastert	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Hon. Jennifer Dunn	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Hon. Roy Blunt	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Hon. Kay Granger	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Bill Livingood	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
John Feehery	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Sam Lancaster	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Chris Walker	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Susan Hirschmann	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Shant Ochs	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Dr. Eisold	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Steve Rusnak	1/17	1/20	Korea	W1,050,020	804.00		(3)				804.00
Committee total					44,706.00						44,706.00

<sup>1</sup> Per diem constitutes lodging and meals.  
<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.  
<sup>3</sup> Military air transportation.

J. DENNIS HASTERT, Chairman, Feb. 18, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 16 AND FEB. 21, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Doug Bereuter	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Michael Bilirakis	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Paul Gillmor	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Porter Goss	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Joel Hefley	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Steve Horn	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Nicholas Lampson	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Scott McInnis	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Dennis Moore	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. John Tanner	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Hon. Tom Udall	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Michael Ennis	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Robin Evans	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Charles Johnson	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Kay King	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Carol Lawrence	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Merrill Moorehead	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Patrick Prisco	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Susan Olson	2/16	2/19	Belgium		771.00		( <sup>3</sup> )				771.00
	2/19	2/21	France		700.00						700.00
Josephine Weber	2/16	2/19	Belgium		771.00						771.00
	2/19	2/21	France		700.00						700.00
Committee total					29,420.00		5,732.32				35,152.32

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Military air transportation.

DOUG BEREUTER, Chairman, Mar. 19, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. WILLIAM JEFF KAHRs, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 29, 2001 AND JAN. 4, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Jeff Kahrs, William	12/30	1/2	Philippines		582.00		4,528.70				5,110.70
							150.00				150.00
	1/2	1/3	USA		194.00		50.00				244.00
Committee total					776.00		4,728.70				5,504.70

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM JEFF KAHRs, Feb. 4, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. DANIEL F. SCANDLING, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 2 AND JAN. 10, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Daniel F. Scandling		1/2	USA				8,394				8,394
		1/3	London		334						334
		1/4	Pakistan		450						450
		1/6	Afghanistan		252						252
		1/7	Pakistan		524						524
		1/10	USA								
					<sup>3</sup> - 200						- 200
Committee Total					1,360		8,394				9,754

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Unused per diem returned to U.S. Treasury.

DANIEL F. SCANDLING, Feb. 10, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. FRANK R. WOLF, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 2 AND JAN 10, 2002

Name of Member or Employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Rep. Frank R. Wolf .....	1/3	1/10	England, Pakistan, Afghanistan .....		1,226.00		8,394.08				9,620.00
					- 511.00						- 511.00
Committee total .....					715.00		8,394.08				9,109.08

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Unused per diem returned to U.S. Treasury.

FRANK R. WOLF, Mar. 29, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. RICHARD A CARNE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 2 AND JAN. 11, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Richard A. Carne .....	1/3	1/11	England, Pakistan, Afghanistan, U.A.E. ....		2,200.00		8,359.78				10,559.78
Committee total .....					2,200.00		8,359.78				10,559.78

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

RICK CARNE, Jan. 30, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MS. XENIA HORCZAKIWSKYJ, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 13 AND JAN. 16, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Xenia Horczakowskyj .....	1/13	1/16	Russia .....		1,050.00		5,148.22				6,198.22
Committee total .....					1,050.00		5,148.22				6,198.22

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

XENIA HORCZAKIWSKYJ, Feb. 14, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. DAMON NELSON, HOUSE OF REPRESENTATIVES, EXPENDED ON FEB. 18, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
FOR HOUSE COMMITTEES											

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAMON NELSON, Mar. 14, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. ENI F.H. FALEOMAVEAGA, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 15 AND FEB. 21, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Eni Faleomavaega .....	2/16	2/21	New Zealand .....	1,920.00	804.00		5,405.60				6,209.60
	2/21	2/21	Apia, WS .....				45.00				45.00
Committee total .....					804.00		5,450.60				6,254.60

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ENI FALEOMAVEAGA, Mar. 27, 2002.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. ALAN M. HANTMAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 15 AND FEB. 22, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Alan M. Hantman .....	2/15	2/16	Belarus .....		226.91						226.91
	2/16	2/20	Russia .....		1,720.00						1,720.00
	2/21	2/22	Germany .....		398.00						398.00
Committee total .....					2,344.91						2,344.91

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

ALAN M. HANTMAN, Mar. 19, 2002.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. JOHN CUSEY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 21 AND MAR. 25, 2002

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
John Cusey .....	3/21	3/25	Peru .....		641.15		5,419				6,060.15
Committee total .....					641.15		5,419				6,060.15

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN CUSEY, Apr. 30, 2002.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6779. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Electronic Commerce; Disclosure to Shareholders (RIN: 3052-AC02) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6780. A letter from the General Counsel, Department of Defense, transmitting the Department's proposed bill entitled, "Repeal of Various Reports Required by the Department of Defense"; to the Committee on Armed Services.

6781. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Eighty-Eighth Annual Report of the Board of Governors of the Federal Reserve System covering operations during calendar year 2001, pursuant to 12 U.S.C. 247; to the Committee on Financial Services.

6782. A letter from the Director (FinCEN), Department of the Treasury, transmitting the Department's final rule—Financial Crimes Enforcement Network; Anti-Money Laundering Programs for Mutual Funds (RIN: 1506-AA28) received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6783. A letter from the Deputy Legal Counsel, CDFI Fund, Treasury, Department of the Treasury, transmitting the Department's final rule—Notice or Funds Availability (NOFA) Inviting Applications for the First Accounts Program—received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6784. A letter from the Assistant Secretary for Housing-Federal Housing Commission, Department of Housing and Urban Development, transmitting the Department's final report on the Portfolio Reengineering Demonstration Program; to the Committee on Financial Services.

6785. A letter from the Acting Administrator, Energy Information Administration, Department of Energy, transmitting the Energy Information Administration's "International Energy Outlook 2002," pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Energy and Commerce.

6786. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled "Performance Improvement 2002: Evaluation Activities of the U.S. Department of Health and Human Services"; to the Committee on Energy and Commerce.

6787. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule—Control of Red Phosphorus, White Phosphorus and Hypophosphorous Acid (and its salts) as List I Chemicals [DEA Number 1 98F1] (RIN: 1117-AA57) received May 7, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6788. A letter from the Secretary, Department of Transportation, transmitting the Department's Final Report entitled, "Ejection Mitigation Using Advanced Glazing"; to the Committee on Energy and Commerce.

6789. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, "Effects of the Alternative Motor Fuels Act CAFE Incentives Policy"; to the Committee on Energy and Commerce.

6790. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Motor Vehicle Safety; Prohibitions on Sale or Lease of Defective and Noncomplaint Motor Vehicles and Items of Motor Vehicle Equipment [Docket No. NHTSA-2002-12111] (RIN: 2127-AI30) received April 25, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6791. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans South Carolina: Approval of Revisions to the 1-Hour Ozone Maintenance State Implementation Plan for the Cherokee County [SC-039; 043-200222(a); FRL-7202-4] received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6792. A letter from the Director of Governmental Affairs, Commission on International Religious Freedom, transmitting the Commission's Report on Sudan, pursuant to 22 U.S.C. 6433 Public Law 105-292 section 203; to the Committee on International Relations.

6793. A letter from the Chair, Commission on International Religious Freedom, transmitting the Commission's 2002 Annual Report, pursuant to 22 U.S.C. 6412 Public Law 105-292 section 102; to the Committee on International Relations.

6794. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the Department's annual report on international terrorism, Patterns of Global Terrorism: 2001, scheduled for transmission on April 30, will be delayed this year; to the Committee on International Relations.

6795. A letter from the Secretary of Labor, Pension Benefit Guaranty Corporation, transmitting the Pension Benefit Guaranty Corporation's semiannual report in compliance with the Office of Inspector General for the period April 1, 2001 through September 30, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

6796. A letter from the Secretary, Department of Agriculture, transmitting the FY 2001 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

6797. A letter from the Secretary, Department of Education, transmitting the Department's Accountability Report for FY 2001; to the Committee on Government Reform.

6798. A letter from the United States Trade Representative, Executive Office of the

President, transmitting the FY 2003 Performance Plan and FY 2001 Annual Performance Report; to the Committee on Government Reform.

6799. A letter from the Chairman, Federal Maritime Commission, transmitting the Annual Program Performance Report for FY 2001; to the Committee on Government Reform.

6800. A letter from the Office of White House Liaison, National Oceanic and Atmospheric Administration, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6801. A letter from the Deputy General Counsel and Designated Reporting Official, Office of National Drug Control Policy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6802. A letter from the Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—NOAA Ocean Exploration Initiative [Docket No. 010813205-2043-02] (RIN: 0648-XA74) received April 25, 2002A, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6803. A letter from the Deputy Assistant Administrator for Regulatory Programs, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Environmental Education Projects in the Chesapeake Bay Watershed [Docket No. 020314059-2059-01; I.D. 022602B] (RIN: 0648-ZB16) received April 24, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6804. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the 2000 Annual Report of the National Institute of Justice (NIJ); to the Committee on the Judiciary.

6805. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Debt Collection Procedures (RIN: 3150-AG80) received May 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

6806. A letter from the Attorney-Advisor, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Bus Emergency Exits and Window Retention and Release [DOT Docket No. NHTSA-99-5157] (RIN: 2127-AH03) received April 25, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6807. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the Santa Ana Class C Airspace Area; CA [Docket No. FAA-2001-10432; Airspace Docket No. 01-AWA-05] (RIN: 2120-AA66) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6808. A letter from the Paralegal Specialist, FAA, Department of Transportation,

transmitting the Department's final rule—Establishment of Class E Airspace: Elkton, MD [Airspace Docket No. 01-AEA-27] received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6809. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision to Class E Surface Area at Marysville Yuba County Airport, CA [Airspace Docket No. 01-AWP-22] received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6810. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Caruthersville, MO [Airspace Docket No. 02-ACE-3] received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6811. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Revision of VOR Federal Airway 105 and Jet Route 86, AZ; and the Establishment of Jet Routes 614 and 616 [Docket No. FAA-2001-9559; Airspace Docket No. 01-AWP-02] received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6812. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc. Models SA226 and SA227 Series Airplanes [Docket No. 2001-CE-47-AD; Amendment 39-12709; AD 2002-08-02] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6813. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; EWT 4 Heliport, Honey Grove, PA [Airspace Docket No. 01-AEA-25] received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6814. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc. SA226 and SA227 Series Airplanes [Docket No. 2001-CE-17-AD; Amendment 39-12708; AD 2002-08-01] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6815. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC-8-400, -401, and -402 Series Airplanes [Docket No. 2002-NM-35-AD; Amendment 39-12713; AD 2002-08-05] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6816. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777-200 and -300 Series Airplanes [Docket No. 2002-NM-38-AD; Amendment 39-12714; AD 2002-08-06] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6817. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. 2001-NM-189-AD; Amendment 39-12715; AD 2002-08-07] (RIN: 2120-AA64) received April 30,

2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6818. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B2, A300 B4, A300 B4-600, and A300 B4-600R Series Airplanes; and Model A300 F4-605R Airplanes [Docket No. 99-NM-86-AD; Amendment 39-12699; AD 2002-07-05] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6819. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-200, -200C, -300, -400, and -500 Series Airplanes [Docket No. 98-NM-196-AD; Amendment 39-12702; AD 2002-07-08] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6820. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727, 727C, 727-100, 727-100C, 727-200, and 727-200F Series Airplanes [Docket No. 99-NM-105-AD; Amendment 39-12703; AD 2002-07-09] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6821. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-200, -200C, -300, -400, and -500 Series Airplanes [Docket No. 2000-NM-73-AD; Amendment 39-12704; AD 2002-07-10] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6822. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-200 and -200C Series Airplanes [Docket No. 2000-NM-74-AD; Amendment 39-12705; AD 2002-07-11] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6823. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT9D-TR4 Series Turbofan Engines [Docket No. 2001-NE-16-AD; Amendment 39-12698; AD 2002-07-04] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6824. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777-200 Series Airplanes Equipped With General Electric GE90 Series Engines [Docket No. 2002-NM-30-AD; Amendment 39-12701; AD 2002-07-07] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6825. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-9-10, -20, -30, -40, and -50 Series Airplanes; and C-9 Airplanes [Docket No. 2000-NM-324-AD; Amendments 39-12700; AD 2002-07-06] (RIN: 2120-AA64) received April 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6826. A letter from the Chief, Regulations Division, Department of the Treasury, trans-

mitting the Department's final rule—Elimination of Application to Remove Tobacco Products from Manufacturer's Premises for Experimental Purposes [T.D. ATF-478; Re: Notice No. 931] (RIN: 1512-AC32) received April 29, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6827. A letter from the Secretary, Department of Transportation, transmitting the Department's Research and Development, Competitive Merit Review Selection and Performance Measurement Evaluation pursuant to Section 5108 of the Transportation Equity Act for the Twenty-First Century (Pub. Law 105-178); jointly to the Committees on Transportation and Infrastructure and Science.

6828. A letter from the Chief Executive Officer, Washington Metropolitan Area Transit Authority, transmitting the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2001, pursuant to 31 U.S.C. 3512(c)(3); jointly to the Committees on Transportation and Infrastructure 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:

Mr. BURTON: Committee on Government Reform. Justice Undone: Clemency Decisions in the Clinton White House (Rept. 107-454). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 1370. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, and for other purposes; with amendments (Rept. 107-455). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2643. A bill to authorize the acquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, and for other purposes; with an amendment (Rept. 107-456). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMAS: Committee on Ways and Means. H.R. 4626. A bill to amend the Internal Revenue Code of 1986 to accelerate the marriage penalty relief in the standard deduction and to modify the work opportunity credit and the welfare-to-work credit; with an amendment (Rept. 107-457). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2624. A bill to authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers (Rept. 107-458). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3892. A bill to amend title 28, United States Code, to make certain modifications in the judicial discipline procedures, and for other purposes; with an amendment (Rept. 107-459). Referred to the Committee on the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 4584. A bill to amend title

XIX of the Social Security Act to extend the authorization of transitional medical assistance for 1 year (Rept. 107-461). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 4584. A bill to amend title V of the Social Security Act to extend the abstinence education funding under maternal and child health program through fiscal year 2007 (Rept. 107-462). Referred to the Committee of the Whole House on the State of the Union.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Education and the Workforce discharged from further consideration. H.R. 4090 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

#### REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. THOMAS: Committee on Ways and Means. H.R. 4090. A bill to reauthorize and improve the program of block grants to States for temporary assistance for needy families, and for other purposes, with an amendment; referred to the Committee on Education and the Workforce for a period ending not later than May 14, 2002, for con-

sideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(e), rule X (Rept. 107-460 Pt. 1).

#### MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

236. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 97 memorializing the United States Congress to honor Commodore John Barry as the first flag officer of the United States Navy; to the Committee on Armed Services.

237. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 10 memorializing the United States Congress and the Department of Labor to relax the federal requirements on the use of federal funds for job training and employment programs such as the Dislocated Worker Program to enable the State to address its unique employment concerns in an effective manner; to the Committee on Education and the Workforce.

238. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 155 memorializing the United States Congress that locating a large housing development within the boundaries of the Valley Forge National Historic Park is against the spirit of the original conveyance to the Federal Government approved by the Commonwealth; to the Committee on Resources.

239. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 9 memorializing the United States Congress to pass legislation to provide loan assistance to small businesses; to the Committee on Small Business.

240. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 13 memorializing the United States Congress to pass legislation allowing for the deduction of all travel expenses from federal income taxation; to the Committee on Ways and Means.

241. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 11 memorializing the United States Congress to introduce or support legislation for the provision of emergency medical assistance for those workers displaced as a result of the terrorist attacks of September 11, 2001; jointly to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce.

#### PETITIONS, ETC.

Under clause 3 of rule XII,

56. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 21 petitioning the United States Congress to authorize the County of Rockland to call for the immediate closure of the Indian Point nuclear facility until safety studies are completed and adequate security measures are taken; which was referred to the Committee on Energy and Commerce.

#### NOTICE

*Incomplete record of House proceedings.  
Today's House proceedings will be continued in the next issue of the Record.*



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, MAY 14, 2002

No. 61

## Senate

(Legislative day of Thursday, May 9, 2002)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable MAX CLELAND, a Senator from the State of Georgia.

### PRAYER

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

Hear God's word in Proverbs 3:3-4:

*Let love and faithfulness never leave you; bind them around your neck, write them on the tablet of your heart. Then you will win favor and a good name in the sight of God and man.*

Let us pray:

Thank You, dear God, for this reminder of what is ultimately important to You. We commit this day to love You with all our minds and hearts. When love for You is our primary motivation, life becomes a delight and not a drudgery. The strain and stress are gone. We are free to work with one commanding goal: to do everything we do to glorify You. Faithfulness flows naturally. We are accountable to You. Help us to remember that every action, word, and decision is open to Your judgment. Bless the Senators today with the profound peace of trusting You completely and serving You with love and faithfulness. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MAX CLELAND 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 14, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MAX CLELAND, a Senator from the State of Georgia, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CLELAND 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.

### SCHEDULE

Mr. REID. Mr. President, the Chair will shortly announce that we will be in a period for morning business until 10:30 a.m. today, with the first half controlled by the Republican leader and the second half under the control of the majority leader, or their respective designees. At 10:30 a.m. we will resume consideration of the trade bill, with 10 minutes of debate prior to a vote in relation to the Baucus-Grassley amendment regarding investors. Following disposition of the Baucus amendment, Senator DAYTON will be recognized to offer the Dayton-Craig amendment regarding unfair trade practices. We will recess from 12:30 p.m. to 2:15 p.m. today for our weekly party conferences.

Mr. President, there is a lot of interest in this legislation. There will be a significant number of amendments offered. The majority leader has indicated he wants Senators to have that

opportunity to offer amendments. We hope Members will do that. We also hope we can work on time agreements on these amendments and move this legislation forward. This legislation has the interest of both leaders in the Senate. The President has spoken about it often. It is legislation we have to move. And remember, a week from Friday we go into our Memorial Day recess. We have a lot of work to do prior to that time, and one of the items we have to dispose of is this legislation before we can do other things. Noting that, I look forward to a very productive day.

### 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 not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak for up to 10 minutes each. Under the previous order, the time until 10 a.m. shall be under the control of the Republican leader or his designee.

The Senator from Wyoming.

### TRADE LEGISLATION

Mr. THOMAS. Mr. President, we are finally moving forward on the trade bill. I hope we can move quickly. It is one of the more important issues before us, of which there are many. I say again, I hope we can take a look at this bill in terms of what it is designed to do, and that is to provide for the President an outline of how he may negotiate trade agreements and bring those

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



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trade agreements, within the guidelines in the bill now, to the Senate, and the Senate can approve or disapprove.

Negotiations have to be done broadly by two parties. It cannot be done by 535 Members of Congress. I am hopeful we can get down to the core issue with regard to trade so that the United States can keep up with the rest of the world.

Over the past 10 years, since 1994 when this trade authority has not been in place, countries around the world have moved forward with various agreements, and the United States has not been able to do that. Large agreements were made by others.

The more amendments we have, the more difficult it will be to get down to what we are really seeking to do, and that is to have negotiations which will give the United States fair opportunities for trade.

#### FEDERAL HIGHWAY TRUST FUND

Mr. THOMAS. Mr. President, I wish to speak about a different issue that is very important to all of us, certainly in Wyoming where we have long distances to travel. As we say, we have low population and small towns with very long streets.

Transportation and highways are very important to us. Highways, of course, have generally been funded by a combination of Federal funds and State funds, Federal funds being very important and continuing to be even more important as time goes by. What we do with State highways and State highway funding becomes one of the principal issues with which we have to deal.

Several years ago, we had the 21st century TEA-21, which was an appropriation and a plan for highway funding. Last week, the Finance Committee held a hearing regarding the status of the highway trust fund. This highway trust fund, it seems to me, is terribly important because as a member of the Environment and Public Works Committee, I helped craft this Transportation Equity Act, or TEA-21, as it is called, which provides more dollars for the States than in the past and has a very good distribution system which basically allocates money to the States and lets them decide how those dollars are going to be spent.

As we all know, TEA-21 most significantly funded the Federal highway needs. As a result, people across the country had opportunities to improve the surface transportation system to make it safer and more efficient and to keep up with the times.

More importantly, as I mentioned, TEA-21 provided States and local governments more flexibility in controlling the use of those Federal funds which, frankly, is one of the issues we should deal with constantly; that is, in the distribution of Federal assistance, how we best do that so there is accountability on one hand and on the other hand recognize the difference that exists in various places. I am cer-

tain highway moneys are used for different needs in Wyoming than in Delaware. We need to have the flexibility to recognize those differences.

The panelists who testified at this hearing on the funding mechanisms—that is their job; funding of the highway trust fund is what we rely upon. This hearing addressed a \$4.4 billion shortfall in the highway trust fund which is due to the negative revenue alignment budget. Economies are somewhat lower, and these dollars are lower under the formula. We are in the process of trying to replace the \$4.4 billion so we do not have that loss and hopefully at least most of that can be done.

In addition, however, the panelists detailed the tax disparity between gasoline and ethanol blend, gasohol. Currently, gasohol is taxed at 13.1 cents and gasoline is taxed at 18.4 cents. This disparity is something that has to be reviewed. That is where the money comes from for highway funds. When we have less money coming in, obviously we are going to have less to spend.

The discrepancy between the fuels is causing a great debate not only in the context of the highway trust fund but in terms of our national energy policy as well. Pending before the conference committee is the energy bill which has substantial increases and requirements for increases in ethanol, which has merit. On the other hand, if that is going to reduce the availability of highway funding, then we have to take a look at a system that allows that to happen.

The General Accounting Office estimates the tax disparity between gasohol and gasoline will cost approximately \$21 billion over the next 11 years, and this is a pretty serious issue in terms, again, of funding our national highway program.

As my colleagues know, the Senate passed the energy bill that mandates 5 billion gallons of ethanol by 2012.

As a result of this, of course, we will have an increased reliance on gasohol. So we need to take a look at this. I am not suggesting any particular bias one way or the other, other than the fact that by making this change in the use of fuel, we have a change in the revenue that will be available if we continue to have the same formula for doing that.

Gasohol, which of course is the ethanol, is taxed at 13.1 cents a gallon; gas fuel is 18.4 cents. As to the trust fund, under the gas arrangements we have now, 15 cents of it goes into the highway fund; under the gasohol-ethanol, it is only 7 cents.

So we find ourselves with a substantial change, a substantial differential, in terms of how we will be funding our highways. I hope that in the course of the committee activities we can take a long look at it.

#### SENATE AGENDA

Mr. THOMAS. Mr. President, I will share some general thoughts I have. It seems to me as we look forward to the remainder of this session, the time is getting pretty short. In a couple of weeks we will begin our Memorial Day recess, and then we will be moving on towards our Fourth of July recess, of course. So between now and the time we adjourn for this year, we do not have an awful lot of time remaining.

We collectively ought to see if we can figure out how we are going to accomplish many of the things that have to be done. Obviously, that is the responsibility of leadership, but we have not moved very quickly. We spent a very long time on energy—6 weeks. We have spent more time now on this trade bill, and it looks as if the prospect is we will be spending even more time than we had anticipated.

We have a lot of things facing us. I hope we can wrap up the trade bill. I think it is very important. I think it is part of our future economy.

As we do these things, I hope we can have a little vision of where we want to be when we are through. What do we want to happen with trade, for example, in the next 10 years? Do we want to be part of the trade process, with hopefully having fair trade around the world which will increase our opportunities to export?

Thirty to thirty-five percent of our agricultural production has to go into export. As we do this, we think about what it takes to accomplish that goal, if that indeed is our vision.

We are going to be dealing with permanent removal of the estate tax. That has been promised to be one of the things that comes up on the floor. So we have that to deal with.

Immigration and border security is out there. That is very important, particularly important now because of terrorism, and very important in terms of the future: Where do we want to be in the future on immigration? How do we want to handle these things? And what are we doing that will cause us to arrive at where we want to be?

We get a little inclined to look at the politics of the election and look at the politics in the Senate instead of having a vision of where we want the United States, our States, our families and our communities to be in the future, and then testing whether what we are doing now leads us there.

The bankruptcy issue is out there. We have been talking about that for a very long time. There are some real problems that need to be resolved. We have not managed to get it to the floor.

We do not have a budget. We were supposed to have a budget prior to now. We have none. The budget is very important. If we are somewhat concerned about spending and having an opportunity to at least limit spending and hope we can keep it down to a minimum to get that job done, we do not even have a budget, and, frankly, there is no sign of one appearing.

Whether we like it or not, we are going to have to spend some time on the cloning issue. It has been promised that cloning and research—not an easy issue—would be before us.

Then there is educational funding. We talk about education all the time. We have not even gotten to that. That is one issue that is going to be out there.

Certainly, we have the issue of reinsurance for terrorism, an issue we keep talking about, but it is still not here. This is very difficult.

Nuclear storage is an issue I am certain we need to handle. Obviously, again there are some problems pertaining to that issue. One can ignore it if they choose, but the fact is we do have nuclear waste stored around the country in a very unsafe way and we need to find a place to put that, particularly if nuclear energy is going to be part of our future. I hope it is. If one likes clean air, then nuclear generation is one of the ways to do that.

We spent 6 weeks debating energy. Now we have not even moved into our conference committee.

Frankly, I am a little disappointed about the fact that we have all of these things out there, and we recognize these are issues with which we must deal.

Appropriations may be one of the most important things we do, not only in terms of funding the Government but in terms of giving great direction to where we want to be. The appropriations process has a good deal to do with whether we want huge government involved in every issue or whether we want to limit government. Appropriations has something to do with that, and they are very important. We are not there by any means.

So we have a great deal to do, and I hope we can find ourselves in a position to move forward to accomplish these things. There are many more issues, I suppose, but these have already been listed as things we are going to do, as has been said, before we adjourn.

We have some real problems to deal with. I hope we can move quickly to address these issues and find some suitable remedies for them.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to be recognized in morning business.

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

#### SOCIAL SECURITY AND MEDICARE

Mr. DURBIN. Mr. President, I listened carefully to the comments of my colleague from the State of Wyoming and the discussion about the Senate agenda. I could not agree more. There are certain issues the Senate should take up and take up as quickly as possible. We face some serious challenges, not the least of which relate to Social Security and Medicare.

The Social Security trust fund, which many of us made solemn oaths and pledges never to touch, is about to be invaded by both political parties at this point in time because of the deficit we face.

We are in a deficit situation after several years of the good experience of surpluses and reducing our national debt and reducing the debt of the Social Security trust fund because, frankly, we have run into some bad situations and also some bad decisions.

We could not have anticipated the recession would go on this long, but it has. We certainly didn't anticipate September 11, which has been very costly to our Government. Last year the President convinced a majority of the Senate and the House to vote for a tax program which, in fact, has virtually decimated the surplus which had been predicted. The President said at the time we had \$5.2 trillion in surplus so why not give the money back to the people? Cut the taxes. Why does it stay in Washington?

Some of us who lived through the deficits of the Reagan-Bush era said go slow, be careful, because the deficits could return any day. You just can't tell what's around the corner. But the White House insisted we needed tax cuts—primarily for wealthy people. We did that last year. It turns out this year, instead of a projected \$5.2 trillion surplus over the next 10 years we are down to \$1.2 trillion. We lost \$4 trillion in projected surplus in 1 year.

How did we lose it? For those three reasons: the recession, the war against terrorism, and the tax policy. So we find ourselves now trying to put together a budget and not raid the Social Security trust fund. That is why we are tied up in knots. It was a tax program pushed by the President which came too fast, without enough thought. It took away our surplus. It took the money out of our hands to deal with the challenges facing America.

I did not vote for it. I think that is fairly obvious from my comments. But now, as many other Members of the Senate, I am facing the reality we have to try to put the budget together, even with this deficit situation. The President comes to us and says we need additional resources to fight the war against terrorism. He is right. He will get support from Congress for that, both for the Department of Defense and for homeland security.

Of course that money is going to come out of the Social Security trust fund because we are in a deficit situation again. Many of us are concerned, too, because the President has said: Incidentally, I want more tax cuts. The ones last year were not enough. We should take last year's tax cuts and add on to them. If you look at the President's proposal, what it would do is once again threaten the Social Security trust fund.

That does not make sense because we are just facing the possibility—in fact the reality—of the baby boomers show-

ing up for Social Security. Should we not be thinking ahead, making certain Social Security is strong when all of these thousands and millions of Americans who have paid into Social Security their entire lifetime show up and say: I am here. I want to retire. Where is my Social Security check?

No, the President says: Think, instead, of additional tax cuts.

Take a look at those tax cuts, incidentally. If you happen to be making over \$300,000 a year, those tax cuts for you average about \$40,000 a year in the President's new tax cut round, but if you are making, say, \$100,000 a year, it is worth \$200 or \$300 a year. So there is a great disparity in who will benefit from this tax cut.

But we know who will lose. The American families who have been counting on Social Security are not going to have as strong a Social Security trust fund as they should have because of the President's last tax cut and his proposed tax cut. You cannot keep going to the same well again and again at the expense of senior citizens, at the expense of workers today who, dutifully, every paycheck, put their money down for Social Security and now face the real possibility that when they need Social Security, the system will not be as strong as it should be.

Let's reflect for a moment also on Medicare. The Medicare situation is one that is very troubling. I have traveled across my State of Illinois talking to doctors and nurses and hospital administrators. I have talked to people who are on Medicare. They are concerned. They need to be concerned. For reasons I cannot explain, this White House will not take a serious look at the dangerous state of affairs when it comes to Medicare. In fact, the House of Representatives recently proposed not only cutbacks in Medicare reimbursement for doctors but also further cutbacks to pay for a prescription drug program.

Not surprisingly, hospitals have said if you are going to cut more deeply into Medicare, many of us will be forced to close. So in both Social Security and Medicare we have crisis situations looming and the administration refusing to show leadership. In fact, when it comes to Social Security, the administration is moving in the wrong direction, calling for permanent tax cuts which would additionally threaten Social Security in the future.

I will take just a moment on prescription drugs, if I can. As I travel around my State of Illinois, I find a lot of people, senior citizens in particular, cannot afford prescription drugs. It is understandable if you have taken a look at some of the costs of the drugs now being prescribed. The average American has a hard time paying for them. Certainly a person who is retired cannot come up with the resources to make it work, so many people are making hard choices as to whether they fill prescriptions that the doctors recommend or ignore them or take half of

what they are supposed to take. These are tough calls for a lot of senior citizens.

When we take a look at the issue of prescription drugs, it is not just a question of whether a senior under Medicare would have accessibility to these drugs; it is a question of the price of these drugs. Consider this for a minute. The pharmaceutical companies are spending a lot of money—you see it everywhere you turn—advertising their industry and their product. They advertise their industry by saying: We put good research into new drugs and we find cures.

They are right. Thank goodness they do, and we want to encourage that.

Then they go on, of course, to advertise specific drugs.

Take this drug and you will be able to hop through a field of flowers without sneezing.

Take this drug and you will not be depressed.

Take this drug and it will deal with osteoarthritis.

Take this drug and it will deal with pulmonary seizures.

Take this little purple pill and go to our Web site and you'll feel better already.

Take this Viagra—

And so on and so on.

How much are these drug companies spending when it comes to advertising? They are spending two to three times as much as they do on research. They are spending more money on advertising their drugs than on research on finding new drugs.

To put it in comparison, do you remember Claritin, the drug for allergies? Schering-Plough spent more money in 1 year advertising for Claritin than Pepsi-Cola spent advertising Pepsi the same year; or Anheuser-Busch spent advertising Budweiser. Merck did the same thing with Vioxx.

So when the drug costs keep going up and up, it is reasonable for us to ask the question whether these companies are putting too much money into advertising and not putting enough into research; whether the costs are out of control.

I think it is something we have to address. We have to address the accessibility of drugs and their affordability as part of a prescription drug program. We certainly cannot go the route of the House Republicans of raiding Medicare in order to pay for a prescription drug program. That is what they have suggested.

These are challenges we face. They are challenges which we are going to have to live up to, to make certain we keep our contract with seniors and others who are counting on Social Security and Medicare to be there when they need it.

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

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

The legislative clerk proceeded to call the roll.

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

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

#### TAX RELIEF AND SPENDING

Mr. THOMAS. Mr. President, in the remaining minutes over which we have control, I wish to respond to a couple of things my friend from Illinois indicated.

One was his being very critical of tax relief and tax reduction. It seems to me in a time when one of the real issues before us is the economy, what could you be doing better to help the economy than to reduce taxes? I think that is why the President has pushed that. That is why more conservatives have pushed that. But to be critical of that when we are trying to do something with the economy seems to be a little out of context.

It also is difficult to wonder why the folks who are the big spenders here are worried about the deficit. We passed a bill that was almost \$85 billion more than the previous in agriculture. We did not have any concern about that. So we have people over here who think Government ought to be involved in everything and everyone's lives, and dollars ought to be spent for everything in terms of any program you can think of—and then to hear some concern about the deficit?

I point out, as we talk about problems, there are two sides to these issues and you have to take a little look at what it is you want. If you want a better economy, then you probably need to do something about having taxes be too high. If you don't want to spend so much, you probably ought to take a look at some of the spending bills that you are pushing.

There is a conflict here, but to get up on the floor and complain about reducing taxes yet wanting our economy to be stronger, to get up here and talk about a deficit and then be a great supporter of all the big spending bills—there is a certain conflict there and I think we ought to measure a little bit what we want in terms of what we do in the interim.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 (Mrs. CLINTON). Without objection, it is so ordered.

Under the previous order, the time until 10:30 a.m. shall be under the control of the majority leader or his designee.

The Senator from New Jersey.

Mr. CORZINE. Thank you, Madam President.

#### SOCIAL SECURITY AND WOMEN

Mr. CORZINE. Madam President, this morning I rise to speak on perhaps the most important long-term domestic issue facing our Nation—the future health and security of our Social Security system. Today, I want to focus on proposals to privatize Social Security and the special threat privatization poses to women in America.

Last December, late on a Friday afternoon, before Christmas, President Bush's Social Security Commission released its recommendations for changes in the Social Security system. The Commission's report did not get much media coverage because of the timing of its release, and I think that was obviously by design, if you read the report.

The recommendations of the Bush Commission are dramatic and damaging, if implemented, for the future of all Social Security beneficiaries but particularly for women. They involve deep cuts in guaranteed Social Security benefits—cuts of 25 percent or so for those currently working and up to 45 percent for future workers. Undoubtedly, these proposals would force millions of Americans to delay their retirement so that they would have the ability to live their senior years with economic security.

Few members of the public actually have even heard of the Bush Commission, and they certainly have not talked or debated the recommendations. And fewer have any idea that the Commission is calling for drastic cuts in guaranteed benefits, the type that I outlined.

Americans need to know about these plans, and they need to consider them and debate them in a serious way, making sure they know the implications of taking these recommendations to fruition.

Unfortunately, so far, the administration says it wants to put off any discussion of these proposals until after the election. That is unfortunate and, frankly, it is wrong. We should be debating this issue openly and publicly before the American people, on the Senate floor and certainly before the voters in this November's elections.

To that end, I intend to continue to raise this subject and its implications for the American people as much as I can to make sure that the American people understand what the Bush Commission is recommending to the American public. This Senator thinks it is too important to be decided among closeted policy wonks and politicians in the dark of the night.

Today, I specifically want to raise those aspects of privatization that are damaging to women. I know this is an issue that is near and dear to the Presiding Officer.

Women have a reason to be especially concerned about privatization proposals because they would be among the biggest losers if Social Security is privatized and benefits are cut.

As Joan Bernstein, president of the organization known as OWL, notes in

her introductory letter to OWL's Mother's Day report, "Social Security Privatization: A False Promise for Women":

Social Security is a women's issue. I would go so far as to say that it is the retirement security issue for women today.

OWL notes that today women represent 58 percent of all Social Security recipients—slightly more than 50 percent. They represent 71 percent of beneficiaries aged 85 and over.

Without regular cost-of-living adjusted Social Security benefits, more than half of all older women would be living in poverty. Let me repeat—more than 50 percent. If you look at Hispanic women, it is about 68 percent. If you look at African-American women, it is 61 percent.

I note that Social Security is important not just to older women but also to children and nonretired adults who constitute one-third of current Social Security beneficiaries. These include many women and children who benefit from benefits resulting from the death or disability of a family member.

For a caregiving mother, cutting these benefits is unthinkable.

For these reasons, women have a special stake in Social Security, and their stake in protecting guaranteed benefits should be obvious given women's historic position—sometimes I think unfortunate historic position—in the economic system.

First, women earn less than men. There is a wage gap: on average, 73 cents on every dollar a man earns. Also, they are not compensated for the 12 years, on average, they spend on unpaid caregiving, whether for their children, parents, spouse, or other relatives. And when women work as caregivers, they are often in the economic system as part-time workers, so that their average pay is significantly lower.

The way Social Security is calculated, you look at 35 years of working level—the highest average—and women come up short. The average payout of Social Security benefits for women is about \$756 per year. For a man, it is just shy of \$1,000 a year.

All this pulls together as women often save less during their working lifetime and are less likely to be eligible for pensions as well. They are denied private pensions. If they do have private pensions, it is often generally less generous, the same way Social Security is less generous for women. In fact, average private pension benefits for women are only about half of those for men. And for most women, their Social Security benefits will also be lower because of those averaged lower earnings that I talked about. It works doubly—in the pension system and also in Social Security.

Finally, and most importantly, women tend to live longer than men—6 years longer on average. That makes Social Security especially critical for women, since the program, unlike private savings, protects against the risks

of outliving your savings and, certainly, ongoing rising inflation.

Privatizing Social Security would undercut many of the program's benefits for women, whether it is retirement security or the social insurance about which we spoke.

Taking trillions of dollars out of the Social Security trust fund will force a cut in these guaranteed benefits—25 percent or more, as I noted earlier, for current workers and 45 percent for those who enter the workforce later. That is unacceptable.

It will also undermine Social Security's role in the social insurance area, leaving women less protected against a variety of risks in our society.

I know many people around here are convinced that we need to cut Social Security benefits to make sure that Social Security meets its long-term financial objectives and its long-term financial needs to deal with those pressures. Most Americans do not believe that. I want you to know, I do not believe that. We can save Social Security without cutting it. The truth is, the American people are right. It is a matter of our priorities.

Consider these two figures: First, the long-term Social Security shortfall is \$3.7 trillion. It is about \$74 billion a year if you factor it out over the 75-year actuarial life we are talking about. The long-term cost of last year's tax cut is \$8.7 trillion over the same period. Remember, \$3.7 trillion to fix Social Security; \$8.7 trillion in our tax cuts. In other words, the tax cut will cost more than twice as much as the entire Social Security shortfall.

I don't get it. Where are our priorities? What is important? I hope my colleagues will remember that the next time someone says we have no choice but to cut benefits, that they will put that into the framework of what we need to be thinking about as we deal with fiscal policy in this country.

We certainly could, and should, consider—this is a personal view—postponing some of the remaining tax cuts to deal with Social Security's fiscal needs first. That is a priority. Social Security should come first.

Last week, as I said, I attended a press conference with the leaders of OWL, a grassroots membership organization that focuses on the needs of midlife and older women. OWL developed an excellent report called "Social Security Privatization: A False Promise for Women." I sent copies to every Senator's office, and I hope my colleagues will take a look at it. There are individual stories inside this excellent report. There are details about how the financial structure of Social Security works. It is a composite that pulls together an overview.

It makes in clear and compelling terms the case that privatizing Social Security would be extraordinarily bad for women. They do that on a personal level, they do it on an analytical level, and they do it in ways and terms that I believe the American people can understand.

That is the message all women and all Americans must understand and debate before the election. We need to understand what is going on with the Bush recommendations. We need to understand what will happen if we follow and implement those recommendations.

I believe we ought to be looking for ways of strengthening Social Security. We can deal with some of those from a fiscal policy standpoint, but we need to strengthen Social Security, not cut benefits. We need to deal with how we look at women's participation in the workforce and the calculation of their benefits.

We ought to be getting on with that debate now, before the elections. After all, I repeat, the future of Social Security is too important to be decided behind closed doors. This is an issue that affects all Americans—the financial security of all Americans, and particularly the financial security of women. Let's get on with that debate. Let's have that debate.

I ask unanimous consent that a copy of the executive summary of the OWL report be printed in the RECORD.

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

#### EXECUTIVE SUMMARY SOCIAL SECURITY AND WOMEN

The Social Security system is an embodiment of the long-standing American principle of social insurance, providing nearly universal coverage for workers and their families through a pooling of resources benefits, and risk.

One-third of the program's beneficiaries are not retirees but include children, widows, and people with disabilities. Social Security offers an unmatched set of insurance protections for workers and their families, providing protection against poverty in the event of death, disability or old age.

Women comprise the majority of Social Security beneficiaries, representing 58 percent of all Social Security recipients at age 65 and 71 percent of all recipients by age 85.

Accounting for more than 70 percent of older adults living in poverty, women are more vulnerable in retirement. During this time they most need the stability of a guaranteed source of income—the Social Security check. Without it, 52 percent of white women, 65 of African American women, and 61 percent of Latinas over the age 65 would be poor.

#### WOMEN'S REALITIES AND RETIREMENT CONSEQUENCES

For women, poverty in old age is often rooted in the realities that shaped their lives early on: the reality of the wage gap, the reality of caregiving, and the reality of flexible jobs that offer few benefits, especially pensions.

Almost 40 years after the Equal Pay Act was passed, women still earn only 73 percent of what men earn. You can't save what you don't earn.

Caregiving directly affects women's retirement security, as they often take more flexible, lower-wage jobs with few benefits or stop working altogether in order to provide unpaid caregiving services. In fact, women spend, on average, 12 years out of the workforce for family caregiving over the course of their lives.

Older women are less likely than older men to receive pension income (28 percent of 43

percent); when they do, the benefit is only about half the benefit men receive.

Women live an average of six years longer than men. Women's longer lifespans make them more vulnerable to the impact of inflation and to the risk that they will outlive their money.

#### THE GREAT SOLVENCY DEBATE

Social Security is a "pay-as-you-go" system. Current workers not only see the societal and family benefits of supporting our nation's vulnerable seniors, but also know that they are covered by the same set of social insurance protections.

Changing demographics mean that the system will eventually have to use trust fund dollars to cover out-going benefits. This situation was predicted and addressed by Congress in 1983, when it adjusted the system to build up the trust fund for the retirement of the baby boomers.

The trust fund consists of U.S. Treasury bonds, considered the safest investment vehicle available to individual or institutional investors worldwide.

Experts do have suggestions about how to plan for a potential financing shortfall. There are many proposals that preserve the integrity of the program while shoring it up for the future. These stand in stark contrast to private accounts, which would speed insolvency and destroy the social insurance compact that is Social Security.

Mr. CORZINE. I thank the Chair.

Madam President, I know this is an issue that is near and dear to your heart. It is an issue to which it is absolutely essential we pay attention and debate, that we get to a conclusion that supports America's women, making sure they have retirement security commensurate with the rest of Americans.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, first, I commend Senator CORZINE for the leadership role he is taking in trying to protect Social Security for all Americans. Today we are particularly focusing on the Social Security needs and concerns of women, but the effort is a much broader one. It is to protect Social Security from the recommendations of the President's Commission on Social Security which would lead to a lessening of the security, would make it less of a social instrument, and leave it more up to the whims of the stock market, which may or may not go up, which may or may not, therefore, lead to more funds in the hands of people who own private accounts but, overall, would make this Nation and its seniors and people who are about to become seniors, in their forties and fifties, a lot less secure.

A week ago a report was released by the National Older Women's League, or OWL, to commemorate Mother's Day. It was an appropriate day to release this report. The report shows the problems that would be created if the recommendations of that President's Commission were adopted. It is entitled "Social Security Privatization: A False Promise for Women." I encourage every Member of this body to read this report. It clearly demonstrates that the recommendations of the Presi-

dent's Social Security Commission are a bad deal for Americans and particularly bad for women.

Currently, women comprise 58 percent of Social Security beneficiaries over the age of 65 and 71 percent of those over the age of 85. Women depend on Social Security more than men, despite their increasing presence in today's workforce. Women earn less than men: 73 cents on every dollar a man earns.

These statistics indicate that changes to the Social Security system that result in reduced benefits will have a negative disparate impact on women.

The President's Commission is based on privatization plans that would divert Social Security payroll taxes into individually owned private accounts, shifting the system from shared risk and collective gain among workers to private accounts that would leave workers to sink or swim on their own.

This concept would have a particularly negative effect on women for several reasons. Private accounts ask women to bear more of a risk because of their increased dependency. Private accounts would undermine the social insurance nature of Social Security. Private accounts cost more to administer. Private accounts may speed up Social Security insolvency.

By most accounts, Social Security is the most dependable source of retirement security for a majority of women. Privatization takes that reliability and that dependability and gambles the financial future of women and all seniors on the volatility of the stock market. America's seniors, and in particular women, deserve better than that.

Women account for more than 70 percent of older Americans living in poverty. Without Social Security, 52 percent of white women, 65 percent of African-American women, and 61 percent of Hispanic women over the age of 65 would be poor. These alarming statistics and the OWL Mother's Day report are an eye-opening experience for all of us.

The President's Commission takes the fundamental principles of Social Security and abandons them for a market-driven scheme that is unreliable at best and discriminatory at worst. Social Security is an entitlement program based on the concept of social insurance. It is not supposed to be a gamble which pays benefits based on how the stock market did yesterday or last year or tomorrow or next year.

Women live an average of 6 years longer than men and, as a result, women are more likely to outlive the benefits of private accounts. In addition, older women are three times as likely to lose their spouse.

We should protect this program, we should make the changes we need to ensure its solvency, and we should not overhaul it or undermine its basic principles by eroding the social insurance components, as the President's Commission would have us do.

Yesterday on the Senate floor, Senator BINGAMAN commented that retirement security is a three-legged stool, with one leg representing Social Security, one leg representing pensions, and the final leg representing personal savings and investment. I could not agree more. We should not take the President's Commission recommendations and blur the lines between Social Security and private investments.

I commend the OWL report because it shows that the detrimental effect Social Security privatization would have on women is severe, it is important, and it is relevant. I hope every Member of this body will take the time to read this report, to reflect on its findings as we contemplate the recommendations for structural changes to the Social Security program.

I yield the floor, and I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. CORZINE. Madam President, will the Senator from Michigan entertain a question?

Mr. LEVIN. I will be happy to.

Mr. CORZINE. Did I hear the Senator indicate that roughly 51 percent of women would be in poverty if we did not have a Social Security system?

Mr. LEVIN. The figure I used was 52 percent of white women and a larger percentage of African-American and Hispanic women.

Mr. CORZINE. If I am not mistaken—maybe the Senator from Michigan can refresh my memory—with Social Security we have something less than 10 percent of Americans now living out of poverty. That is what the whole design of the program was, to provide a fundamental foundation—"social insurance" I think was the term the Senator used. Is that the way the Senator from Michigan understands both the number and the reality of how it has worked?

Mr. LEVIN. The Social Security system, along with Medicare, is probably the reason that only, as I understand the number, 1 out of 20, about 5 percent, of seniors live in poverty. My number may be a little low. But the point is that 20 percent of American children live in poverty, and yet approximately 5 percent of seniors live in poverty. It is shameful that 20 percent of Americans live in poverty, but one of the main reasons a smaller number of seniors live in poverty than our kids is Social Security and Medicare. The Senator from New Jersey is exactly right.

Mr. CORZINE. We have a lot to do, if at least my analysis and others of the Social Security benefit cuts that are implied by the privatization process are implemented, for women, obviously, but Americans broadly and, quite frankly, a number of children because Social Security is a program for disability, spouses, and children survivors as well.

I was interested to hear the Senator talk about transaction costs and privatization. I remember recently we had

a presentation by a Member of Congress at one of our briefings on Social Security. Did I recall hearing that there is a privatization scheme in Britain where 40 percent of the dollars that are allocated for savings in this privatized account go to transaction costs?

Mr. LEVIN. I think that was the number I heard. My memory is very similar to that. It is an astounding number that the people who recommend privatization don't even factor.

There are a lot of other things they don't factor, by the way; some of them are even more focused. They don't replace the money. They don't say how they will replace the money which would be lost to the Social Security system by people not contributing to it and supporting folks who are retired or near retirement. They never talk about that huge hole in the general fund that would be created. They don't talk about the uncertainty of private accounts as much as they should, the fact that the market over time may go up depending on what time period you look at, but not for everybody.

Even within that long window, there will be some losers. Maybe most people will win, but what about the losers? They don't talk about that as much as they should. The thing they never talk about are these administrative costs, these transaction costs which, as the Senator has pointed out, are apparently a very significant percentage of the money.

Mr. CORZINE. If the Senator from Michigan will give me the grace of making sure my arithmetic is right, if you add a 25-percent cut for people who are now working plus 40 percent in administrative costs, that 65 percent out of the total amount of benefits from Social Security seems to be a big chunk out of how one would have their retirement financed. Certainly it would go a long way to eroding the base of benefits that people have come to expect from Social Security.

Mr. LEVIN. It would, indeed. It makes that enticement of private accounts, when you analyze it, a lot more superficial. The reality is a lot more negative than that superficial glow of riches.

Mr. DAYTON. Will the Senator yield for another question?

Mr. LEVIN. Sure.

Mr. DAYTON. Contrary to what most people in this country probably believe, the Social Security Administration is extremely efficient, and, in fact, less than 1 percent of Social Security goes for administrative costs. The Senator cited some of the figures from the OWL report, which is an excellent document, about the disparities between men and women. I have seen the statistic that one-quarter of the retirees in America today don't receive any pension fund whatsoever.

My experience in Minnesota would be that probably 80 or 90 percent of those are women, particularly older women

who are widowed and often, with the older pensions, lose any benefit payments whatsoever once their husband dies. I wonder if the Senator from Michigan has had that same experience. Would the Senator say in Michigan that number applies?

Mr. LEVIN. It is a very large percentage. I don't have it directly in my mind, but it is a large percentage of people, particularly women, who rely exclusively on Social Security. We encourage people, of course, to have private savings, and some people have pensions. That three-legged stool Senator BINGAMAN talked about of Social Security and private pensions and private savings is a one-leg stool for a large percentage of our seniors and a larger percentage of women.

Mr. DAYTON. The Senator is absolutely right. That is exactly the dilemma, the predicament in which so many elderly women find themselves. There is only one leg to that stool. As the Senator from New Jersey pointed out, with the average Social Security payment for women being only \$750 a month, that is not much money on which to live. I think that creates part of the lure of the personal privatization which the Republican Commission has now come forward with, which, obviously, someone receiving that little amount of money would be tempted, enticed by something else. As the Senator pointed out very well, there is no reward without risk.

I wonder if the Senator—certainly the Senator from New Jersey who spent a career in financial pursuits—is aware of anywhere where there is that potential for reward in the private sector without commensurate risk.

Mr. LEVIN. There will be winners and losers. It turns Social Security into a social insecurity system.

Mr. DAYTON. I compliment the Senator from New Jersey in bringing this important report to the Senate. He is to be commended. It is a very important topic, as we look ahead to the future of Social Security.

Mr. LEVIN. One last word: I have met with the women who are active in the OWL commission. They are very keenly aware of the problems with the President's Commission and the uncertainties it would create for women in particular who are seniors. And I think the opposition to the President's Commission's findings is very strong and is growing.

Mr. CORZINE. Will the Senator from Michigan yield for a moment to say, I am very appreciative of the discussion you have had, the contributions the Senator from Minnesota made with regard to raising this issue so we can have a debate about it. This debate ought to be had before the election, not after the election. People ought to have to make a statement about how they feel about these recommendations since it has such an impact on Americans lives, particularly women in America. That is what the OWL report was about. I very much appreciate the

contributions my colleagues have made to this discussion.

Mr. LEVIN. One additional word: I hope we will actually not only consider the recommendations of the President's Commission but actually vote on them. We ought to put them to rest. There is a lot of concern in the country about those recommendations, that they would totally make the Social Security system much less secure. I think we ought to try to address the concerns by voting on those recommendations. I believe they will be voted down, as they should be, so that the people out there who are not only retired but in their forties and fifties, who rely on Social Security, want it to be there, don't want the uncertainty that will be created by the contributions being reduced—which is what would happen without any idea of where the replacement funds would come from—I think it would be healthy for the country not just to debate it but, if possible, before the election to vote up or down on those recommendations. I hope and believe that all of them will be rejected.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Time for morning business is closed.

#### ANDEAN TRADE PREFERENCE EXPANSION ACT—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3009, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

Pending:

Baucus/Grassley amendment No. 3401, in the nature of a substitute.

Baucus amendment No. 3405 (to amend No. 3401), to clarify the principal negotiating objectives of the United States with respect to foreign investment.

AMENDMENT NO. 3405

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes debate in relation to the pending Baucus amendment. Who yields time?

The Senator from Montana.

Mr. BAUCUS. Madam President, is there a time allotted?

The PRESIDING OFFICER. There will be 10 minutes debate in relation to the pending Baucus amendment.

Mr. BAUCUS. It is my understanding that the Senator from Massachusetts will have 5 minutes and the other 5 minutes will be allotted to Senator GRASSLEY and myself. I will take 2½ minutes of that.

I rise once again to urge my colleagues to support the amendment that I laid down yesterday on behalf on myself and Senators GRASSLEY and WYDEN.

The amendment is a short but very important clarification to the trade bill's negotiating objective on investment. When we negotiate investment agreements, our primary objective is to ensure that U.S. investors abroad have rights and protections comparable to the rights and protections they enjoy in the United States. In fulfilling that objective, we generally undertake reciprocal obligations with respect to foreign investors.

Our amendment makes absolutely clear that the rights we extend to foreign investors must not exceed the rights we afford our own citizens.

I expect that this is not the end of our debate on investor-state dispute settlement. As the debate goes forward, it is important to understand that we are trying to achieve a balance. In taking steps to protect U.S. investors abroad, we must not sacrifice the sovereignty of Federal, State, and local governments here at home. Striking the right balance is precisely what we have done in the trade bill. When it was brought to our attention that we might improve that balance, we did so in the amendment laid down yesterday.

In the days ahead, it is important that we not upend the balance. We have carefully crafted a foundation for future investment agreements. I strongly urge my colleagues to support that foundation and to support the Baucus-Grassley-Wyden amendment.

I reserve the remainder of my 2½ minutes.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I appreciate enormously the efforts of the chairman and ranking member to move what is always a very difficult issue through the Senate. They have done a good job of trying to resolve a great many issues. I don't oppose this amendment of theirs, but, in fact, I urge my colleagues to vote for the amendment.

I emphasize to my colleagues that this amendment does not fix the chapter 11 problem that still exists with respect to the sovereignty of American businesses and the rights of Americans and of our communities to be able to be protected. I am very grateful for the chairman's willingness to try to respond, but substantial disagreements still exist with respect to how we best protect American businesses and our communities, according to our rights.

As our colleagues know, it is clear that the NAFTA investor-State dispute resolution process, which is known as chapter 11, is going to be the model on which future agreements are predicated. And chapter 11, in its current form, is a flawed model. It is not a failed model; it is simply flawed. We have the ability to be able to fix it.

Last night, Senator BAUCUS referenced letters written by several organizations that urged correction of the no-lesser-rights language, which is precisely what will happen in this particular amendment. I appreciate his re-

sponse, but let me point out that in those letters he referenced, there are a whole set of other issues that are unaddressed in this amendment. Specifically, from the National League of Cities, they say: We are concerned that future trade negotiations, particularly for a hemispheric free trade area of the Americas, could include provisions that expand the definition of a regulatory taking. As evidenced by disputes under chapter 11 of NAFTA, vague expropriation language has allowed new avenues of recourse for foreign investors to challenge current State and local ordinances.

So we are allowing a foreign investor to come in and actually undo the intent of our local and State communities to enforce certain kinds of health or other kinds of restraints.

From the National Association of Towns and Townships:

In particular, we are troubled that a claim by a foreign company that a local government's regulation or zoning laws constitutes a taking against the company will make it impossible for the locality to enforce that law or regulation.

From the National Conference of State Legislators:

The bill does not adequately and explicitly guarantee that trade agreements negotiated under this authority will respect State sovereignty, nor incorporate well defined and constitutional Fifth Amendment takings principles.

Regrettably, the Baucus-Grassley amendment does not, despite what they claim in the no-greater-rights-than language, address the shortcomings of the chapter 11 model. Adopting their language without other needed changes is still going to allow future chapter 11-like tribunals to rule against legitimate U.S. public health and safety laws using a standard of expropriation that goes well beyond the clear standard that the Supreme Court has established in all of its expropriation cases.

The amendment before us does not give assurances that the due process claims of the Constitution will be respected, nor does it provide safe harbor for legitimate U.S. public health and safety laws.

I will propose an amendment, and we will debate this amendment over the course of the next couple of days. I urge my colleagues to adopt a policy that will fully protect the constitutional rights of American businesses and the constitutional right of our States, the expropriation laws and standards of the Supreme Court. I urge them to vote for this amendment recognizing this does not complete the task.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, the amendment that is before us was introduced by Senator BAUCUS and myself and is designed to make it crystal clear that in pursuing these objectives, foreign investors are not to be granted any greater rights in the United States than our own U.S. investors have

rights within the United States. This provision builds upon the already strong improvements to the investment objectives within this bill. These provisions strike a very careful balance between the needs to protect U.S. citizens from arbitrary takings of their property overseas and the need to ensure that the investor-State dispute settlement process is not abused.

Critics of the investment provisions insist that the investor-State dispute settlement process has somehow run amok. Not true. The fact is that no U.S. environmental, health, or safety regulations have ever been overturned by the international investment arbitration. Only 13 investor-State claims have been filed under NAFTA chapter 11 in the entire 8 years of its existence. Meanwhile, U.S. investors continue to face discriminatory and arbitrary government action in most of the developing world. We need to maintain U.S. investors' ability to get redress in impartial tribunals while ensuring that the investor-State dispute settlement process continues to protect our own investors overseas. This simply is what the Baucus-Grassley amendment does.

I urge support for this amendment and support for the Baucus-Grassley compromise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. BAUCUS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "yea."

The PRESIDING OFFICER (Mr. REED). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—98

Akaka	Brownback	Cochran
Allard	Bunning	Collins
Allen	Burns	Conrad
Baucus	Byrd	Corzine
Bayh	Campbell	Craig
Bennett	Cantwell	Crapo
Biden	Carnahan	Daschle
Bingaman	Carper	Dayton
Bond	Chafee	DeWine
Boxer	Cleland	Dodd
Breaux	Clinton	Domenici

Dorgan	Johnson	Roberts
Durbin	Kennedy	Rockefeller
Edwards	Kerry	Santorum
Ensign	Kohl	Sarbanes
Enzi	Kyl	Schumer
Feingold	Landrieu	Sessions
Feinstein	Leahy	Shelby
Fitzgerald	Levin	Smith (NH)
Frist	Lieberman	Smith (OR)
Graham	Lincoln	Snowe
Gramm	Lott	Specter
Grassley	Lugar	Stabenow
Gregg	McCain	Stevens
Hagel	McConnell	Thomas
Harkin	Mikulski	Thompson
Hatch	Murkowski	Thurmond
Hollings	Murray	Torricelli
Hutchinson	Nelson (FL)	Voivovich
Hutchison	Nelson (NE)	Warner
Inhofe	Nickles	Wellstone
Inouye	Reed	Wyden
Jeffords	Reid	

NOT VOTING—2

Helms Miller

The amendment (No. 3405) 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.

AMENDMENT NO. 3408

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized to offer an amendment.

Mr. DAYTON. I call up amendment No. 3408.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. DAYTON], for himself and Mr. CRAIG, proposes an amendment numbered 3408 to amendment No. 3401.

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

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

The amendment is as follows:

(Purpose: To limit the application of trade authorities procedures)

At the end of section 2103(b), add the following:

(4) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the provisions of section 151 of the Trade Act of 1974 (trade authorities procedures) shall not apply to any provision in an implementing bill being considered by the Senate that modifies or amends, or requires a modification of, or an amendment to, any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including—

(i) imposition of countervailing and anti-dumping duties (title VII of the Tariff Act of 1930; 19 U.S.C. 1671 et seq.);

(ii) protection from unfair methods of competition and unfair acts in the importation of articles (section 337 of the Tariff Act of 1930; 19 U.S.C. 1337);

(iii) relief from injury caused by import competition (title II of the Trade Act of 1974; 19 U.S.C. 2251 et seq.);

(iv) relief from unfair trade practices (title III of the Trade Act of 1974; 19 U.S.C. 2411 et seq.); or

(v) national security import restrictions (section 232 of the Trade Expansion Act of 1962; 19 U.S.C. 1862).

(B) POINT OF ORDER IN SENATE.—

(i) IN GENERAL.—When the Senate is considering an implementing bill, upon a point of order being made by any Senator against any part of the implementing bill that contains material in violation of subparagraph (A), and the point of order is sustained by the Presiding Officer, the part of the implementing bill against which the point of order is sustained shall be stricken from the bill.

(i) WAIVERS AND APPEALS.—

(I) WAIVERS.—Before the Presiding Officer rules on a point of order described in clause (i), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in clause (i) is waived only by the affirmative vote of a majority of the Members of the Senate, duly chosen and sworn.

(II) APPEALS.—After the Presiding Officer rules on a point of order under this subparagraph, any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. A ruling of the Presiding Officer on a point of order described in clause (i) is sustained unless a majority of the Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(III) DEBATE.—Debate on a motion to waive under subclause (I) or on an appeal of the ruling of the Presiding Officer under subclause (II) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader, or their designees.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 3409 TO AMENDMENT NO. 3408

Mr. GRASSLEY. Mr. President, I send an amendment to the desk as a second-degree amendment, for Senator BAUCUS and myself.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] proposes an amendment numbered 3409 to amendment No. 3408.

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

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

The amendment is as follows:

(Purpose: To make preserving the ability of the United States to enforce rigorously its trade laws a principal trade negotiating objective, and for other purposes)

In lieu of the matter proposed to be inserted by the amendment, insert the following:

(4) ADDITIONAL PRINCIPAL TRADE NEGOTIATING OBJECTIVE.—

(A) IN GENERAL.—Section 2102(b) of this Act is amended by adding at the end the following:

“(15) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are—

“(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order

to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

“(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.”.

(B) CONFORMING AMENDMENTS.—

(i) Section 2102(c) of this Act is amended—

(I) by striking paragraph (9);

(II) by redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively; and

(III) in the matter following paragraph (11) (as so redesignated), by striking “(11)” and inserting “(10)”.

(ii) Subparagraphs (B), (C), and (D) of section 2104(d)(3) of this Act are each amended by striking “2102(c)(9)” and inserting “2102(b)(15)”.

(iii) Section 2105(a)(2)(B)(ii)(VI) of this Act is amended by striking “2102(c)(9)” and inserting “2102(b)(15)”.

(C) PRESIDENTIAL REPORT TO COVER ADDITIONAL TRADE REMEDY LAWS.—Section 2104(d)(3) (A) and (B)(i) of this Act are each amended by inserting after “title VII of the Tariff Act of 1930” the following: “, section 337 of the Tariff Act of 1930, title III of the Trade Act of 1974, section 232 of the Trade Expansion Act of 1962.”.

(D) EXPANSION OF CONGRESSIONAL OVERSIGHT GROUP.—

(i) MEMBERSHIP FROM THE HOUSE.—Section 2107(a)(3) of this Act is amended by adding at the end the following new subparagraph:

“(C) Up to 3 additional Members of the House of Representatives (not more than 2 of whom are members of the same political party) as the Chairman and Ranking Member of the Committee on Ways and Means may select.”.

(ii) MEMBERSHIP FROM THE SENATE.—Section 2107(a)(3) of this Act is amended by adding at the end the following new subparagraph:

“(C) Up to 3 additional Members of the Senate (not more than 2 of whom are members of the same political party) as the Chairman and Ranking Member of the Committee on Finance may select.”.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have sent a second-degree amendment to the desk in place of the Dayton amendment. I am going to debate that in just a little while, but I want everybody to know the situation.

Also, Senator BAUCUS and I are going to visit with various people to see if there is a smooth way of handling both the substitute as well as the original amendment. We may not be successful, but that is our desire. We are going to be talking while this debate is ongoing, and I will be back to give the specifics of my amendment in just a short period of time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, the amendment Senator CRAIG and I have introduced is one that I think has great importance to this legislation. It is one I am very proud to sponsor with the senior Senator from Idaho, someone with whom I have had the good fortune to work on this and other matters relating to trade as they affect our two States.

I also am very pleased that this amendment is cosponsored by 26 of our colleagues, 13 Republicans and 13 Democrats. They reflect a broad spectrum of views on many issues, yet they agree on the need for this amendment. Is it because all of us are against trade, as our detractors have charged?

The answer is an emphatic "no." We support this amendment because we recognize that there is more than one side to the U.S. trade equation. There are a great many citizens in our States who have benefited from the liberalization of international trade during the last 20 years. However, there are also a great many Americans who have been harmed by the results of recent trade agreements.

The proponents of more free trade acknowledge only the winners. Their reports cite only the businesses, the jobs, and the revenues from increased exports. Those benefits are substantial; however, they form only one side of the trade ledger. On the other side are thousands of bankrupt businesses and farms in the United States, many thousands of lost American jobs, and the massive shifting of U.S. production to other countries.

This Dayton-Craig amendment is on behalf of Americans who have been, are being, or will be harmed by continuing trade liberalization. They are hard-working citizens who nevertheless will lose their livelihoods, which in turn will cause lost homes, lost health insurance, lost pensions, lost retirement security, lost hope, and even lost lives. They are not isolated occurrences. They are growing in number across America.

They are victims of trade policies and trade practices which are out of balance. In the year 2000, the United States total trade deficit for goods and services was \$376 billion. In goods alone, the deficit was \$452 billion. In 1990, the total U.S. trade deficit was \$81 billion. In 1980, it was only \$19 billion. Our country's trade deficit, that imbalance between the value of our exports and the value of our imports, was 4½ times greater in 2000 than in 1990, and 20 times greater in 2000 than in 1980.

A March 18, 2002, Business Week article began:

How much longer can the United States rack up giant current account trade deficits?

The article cited a Goldman Sachs Global Economic's Research report, which called the current trend "unsustainable."

Another recent report stated:

America's ballooning trade deficit may be the worst economic problem we face—and no one wants to talk about it.

What is driving these soaring trade deficits? It isn't that U.S. exports are not expanding. In many sectors they are growing at a very strong rate, and the last administration worked hard to open foreign markets to U.S. goods and services, as did its predecessors. It's the explosion in imports which is far exceeding export gains.

From 1990 to 2000, total U.S. exports in goods and services almost doubled to

just over \$1 trillion. However, during that decade, total U.S. imports more than doubled—in fact, increased by 133 percent, to almost \$1½ trillion. The increase in imports was \$295 billion more than the growth in exports.

If you look at key sectors in our economy, you see this pattern. Exports expand. Imports explode. Trade deficits multiply. This serious imbalance has cost the jobs, farms, businesses, and livelihoods of too many Americans.

Even in agriculture, the growth in imports has exceeded the growth in exports. Farmers and national commodity organizations, including many coming right out of Minnesota, have been among the biggest supporters of trade liberalization in their hopes that increased exports would lead to higher prices and decent profits in the marketplace. From 1990 to 2000, total U.S. agriculture exports did grow by \$10.5 billion, a 26-percent increase. However, agriculture imports increased by over \$16 billion during that time. Today, the U.S. balance of trade in all agriculture commodities is still positive; however, that margin is shrinking.

Two major causes of our huge trade deficits have been Mexico and Canada. They are the big NAFTA winners. Look at what has happened to U.S. trade with our neighbors since NAFTA took effect on January 1, 1994.

In 1993, the last year before NAFTA, all United States exports to Mexico totaled \$41.6 billion. Imports from Mexico totaled \$39.9 billion, leaving the United States with a \$1.7 billion trade surplus with Mexico.

During the next 7 years, United States exports into Mexico grew to \$111 billion, a 167-percent increase in 7 years. However, Mexican imports into the United States exploded to \$136 billion, a 240-percent increase, and the United States balance of trade with Mexico went from its 1993 surplus to a \$25 billion deficit in the year 2000.

Our trade with Canada followed a similar pattern. United States exports into Canada increased by \$69 billion from 1993 to 2000. However, our imports from Canada grew by \$120 billion, almost double the growth in exports. In 2000, our trade deficit with Canada was \$52 billion.

Looking at one key sector, automobiles, the total automobile imports from Mexico into the United States more than tripled from 1993 to 2000, to almost 1 million per year. Cars imported from Canada into the United States increased by 56 percent during that time to 2.2 million automobiles. Those 3 million autos used to be—or could have been—manufactured in the United States by American auto workers.

Agriculture is another big loser under NAFTA, as too many Minnesota farmers have painfully realized. Canadian wheat, Mexican sugar, milk protein concentrate, stuffed molasses via Canada, and other trade imbalances have caused domestic commodity prices to plummet. The average price

of a bushel of corn in the United States in the year 2000, was \$1.85, well below the price of \$3.11 for a bushel of corn in 1980, 20 years previously. For a bushel of wheat, the price in 2000 was \$2.65 per bushel; in 1980 it was \$3.91. For soybeans, a bushel in 2000 averaged \$4.75; in 1980, that price was \$7.57. Milk averaged \$12.40 per cwt. in 2000, compared to \$13.05 per cwt. in 1980. Turkeys brought 40.7 cents per pound in 2000; 41.3 cents per pound in 1980.

All of those prices are in current dollars. After adjusting for inflation, their drops are even more severe. Last year, the U.S. farm price index, the value of all U.S. agriculture products divided by the cost of producing them, dropped to its lowest level since the Great Depression. That index has fallen by 20 percent during the last 10 years. So much for the benefits of NAFTA and international trade liberalization on American agriculture.

Similarly, in the nonfarm private sector, the average hourly wage paid U.S. workers in real dollars was less in the year 2000 than in 1990. It was less in 2000 than it was in 1980, and less than it was in 1970. Only by more spouses working more hours have average American families stayed even or moved slightly ahead in the U.S. economy during the last 10, 20, and 30 years.

Thus, U.S. trade policies and practices, in balance, are doing many Americans more harm than good. And the harm is increasing more than the good.

The response of free trade proponents to this predicament is more free trade. More opening our doors to the largest marketplace in the world, the U.S. economy, which still produces 23 percent of the world's GWP, accounts for 12 percent of world exports, and 18 percent of world imports.

Who, then, does benefit from this U.S. trade policy? Primarily, it has been, and continues to be, the enormous cost advantages afforded U.S. corporations who shift production out of the United States into low-wage low-cost countries. Deregulation of the world's product and financial markets has enriched a world class of investors, entrepreneurs, and professionals. At the very top, the accumulation of wealth has been extraordinary.

In 1996, the United Nations reported that the assets of the world's 350 billionaires—that is, 350 individuals in this world who are billionaires—exceeded the combined incomes of 45 percent of the world's population, almost 3 billion people.

Let me say that again. The assets of the wealthiest 350 people in the world exceeded the total assets of over 3 billion of our world's citizens. But the larger promise made by the proponents of this unregulated world marketplace—particularly to the people of the United States—was that living standards for the rest of Americans would also rise. That promise has not been realized. As trade and financial markets have been flung open, incomes have

risen not faster, but more slowly. Income equality among nations has not improved, and within nations, including the United States, income inequality has worsened.

But this seems not to matter to the promoters of this rapid deregulation of the global economy, the so-called neo-liberals, and their solution to whatever problems afflict us is, of course, more trade liberalization. Ironically, many of them spent the last 30 years associating the word "liberal" with social failure. In this instance, they may prove themselves correct.

Nevertheless, it is the considered judgment of this administration and of the House of Representatives, albeit by a single vote, to continue in that direction. I expect this body will join with them by passing this trade promotion authority legislation.

Thus, the Dayton-Craig amendment represents one of the last opportunities for Congress to assert its priority for the economic well-being of the American people over the capital-serving efficiencies of liberalized world markets. This amendment preserves Congress' ability to look out for the best interests of all Americans, especially the people who are on the losing side of the trade equation. And if we don't look out for them, it is a near certainty that no one else will.

The Dayton-Craig amendment applies only to so-called trade remedy laws. They were enacted and put into law by previous Congresses and Presidents to protect American business owners, workers, and farmers from illegal or unfair trade practices, and to assist those Americans whose lives and livelihoods were irrevocably damaged by them. These trade remedy laws include safeguards in section 201, which provide for temporary duties, quotas, or other restrictions on imports that are traded fairly but which threaten serious injury to a domestic industry. They include anti-dumping remedies for the destructive effects of imports sold on the U.S. market at unfairly low prices, and countervailing duty relief from the negative impact of imports receiving foreign government subsidies. They also include section 301 of the Trade Act which authorizes the United States Trade Representative to investigate trade agreement violations and illegal foreign trade barriers which are harmful to U.S. businesses and exports, and to remedy those violations.

All of these remedies are already subject to the rules established under the World Trade Organization and under the North American Free Trade Agreement. The United States and other WTO members must adhere to the Uruguay Round Stipulations on subsidies and countervailing measures. This is hugely important. This is the first time the United States has ever agreed to subordinate its sovereignty to an international organization. The folks who decried the Trilateral Commission and so-called one-world government, those who condemn the coordination of

U.S. military forces with NATO, and those who oppose any U.S. adherence to international agreements, are strangely silent about U.S. subjugation to the economic dictates of the World Trade Organization. Heretofore, the WTO, has operated largely as the creation of the United States that it is. However, now that it is fully established and empowered with the unanimous consent of the participating countries and whose rules can only be altered by the same, any sovereign powers negotiated away in future trade agreements that are agreed to by this body will not be redeemable, which is all the more reason why Congress should be vigilant over them.

The Dayton-Craig amendment says that Congress, along with the President, enacted these trade remedy laws, and only the President and Congress may eliminate them. They cannot be negotiated away by an unelected trade negotiator, albeit one selected by the President, who has a much narrower perspective than Congress, who has the specific objective to secure further trade agreements, and who may not share this body's perspective and concerns. Since a letter from 62 Senators opposing the inclusion of trade remedy laws in future trade negotiations was ignored, there is no reason to expect otherwise when those negotiations finally occur.

So, when a new trade agreement comes to Congress, to the Senate, with the trade remedy laws of the United States altered, with their protections weakened, and with Congress' prior enactment of them overridden, then, if this trade promotion authority law is in effect—as it is written now without the Craig-Dayton amendment—we will be faced with a take it or leave it proposition. We will have no discretion or latitude. It will be all or nothing.

This amendment will permit—not require, but permit—Congress to separate those provisions in a proposed new trade agreement which alter existing trade remedy laws, allow the rest of the agreement to proceed along fast track, and then consider those trade remedy changes under regular Senate rules and procedures. Then, Congress can decide, as only Congress should decide, whether they must be given up for some larger gain. Then, we, or our successors, will be able to look our constituents in their eyes and tell them that we have acted in their collective best interests.

Trade negotiators look at those trade remedy laws and they see words, or bargaining chips, or perhaps even nuisances to get rid of. We see people, our constituents, who elected us and who depend upon us to look out for their interests. So when words which protect them are going to be removed, those decisions should be reviewed by their elected Representatives.

Last week, the trade ambassador said that you cannot be for this amendment and be for trade. There is great irony in an unelected official in the execu-

tive branch, which has no constitutional authority over trade, telling 535 elected Members of Congress, to whom the Constitution assigns the full responsibility for foreign trade, essentially to butt out of his domain. He was quoted as saying:

This goes to the heart, of whether the Congress is going to try to negotiate with 435 Members of the House and 100 Senators, whether they want to go over to Brussels and all sit around together, or whether they are going to have the Executive Branch negotiate.

My reply, Mr. Ambassador, is: You negotiate and then Congress will exercise its responsibilities under the United States Constitution. If our trading partners question those procedures, show them a copy of our Constitution. We bring government officials from all over the world here to learn about our system of government. This is another teaching opportunity. Under our Constitution, we do not permit one person—no matter who he or she is—to bargain away our laws. No one—not even the President of the United States—has that authority. And no one who understands our Constitution should seek that authority.

While our country's future trade policies are debatable, the right of Congress to participate actively in setting those policies is not. For anyone to try to usurp that authority is seriously misguided. If it succeeds, Congress has failed, failed its responsibility, failed the Constitution, and failed the people of America.

By adopting this amendment, the Senate upholds that right and that responsibility.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, as a co-sponsor of the Dayton-Craig amendment, I wish to speak for a few moments about the constructs of the amendment itself and applaud my colleague and partner in this amendment, the Senator from Minnesota, for a very thorough and well-thought-out explanation as to the reason for this amendment.

I need not repeat the statistics. I need not repeat the facts that have been so eloquently spoken about a problem that exists in our country today that begs for a remedy and, at the same time, demands that we move forward in the area of expanding trade amongst our trading partners around the world.

The elements of fairness, the elements of transparency, the elements of the right hand knowing what the left hand is doing are absolutely critical in any trade relationship.

By the character of a developing economy, by the uniqueness of a resource-directed economy, by the uniqueness of a populated economy, all of our countries around the world have differences. And those differences have values. And those countries that sense those values work to protect them or

in some way assure that they will not be traded down or effectively destroyed by the very governments that are destined to protect them.

As a result of that, from the very beginning, and from the beginning of the debate over trade, very substantively coming with the Kennedy Round of trade years ago, when we first established the fast-track concept, we knew our trade negotiators, once they were at the table of international negotiations, would have to have flexibility to propose and bring back to the Congress a whole package. But that whole package had to be representative of the laws of the country of which they were diplomats.

We have struggled with that over the years. Congress has consistently passed fast tracks, and we have worked to move progressively and to liberalize our trade laws. We, the United States, have been the world's promoters of trade. It is quite simple why we would want to be that.

In my State of Idaho, nearly a third of every acre planted of agricultural produce has to sell in world markets to maintain some degree of value in a domestic market.

My State was built on potatoes, potato chips. Now it is being built on computer chips. And those products have to sell in world markets. Clearly, the DRAMs that are produced by Micron, a large portion of those move into international markets to be applied to new technologies being developed in those markets that then again sell in the world market.

Clearly, in my State, trade has expanded dramatically in the last several decades. But while the hi-tech economy has grown very well with a substantial amount of profitability, the agricultural economy has floundered. And while trade has been extremely beneficial in some areas, I would have to argue, as the Senator from Minnesota has, that in other areas it appears to have been less than fair and, in many instances, not fair at all.

There is a bit of a classic struggle going on between the United States and Canada in our forest products industries, forest products industries that are in part supply, publicly owned in the sense that the timber comes from public lands. Whether it is the Federal lands of the U.S. Forest Service in the lower 48 and Alaska or whether it is crowned and provincial timber in Canada, the reality of placing values on those rough products as they move to the market is substantially different.

Over the years we have fought mightily to create balance. But as a result of some of what we believed to be unfair practices between Canada and the United States, we have seen the rights of our policies go out and our men and women walk away with empty lunch pails while Canadians were aggressively logging and dumping in our markets. Just this year our President had to use trade remedy laws to stop the

very process I have just defined. He stood up and he spoke out and he placed a tariff against Canadian lumber until such time as they can come back to the table and balance out with us a relationship and an agreement that does not put our men and women out of work and still allows them to work and still allows the beneficial reality of Canadian and U.S. sticks, 2 by 4s, being at the local lumberyard to build the homes of Americans.

That is called balanced trade. That is called fair trade. The 201 process that brought about the investigation by our government, which was open and transparent, and that led our President to move is known as a trade remedy law passed by the U.S. Congress, passed by a majority vote out of this body—in other words, reflective of the constitutional responsibility of every Senator and every U.S. Member of Congress representing their States but, most importantly, taking an oath right there in that well to uphold the Constitution of the United States.

The argument is simple and the argument has been made already today by the administration in a letter to all of our colleagues that fast track is simply a process and we make all of these proposals and we make all of these changes and all of them come back for a vote in this Chamber and they are correct—one vote, up or down.

The problem occurs with the anticipation of the positives that will happen in an overall trade package once negotiated because they are never quite negotiated in a vacuum. The process goes on for years and years, as you have round after round and finally they conclude; there is a lot of attention and the world finally says, Oh, here it is, here is a trade package, a product of WTO, a product of aggressive negotiations, probably a product of the new round launched last year in Doha. The anticipation is so great and the public pressure is so great that when it gets to the well of the Senate and we see that substantive law has been changed and we would like to fix it, we cannot. We can vote against it, but the pressure by business, by industry, by the economy in general is you must pass this trade package. And we do. And we have consistently.

As a result, some of us have had to vote no. I voted no against NAFTA. Why? Because of some environmental provisions in it and because of loopholes that I felt were in it, that an 18-wheeler truckload with Canadian grain could get through and into our markets were a reality, and they were and I voted against it, and time has proven that to be the case.

But it has also proven one other thing—that Canadians are very good at enforcing laws at the border and we are very bad. But that was then. This is now. This administration is acting differently, and it is acting responsibly, and it led with the steel decision and it has now followed with the softwood lumber decision, and it is saying that

it will effectively use a very transparent process to review the fairness or the lack of fairness in trade relationships and where it finds dumping it will move. And it has. I credit them for that.

But what I am also saying, what the Senator from Minnesota is saying is that within the process itself, we can avoid some of the problems that have now been recorded over the last several decades if we would be allowed, on laws that we are proposing to be changed that might reduce the ability of the executive branch of our Government to enforce trade remedy laws, to say that they would apply to a point of order and a simple majority vote, the same vote it takes to pass the trade package that would be in the Chamber that they would be a part of. So I would say to any negotiator, if you are negotiating a package that cannot get 51 votes in this Chamber, and you are proposing changes in substantive law that might be required to get 51 votes, wherein lies the problem, especially if we are defending what I believe to be the very thing that the Senator from Minnesota has talked about—our constitutional responsibility and the sovereignty in doing that.

Every administration and this administration protects with a vengeance its executive prerogatives, its executive authority, and we have seen this administration step up to that on at least two occasions in the last couple of years. That is what we are doing today—stepping up to what is, in fact, a legislative prerogative of the Constitution and why we think it is right that it be allowed to be a part of this package requiring a simple majority vote.

What am I saying? The Dayton-Craig amendment is simply a point of order that would be part of it. That is, if a package comes to the floor and there are changes in trade remedy law—and in the current package that we are alleging we will know if they are there without even having to look because 90 days prior, under the law proposed, the negotiators would have to announce proposals of changes in the law. That is part of what came out of the House. That is part of what the Finance Committee, Chairman BAUCUS and Senator GRASSLEY agreed on. And that is appropriate. It is appropriate that the legislative bodies of this constitutional Republic understand that changes in the laws that they have written are being proposed. What we are saying today is that there ought to be the next step and that next step is quite simple—to allow a simple majority vote of the constitutional officers of this body—us, U.S. Senators—to say whether those changes are right.

Now, here is the next step, though: but to do so without dragging the whole trade package down. Not all trade packages are changes in our laws. They are expansions of authority. They are access to other markets. They are adjustments in other laws—ours and

theirs, our trading partners. And so we are saying you do not bring down the whole package; there is good in trade and we know that. But what we are saying is that there is an authority and a responsibility that we should not abrogate or that we should not cast in such a way as to never be able to get there because the value of the whole appears to be so much greater and so important at that moment in time than the long-term constitutional responsibility of these Senators.

So the Senators from Minnesota and Idaho, pass go, because the whole is so much more important than the parts. We are here today to tell you that the parts are darned important. They are constitutionally important.

And now let me try to set another stage for you about the pressures involved.

Our trade remedy process, countervailing duty, antidumping, 201 is transparent. It is a public process. If you, Mr. President, are a manufacturer in your State and you feel you are being dramatically harmed by a product coming in under a trade agreement, you have a course of action. Now, it takes a couple of years. It is open, it is public, and it will cost you money because you will have to get the attorneys and you will have to make the argument. If it is dramatic dumping and dramatic competition, you might be out of business before you get a remedy, but the remedy is still there and it is still open and it is still public. What we have tried to do and what our negotiators have tried to do since the Kennedy round forward is to convince other countries of the world to make their processes more transparent.

Now, over time, there has been a shift. The shift has been away from their duties and away from their penalties toward antidumping provisions, not unlike ours. They are not transparent. Sometimes they are cast or administered in the dark of night. And so what our trading partners are telling our trade negotiators, or at least our trade negotiators believe, is that we have to get rid of what we have to cause them to get rid of what they are getting or they have got as it relates to trade remedy laws. In other words, we walk the plank first and maybe they will follow. In the meantime, what happens to the manufacturers and the workers? What happens to the economies of Idaho and Minnesota? Do they have to shift to the new paradigm? Do the old economies have to go away even though under a different day and a different scenario they were viable and productive? Well, I guess I am frustrated by it all.

Let me talk about what happened in November of 2001 at Doha, Qatar, when our trade negotiators were involved in a round that we worked very hard to get, that was a product of the fallout of the very tragic round that occurred in Seattle, which basically fell apart as a result of national and international dissidents and disruption. In Doha this

past November, our administration agreed to reopen negotiations on agreements of implementation of article 5 of the GATT—that is called on anti-dumping and countervailing duties—and on subsidies and countervailing pressures. The World Trade Organization had already ruled a number of times against our domestic trade remedy laws under these agreements and stated: the stated purpose of almost every other WTO member in securing these new negotiations is to further weaken U.S. trade law; in other words, further weaken the ability of the U.S. Government to protect its work force and its producers and its industries from what might be dumping, what might be clearly antitrade or unfair trade.

The Japanese Government was elated by that action. They said: We are satisfied. This constitutes a major victory for their efforts to gut our trade laws. Those are the words of the Japanese economy, trade and industry minister. He said: "We are 120 percent satisfied that that's where the Bush administration wants to go."

The USTR sacrificed our anti-dumping and countervailing duty laws in order to get a new round of talks at the table—not yet; they simply put them on the table.

Now, here is where I think the Senator from Minnesota and I agree and we also agree with our Trade Ambassador. There is nothing wrong with putting those issues on the table. When you are sitting at a negotiating table, everything ought to be negotiable, if the goal is to move from here to here and the benefits that will accrue as a result of that proposal are positive for our economies. So, our Trade Ambassador, put it on the table.

But in putting it on the table, it is important that you recognize who made those laws and how we ultimately ought to address them. And what we are saying is, put them on the table; talk about them. See if there is a better way to get where we need to go in 2002 than there was in 1960. The world has changed dramatically. We understand that. We are willing to listen to it. Put it on the table. The laws we passed in 1960 may not apply today.

But in putting it on the table, we are simply saying: And you bring back proposed changes in current law, not new law, in current trade remedy laws that are subject to a point of order. Why? Because this sovereign body created those laws. And the executive branch of government does not have a right to change them. And they don't. They only propose changes, but they do so in an environment that almost always assures that never will that vote occur.

It is a rather simple approach. We are being told by the administration and by some in it that this destroys TPA. It has been editorialized that this is a bitter pill. Then the other day it was called a torpedo. Today, in what is a well-meaning but not totally accurate letter from the administration, they strongly opposed it.

Let me go through the letter in the context of what I have just talked about, about the flexibility of negotiations. Before I do that, let me drop back a moment to something I think is important, and it is a frustration that our negotiators deal with when they are in the business of negotiating.

I had the opportunity a couple of years ago to be part of an observer team at The Hague at a climate change conference. The head of the U.S. team of the Clinton administration that was there said at the beginning of that conference: We will not propose laws that will damage the economy of the United States. And he said: No agreement is better than a bad agreement. The conference began and the pressure built.

During that time I had the opportunity to have a dialog with some of our counterparts from different Parliaments around the world. For the first time, I began to understand that they don't understand us. They didn't realize that a treaty negotiated by an administration and signed off on by an administration was not law until the Senate ratified it. Why? Well, if you are a member of a parliamentary body and you are elected and then you, if you are in the majority party, elect the Prime Minister out of that, that Prime Minister and the parliamentary body are, in essence, one. If that Prime Minister signs off on a treaty, it is law, unless the country doesn't like it. Then you hold a special election and get rid of the Prime Minister and the party. You get a new party and a new Prime Minister. That is how it works for a lot of countries in the world.

It does not work that way here. Our Founding Fathers created a division of labor in our Constitution. I think it was quite a clear division. When I began to say: The Kyoto treaty is not law in our country, it is a proposed treaty the Senate of the United States has refused to consider, therefore, it is not law, therefore, our negotiators don't have to negotiate to it or for it, the European parliamentarians, didn't understand that, or at least they chose not to understand it.

Of course, I was there as part of an observer team. I spent a lot of time encouraging the team not to make bad law, not to craft an agreement with which we couldn't live. Ultimately, they could not agree with the parliamentarians of Europe, and they came home.

That is the reality of where we are at the moment. That is why it is important to understand the frustrations our trade ambassador has when he goes to the table and they say: Why can't you just negotiate something? That has been arguable, why we have wanted TPA or fast track over the years. It is why we originally gave it.

But from the 1960s to 2002, the world and the economies of the world and the economies of this country and the economies of Idaho and the economies of Minnesota have changed dramatically in part because of trade, both positive and negative.

I believe it is right and proper that we debate this issue today, that we don't sweep it under the rug, that we ask our colleagues to choose whether we ought to have a point of order and whether we ought to have a simple majority vote on the need to change the trade remedy laws of our country as proposed by the trade agreement that is on the floor at the time or if we should retain the existing law.

In the letter sent this morning by the administration, they say that "first and foremost, the amendment derails TPA without justification." I disagree with that. The Senator from Minnesota said it so well: An appointed bureaucrat is not an elected Senator. The oath of office we take to adhere to the Constitution is so clear and so simple and so important. We ought to be extremely cautious about delegating that constitutional responsibility to an unelected official.

The trade ambassador would say: You don't do that. You ultimately get to vote on it. I think I have talked about the vote, the circumstances of the vote, the climate in which the vote is cast. That is why we are here today suggesting we make some subtle changes in the law.

"We have been committed not just to preserving U.S. trade laws but, more importantly, to using them." This is the administration talking in the letter. You are right; they have. And yet we are saying: we want to preserve them if it fits for you to use. They are saying, no, no; they can be negotiable or at least we want the right to negotiate.

We are not denying that right. I have said it once. The Senator from Minnesota has said it. We are not denying the right of negotiation at all. If we are bright and clear and articulate in what we do, we will not sour the debate or the environment in which those negotiations occur because if I were a negotiator, I would say: You bet, we will talk about it. We will put it on the table. It will require a simple majority to pass. But then the whole agreement will.

In all fairness to the administration, they recognize in the letter 41 Senators are a minority blocking this process. We offered to the administration yesterday that we would make some modification. They did not see fit to accept that. We went ahead. The Senator from Minnesota, when he offered the amendment this morning, modified it so it is not a two-thirds. It is a simple majority on the point of order, exactly the same vote it takes to pass the whole package. I believe that is a reasonable and right approach and a fair approach toward dealing with this issue.

A minority ought not be allowed to block trade law or any law for that matter. We rule by a majority procedurally. We deal with supermajorities on occasion, and we have done it here on occasion, and with cloture and other issues to protect trade laws.

Mr. DAYTON. Will the Senator yield for a question?

Mr. CRAIG. I am happy to respond.

Mr. DAYTON. The Senator will recall—I would like the RECORD to show I ask the Senator, I received a call from a colleague on a matter this morning and indicated a desire to change, modify this amendment and make it more acceptable to the administration. I would like to ask if that was the Senator's intent, to make this one that would be more acceptable to the administration?

Let me say also parenthetically that, as a member of the other political party, I do not intend this amendment in any respect to be something that is referenced to this particular administration. I respect the role the administration has taken, that the trade ambassador has taken with regard to the steel products, as the Senator indicated. I thought it was a very strong position the President took with regard to the lumber coming from Canada; that, as the Senator said, this administration is far more aggressive than its predecessor in that regard, and also with regard to Canadian wheat. My concern in offering this was not with regard to any particular administration. My interest was in protecting this Congress for many administrations to come on this matter.

I ask the Senator, is this attempt on our part one that came out of the Senator's negotiations and discussions with the administration?

Mr. CRAIG. It is that. I thought that was a right and reasonable approach. We should not ask for a supermajority on issues that can be passed or should be passed by a majority of the body.

The Senator from Minnesota listened to those arguments, accepted those arguments today. I was pleased that his amendment could be modified for that purpose.

In the administration's letter there is another argument. They say:

Secondly, the amendment would jeopardize our current trade negotiations, especially the new global trade liberalization mandate launched in Doha last November.

My reaction to that is, it does not.

They go on to say:

This is not a hypothetical observation. The failure to launch a global trade negotiation at Seattle in 1999 was due in significant part to a refusal even to discuss trade laws.

Well, that was then. This is now. I have just said—the Senator from Minnesota has just said—discuss trade laws. Put them on the table. Look at the fact that they might need adjustment or change, that laws we have written in the 1960s might need some change.

All we are saying is, when the package comes back, it will require, if a point of order is brought against a change that you have already reported to us, Mr. Ambassador, a 50-percent plus one of those present and voting.

The conversation in Doha or the next round ought to go like this: While the Congress of the United States is giving us new expanded trade authority and negotiation authority, it also recog-

nized the strong desire on the part of the citizens of our country to protect some process of trade remedy and trade remedy laws that are currently on the books of the United States. So any changes that we would make in them or propose to be made—and we are certainly willing to discuss those and talk about them, as we also want to talk about you, Spain, or you, France, or you, Germany, or somewhere else's trade laws—will be subject to the same vote as required for passage of the trade package.

Instead of going with alarm, the ambassador ought to go with a very clear, matter-of-fact statement, and then roll up his sleeves and get at the business of negotiating in a way that I hope will help American agriculture and a lot of our industries.

Trade remedy laws are not off limits. Those are the words used in the administration's letter today: Not off limits at all; available for full discussion, full debate, negotiation and change subject to a majority vote of the Senate. I think that is right, that is proper, and that is what we ought to be about.

Their fourth argument was the WTO negotiations launched in Doha will not impair our ability to enforce U.S. trade laws. I think our explanation stands. If the ambassador brings back a package and in it there is substantive law change proposed and the dynamics of the package are such that the world and the economy of this country is saying pass it, pass it, pass it, there will be no opportunity because the law would not require, unless this amendment is adopted, us to make those adjustments if collectively the Congress of the United States felt the negotiators had gone beyond what we believe to be right and proper protection under those laws.

(Mrs. CARNAHAN assumed the chair.)

Mr. DORGAN. Will the Senator from Idaho yield for a question?

Mr. CRAIG. I will be happy to yield.

Mr. DORGAN. Madam President, I would like to propound a question to my colleague. I believe this is one of the most important amendments we will be dealing with on the trade promotion authority legislation. I am pleased to be a cosponsor, and I will be pleased to speak in support of it at some point.

I ask the Senator from Idaho, is it the case that much of the angst that exists with respect to recent trade agreements—U.S.-Canada, NAFTA, and others—is that when we see areas of clear trade problems, clear manipulation of the markets, clear abuse of trading practices, we cannot ever get much of a remedy?

We have all these trade agreements, but we cannot get a remedy; we cannot get a problem solved. Why? At least one of the reasons, in my judgment—and I inquire of the Senator from Idaho if he feels the same way—is that we have weakened all these remedies to the point that no one wants to use

them because they believe they are ineffective.

For example, section 22 is pretty much gone. In many ways, section 301 is made much weaker by subsequent negotiations. The result is, it does not matter whether it is wheat from Canada or high-fructose corn syrup from Mexico or a dozen items I could mention. We just cannot get anybody to tackle a remedy to say: Yes, this is unfair, and we will stand up on behalf of our producers and deal with it. That is why this amendment makes so much sense.

If the Trade Representative negotiates a new trade agreement and that agreement further weakens remedies that now exist, my understanding is the amendment allows that to come back to the Congress for an up-or-down vote. I think that is one of the most important provisions that we could adopt to this underlying bill.

I ask the Senator from Idaho, is it the case that the biggest problem these days has been we cannot get a remedy for anything in international trade?

Mr. CRAIG. The Senator from North Dakota has explained it very well, and that is the essence of this amendment. Again, a simple majority vote of this body will do so. Let me complete my comments. I have spoken long enough. There are others who wish to speak on this issue.

I close by speaking to the second-degree amendment the Senator from Iowa has just proposed, and I hope at some time we appropriately will move to table that second-degree amendment. Let me tell my colleagues why.

There is nothing in that amendment with which I disagree as part of process and procedure. You bet we should have talked about proposed substitutes and changes removed from, I call it the catchall title to the advanced title, to a higher priority as it relates to the direction we give our negotiators and ambassadors, the principles of negotiation and the objective of those principles.

The second-degree amendment, though, takes away the point of order. It says, here is how you negotiate, but it does not deny the right of the Senate to speak. I hope at the appropriate time, early afternoon, we will offer a motion to table that amendment. I do believe we need a good straight up-or-down vote on the Dayton-Craig amendment. It is an important amendment.

I yield the floor. I thank the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, at this time I am not going to address either my amendment or the amendment by the Senator from Minnesota and the Senator from Idaho. I do wish to speak generically about the issue before us, to which the amendment of the Senators from Minnesota and Idaho are very central, and to remind my colleagues what trade promotion authority is all about.

First, as all my colleagues know, nothing can be done under the Con-

stitution about trade unless the Congress of the United States does it, because one of our explicit powers in the Constitution is to regulate interstate and foreign commerce. It is our authority, and Congress rightfully and according to our oath of office ought to protect our constitutional responsibilities, and we ought to perform our constitutional responsibilities.

For the first 150-year history of our country, when all Congress had to do in regard to trade was put on tariffs, up or down, and other business of that nature, it was very appropriate for Congress to initiate and finalize action as far as the regulation of interstate and foreign commerce was concerned.

Since the 1930s, we have been involved in cooperative efforts with other countries to reduce tariff and nontariff trade barriers because it was seen then and today as mutually beneficial to all nations to do so. We have been involved in international agreements and international fora to accomplish those goals.

One can imagine how impossible it would be then in an international forum to have 535 Members of Congress, in a meeting of 142 countries, negotiating trade agreements, with the Congress of the United States speaking for the United States. It is almost impossible for Congress to reach an agreement among its Members without, in the process, trying to negotiate with 142 other countries. So for the last 25 years, or some people would say in different ways since 1935, we have given the President permission to negotiate agreements with other countries.

In a sense, the United States, through this legislation and previous legislation, has set up a contract with the President of the United States saying we would like to have him negotiate for the Congress of the United States, where the constitutional power lies, some agreements under strict authority that we would give the President, and with Congress having final authority to adopt what was negotiated if we agreed to it.

We are talking about giving the President the power to negotiate for us because it is an impossibility for the Congress to enter such a forum.

The basic question to our colleagues as they consider Dayton-Craig and other amendments is: Do they want the President of the United States to have this authority? This is not blanket authority given to the President of the United States. It is very confined to subject matter. It is very confined to the President reporting to the Congress of the United States on a regular basis what has been done and to get our feedback so that the President carries out the intent of Congress in the negotiations.

Finally, the President of the United States has to come to an agreement with 142 countries. Remember, that is not done by a majority vote of those 142 countries. That is done by consensus. So if the President of the

United States feels the interests of the United States are not adequately protected, all the President has to do is walk away, and there is no new WTO agreement.

Eventually, if the President decides U.S. interests are being protected and he agrees to it and the other 142 countries agree to it, then it comes to us to make a decision whether or not the interests of the United States are adequately protected as the President negotiated with us, and it takes a majority vote in the House and Senate for that to become law of the land.

The basic question before the Senate in the Dayton-Craig amendment is whether or not they want the President of the United States to be credible at the bargaining table. The issue is whether or not the President will be credible if, when he reaches an agreement, there is opportunity in the Senate to have separate votes on separate parts of the agreement so some can be dropped and others might be adopted.

Do my colleagues think the other 142 countries of the WTO are going to negotiate with our country on that basis?

Do you think there will be a final agreement? No. The Dayton-Craig amendment undoes the pattern of this contract between the President of the United States and the Congress over the last 25 years.

So we all have to ask ourselves: Has the United States prospered by our international agreements over the last quarter of a century by the process that is once again before us to set up a contract with the President of the United States to negotiate? I have come to the conclusion this process has been good, but I am a Republican. Maybe Democrats would question my judgment of whether or not this is a good process.

So I have said before in this debate, and I want to say again, listen to what President Clinton said as he correctly bragged about the agreements he finalized—that started in previous administrations—during his first year in office. The North American Free Trade Agreement and the Uruguay Round of the General Agreement of Tariffs and Trades were finalized during his first months in office.

He says as a result of those agreements, and I suppose he would say, too, predecessors to those agreements, that the United States has benefited very well by it. And he used, as I heard him say so many times, that there were, I think the figure was, 22 million jobs created during his administration, and one-third of those jobs were related to trade.

If President Clinton says that, if President Bush believes this is a good process to continue, and you have one Democratic President and one Republican President who think proceeding down the road that we have gone for the last 25 years is the right road to go, I think it would carry some weight with people on both sides of the aisle and it would be a no-brainer that this

process ought to be continued. Our colleagues are suggesting that would put a kink in this machine, and that might not be the thing to do. I raise those questions with my colleagues.

I also raise the questions with my colleagues of whether or not the present trade remedies are working, which I heard a few minutes ago. Well, what do they think the steel agreement is all about? The President is looking out for our basic industry, to give it some help through transition. The President looked at that and decided that other countries dumping steel in the United States was not right, and our economy was being hurt by it. He stepped in, in a very strong way, to protect our interests.

I think of the 201 process where the previous President stepped in, in the case of lamb coming into the United States from New Zealand and Australia. I suppose there are a lot of others I ought to refer to, but our Presidents, Republican and Democrat, have been willing to use the tools that are on the table. Other nations are beginning to learn from the United States and are willing to take action to protect their industries in a way that is going to eventually hurt us.

We have been the pioneers of trade remedy legislation for a long period of time, and other nations have somewhat resented our using it, and they are beginning to learn from us and use it. Now they are doing it in a way that is not as transparent as the United States. They do it probably in a way that is less concerned about their using it on the world economy than what our Presidents have done in regard to our action and the world economy.

Now, are we going to say we should not be looking out for our interests on trade remedy legislation? I think what they are saying is we ought to let the rest of the world adopt these measures, even if they hurt the United States. Some examples: South Africa imposing dumping duties on United States poultry, closing an important \$14 million market; Mexico imposing dumping duties on United States high-fructose corn syrup, decreasing our exports by half, \$30 million; Mexico imposing dumping duties on certain United States swine, formerly a \$450 million market; Mexico imposing dumping duties on certain cuts of beef affecting companies' abilities to service and grow this \$512 million market. Just this year, Canada imposed dumping duties on United States tomatoes, \$115 million. In 1999, Canada imposed dumping duties on exports of United States corn, a \$36 million market resulting in little United States corn exported to Canada for 4 months until a provisional duty was removed.

These are examples of the rest of the world learning from the United States. Consequently, don't we in the United States think it would be better if our country or our President were at the table negotiating to see that these things did not happen? I think those are the issues before us.

I probably have implied very much that Dayton-Craig is a bad approach. My point is to simply say I hope my 99 other colleagues will look at the practice of the last 25 years, which has been a credible approach for the United States to be at the negotiating table, and say: Do you really want to change that? Do you want to change the credibility of the President of the United States at the negotiating table?

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, of course the Senator from Iowa is correct; the Constitution does provide in article I, section 8, that the Congress shall have the power to regulate commerce with foreign nations—not the President, not the trade ambassador, but the Congress. That is in the Constitution of this country.

The Congress has, over some period of time, decided it would like to put handcuffs on itself so these handcuffs would prevent it from being involved in any trade negotiation or trade agreement that came back to the Congress. If it did not like a provision, if it thought a provision was not in accordance with this country's interests, the Congress will have said, by fast track or trade promotion authority, no, we are not allowed to offer amendments to that trade agreement. Congress has done that on previous occasions. I do not support that. I do not believe it is appropriate.

What the Senators from Minnesota and Idaho are saying with respect to fast track, or trade promotion authority, which will tie the Congress's hands, at least in regard to the issue of providing trade remedies for trade abuses that exist, that our businesses and our employees in this country have to try to deal with, at least with respect to those trade remedies, Congress ought to have a say in that if someone negotiates a trade agreement that weakens those trade remedies.

We have had plenty of examples: Section 22 was largely negotiated away; section 301 has been diminished in importance. So we have had examples where the trade remedies are not available.

My colleague from Iowa cited some of the trade abuses that I could cite. On high-fructose corn syrup to Mexico he says: Yes, that is a problem. Do not blame us. Let us not blame America for trade abuses that are imposed by other countries.

Unfair wheat subsidies or unfair wheat trade flooding into this country from Canada, that is a problem. That is not our fault; that is Canada's fault. The high-fructose corn syrup, that is Mexico's fault.

I could go on to give a dozen such examples, but let's not blame our country for trade abuses that are committed by other countries. Let's make sure businesses in our country and their workers know that when another country does that, when it tries to rig

the marketplace with a trade practice that is abusive, then we have a remedy against it.

Ralph Waldo Emerson said that common sense is genius dressed in work clothes. When we deal with trade issues, I find very little genius these days, especially in Washington, DC. Almost all of the debate that ought to be thoughtful turns thoughtless in an instant. This morning's Washington Post editorial is an example of that, suggesting this amendment is going to torpedo this trade promotion authority legislation. It will do nothing of the sort. It strengthens it.

Let me give some examples of what is going on in trade. Canada pushes an avalanche of grain into our country, unfairly subsidized, unfairly traded in our country by a Canadian wheat board that is a sanctioned monopoly in Canada which would be illegal in this country. So our farmers are confronted with this massive amount of unfair trade, and it takes money right out of the pockets of our family farmers, and nothing can be done about it. It has been going on for 10 years. It was given the green light, incidentally, in the United States-Canada Free Trade Agreement, which I voted against; nonetheless, this has been going on relentlessly, and nobody does anything about it.

We had an investigation by the ITC, and they said: Yes, Canada is guilty of unfair trade. There was a 301 action filed by wheat growers in my State, and the trade ambassador said: No, despite the fact that there is a conclusion that Canada is guilty of unfair trade, we will not impose fair trade quotas that United States law would allow because it might be inconsistent with NAFTA and the WTO. But Ambassador Zoellick says to farmers: Don't lose hope. Under U.S. laws you can always consider filing antidumping or countervailing duty cases.

Let me show my colleagues a Congress Daily Report, November 26, 2001—November 9 through 14: The WTO ministerial at Doha, Qatar, Trade Representative Zoellick agreed that U.S. antidumping laws could be discussed as the new round gets underway.

In other words, in the next round the antidumping laws will be up for discussion because many countries don't want us to have antidumping laws. They want to dump their products into the American marketplace, and if our producers are concerned about that—saying we cannot compete, we will have to close our plant, we can't compete against products coming from China or Japan or Europe or Canada or Mexico or Korea, we can't possibly compete against them because they are dumping at below the cost of acquisition, what are we going to do—we are going to put this on the table to talk about. Maybe we can get rid of countervailing duty or antidumping laws. Maybe the next negotiation in a room, behind a closed door, in which we are not present, the American people are

not present, trade negotiators from all around the world will decide that the United States will agree to get rid of its antidumping laws. Maybe that is what will happen.

If that happens, I sure want the Congress to be able to vote on that separately on behalf of farmers, factory workers, steelworkers. I want Congress to have a shot at saying yes or no, and my vote is going to be a resounding no.

One final point, if I might. I have just had a bellyful of people saying it is wrong to worry about protecting America's interests. The word "protect" has become a vulgarism in trade speech, and I find that Byzantine.

Who in this Chamber does not want to stand up and protect our country's interests? Who do you not want to protect? Do you not want to protect a steel industry that is under siege from unfairly subsidized shipments into this country? Do you not want to protect farmers and factory workers? Who is it you do not want to protect? Isn't it our job to decide that we will protect our industries to the extent of demanding fair trade?

I don't mean, by "protection," saying we are going to put walls around our country. I don't mean that at all. I don't believe we should do that. I believe we ought to be required and able to compete at any time, at any place in the world. That competition does not mean, however, that our companies and our workers ought to compete with 12-year-olds who work 12 hours a day and are paid 12 cents an hour in some plant 8,000 miles away, and some company takes the product of that plant and moves it to a store shelf in Pittsburgh or Fargo or Los Angeles or Pocatello. It is not fair trade and it is not what our businesses and workers ought to have to put up with.

When we talk about protecting our country's economic interests, it is not about diminishing trade or putting walls around our country. It is about saying we have a right in this country to protect the economic interests of businesses and workers who want to play by the rules when they confront others in this world who decide they will not play by the rules.

One final point. I have made this point over and over because it is so dramatic. I want to mention automobile trade with Korea to demonstrate what is happening on a range of things throughout the world in a way that hurts our workers and hurts our companies. Last year, Korea sent us 630,000 cars, Daewoos, Hyundais, and others. Madam President, 630,000 Korean cars came into the U.S. marketplace. Good for them.

Last year, we were only able to sell 2,800 cars in Korea. Let me say that again: 630,000 Korean cars coming to the United States, and we were only able to get 2,800 U.S. cars sold in Korea. Do you know why? Because the Korean Government doesn't want American cars sold in Korea. It is very simple. And that is not fair. We ought

to say to Korea and other countries, if your market is open to American products, then our market is open to you. But if we make the American marketplace open to your products, then you had better open your marketplace or you find a way to sell your cars in Kishasa, Zaire, next year and see how you like that marketplace.

I want to speak a little later, but let me say Senator DAYTON and Senator CRAIG have propounded an amendment that is very important. All it says is we need to preserve the opportunity to vote if someone behind a closed door in some room half a world away is going to negotiate away the remedies for unfair trade, our remedies to get after and take after the unfair trade that exists.

That is not antitrade; that is protrade. That is not undercutting the bill that is on the floor of the Senate; that in fact will strengthen and improve it.

I yield the floor.

Mr. REID. Madam President, the Senator from South Carolina has asked to speak.

Under the previous order, we are to go out in 1 minute. I ask unanimous consent the Senator from South Carolina, Mr. HOLLINGS, be recognized for up to 15 minutes, and this will be for debate only. At that time, we would go out for the party caucuses.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from South Carolina.

Mr. HOLLINGS. Madam President, I thank the distinguished leader and the two distinguished sponsors of this particular amendment, the Senator from Minnesota and the Senator from Idaho. There is nothing better than a clear-cut, clean-cut little amendment, this particular provision. It simply says: Wait a minute, we don't want just an up-or-down vote on an overall patchwork of all kinds of trade measures, and all kinds of articles, and everything else of that kind.

Somebody might not like what they got on prunes. Somebody might not like what they have on textiles and everything else.

We are not disturbing whatever the negotiations are of our special Trade Representative, or the President. They tried to label it as either you are for the President or against the President. That is baloney.

What it says is: Wait a minute, before you have to vote up or down to just bring a whole trade bill down, let's make certain the basic laws are right. Here is how it reads:

Notwithstanding any other provision of law [it] . . . shall not apply to any provisions in an implementing bill being considered by the Senate that modifies or amends, or requires a modification of, or an amendment to, any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including—imposition of countervailing and antidumping duties . . . national security import restrictions—

It goes down and lists those things that they are trying to safeguard from unfair trade practices.

Even then, only on a point of order will the majority vote up or down. So you do not have to argue the entire trade measure that they have spent months and months, sometimes years and years on. You can just bring it to a majority vote.

If I were the President or anybody else were the President, they would say please put that in there. We are not trying to superimpose this kind of authority over the Congress. Article I, section 8, of the Constitution says that the Congress has that responsibility. It is not the responsibility of the Special Trade Representative, not the Supreme Court, not the President—we have the responsibility. What I am trying to do is protect that responsibility. The administration should want me protecting the Constitution.

What really is happening is that people do not understand the fix. Let me explain what I call the fix.

If you go back to the early '90s to the enactment of NAFTA, the North American Free Trade Agreement, the trade treaty with Mexico, it was a very interesting thing.

The New York Times published an article, after the vote was cast, about the 26 freebies that President Clinton did, to put on the fix in order to pass that particular measure. He gave two golf rounds, one in California, and another one somewhere in Arkansas for votes; he gave two C-17s to another Congressman; he gave a cultural center to Congressman Pickle, down in Texas, for a vote.

At least those freebies, in order to fix the vote, got some people some jobs. Look the golf matches at least got somebody a job to cut the grass.

Let's clear the air and understand what is going on right now. Under Mr. Bush's plan, we would not be allowed to debate and consider these trade measures—except in a limited way. The Senators from Minnesota and Idaho, said: Heavens above, let us have at least the national security laws, countervailing duties, and antidumping laws—where a point of order will give you an up-or-down vote and you do not have to vote up or down the entire trade measure.

There is a very interesting article here—the unmitigated gall of the proponents of fast track.

Let me read it:

The Bush Administration indicated that the President might veto trade legislation if the Senate adds a provision that would allow Congress to amend foreign trade agreements the President negotiates. This week, the Senate is considering granting Bush fast track trade powers. Under fast track, Congress could approve or reject trade pacts but could not amend them. However, Senators Mark Dayton, Democrat of Minnesota, and Larry Craig, Republican of Idaho, are pushing an amendment that would allow Congress to change trade pacts. They say Congress must have the power to make changes

to protect U.S. workers. Commerce Department officials said that would defeat the purpose of fast track and they would recommend that Bush veto the legislation.

In short, yes, the President does not have the authority under the Constitution. The Congress, under article I, section 8, has the authority and the responsibility. The President, and his little minion, Robert Zoellick, the Trade Representative—he runs around and smiles and grins in all of these places, and he can amend anything. He can amend the laws. But, oh, they bring and amend the laws with respect to our national security, with respect to countervailing duties and antidumping provisions. He can amend it. But the Congress can't even consider it on an up-or-down vote.

Can you imagine the polls in such a situation as this. That Grassley amendment ought to be tabled immediately and we should not wait for 2:15. There isn't any question in my mind that this thing has gotten totally out of hand. The trade laws are not successes. The distinguished Senator from Iowa points out that everything has been coming up roses. But the fact is, we have been going out of business. Because of NAFTA we lost 53,900 textile jobs alone in the little State of South Carolina, 700,000 around the country—not just 20,000 steelworkers. So we lost all of those jobs. And we are going out of business. And the Congress of the United States tells them: Retrain, re-educate, high-tech, global competition. The President says you don't understand it.

We understand it. We retrain. I told the story—I will repeat it right quickly—of the Oneida mill in Andrews that made the little T-shirts. At the time of the closing, they had 487 workers there. The average age was 47. The next morning they did it the President's way. They retrained the employees. They are re-skilled. They are now 487 skilled computer operators.

Are you going to hire a 47-year-old computer operator or a 21-year-old computer operator? You are not taking on the retirement costs, you are not taking on the health costs of the 47-year-old. So it is a real problem.

Here we have the responsibility, and this crowd will not even let us do our job. The arrogance of this K Street crowd who writes these trade measures is unbelievable. And the President of the United States went over on the House side, and by one vote he promised—what?—he would do a fundraiser. So he has been down to Greenville to show up at a fundraiser.

It is money that talks, that controls here. You do not argue the trade measure, whether it is in the best interests of our country or not. This thing has gotten totally out of hand. And to come here and say whether this President likes it or that President likes it, well, this Senator does not like it at all.

We have many other measures, too. I noticed that Nick Calio, and his minion

at the White House, said we have to get on, we can get rid of this bill this week and we can get it to conference, and everything else like that. We have barely been able to get on this particular amendment to discuss it. And then they say, well, we will put in a little maneuver here. And we will fix that vote. And we will not even have it, even when they have changed it from a 60-vote point of order down to just a majority vote up or down. They will not even let you have a majority up-or-down vote on the security of the United States under the responsibilities of the Senate.

They say that past Presidents like it. Past Presidents don't go back down to Arkansas—they move to New York. They don't sell this trade bill as being good for farmers in Arkansas, I can tell you that. They won't run for election down there. And they won't do it in my State of South Carolina, either.

It is a hearty development to find the distinguished Senator from Idaho, and the Senator from North Dakota—they know that agricultural business extremely well. They are now joining in because they are losing all the agriculture. The 3½ million farmers that we have in America cannot outproduce 700 million farmers in China. That is why we have a deficit in the balance of trade with respect to corn.

They tell me that now China is shipping to Japan and Korea some of their wheat so they can continue to appear as if they are taking our wheat. But we are going out of business there. And we will not have the wonderful export of America's most productive production; namely, America's agriculture.

So I hope we will slow down, stop, look, and listen, and understand that all we are trying to do is our job. And our job is to regulate foreign commerce. Please let us have a vote up or down. Do not come in and say, you cannot even have an up-or-down vote on the antidumping substantive law, that you can repeal it. Because once they repeal it in Doha, or any other foreign land, we're in trouble. When the trade reps meet to discuss agreements they don't go to places like Seattle any more, where people can go to and demonstrate and tell about our trade experiences here in the United States. No, they pick a place that no one ever heard of. You can't find it on the map.

The next meeting will be down in the Antarctic. I have been down there. It is hard to get there. That is where they will have the next trade negotiation, where nobody can be heard. And they will get the fix, and then they will come back and do exactly what is happening on this bill.

There is a fix. In this particular case it is not golf games and not C-17s, it is not cultural centers like it was on NAFTA, but it is welfare. It does not employ anybody. It says: Well, we give you a little welfare to keep your mouth shut, so you can go back home and run for reelection. It is not about trade, not about jobs.

We have the job of creating jobs. They are exporting them faster than we can possibly manage it. And now they are not only exporting their manufacturing, they are exporting the executive office to Bermuda.

So here, in a time of war, when you should hear the word "sacrifice," they put the President on TV, who says: Don't worry. Take a trip. Go to Disney World. Take your family. And what we ought to do is cut some more taxes to run the debt up.

You are going to hear about that because by this time next month we will be in desperate circumstances. We have to increase the debt limit, but they will not say they will increase the debt limit. They will try to say it is the war, as to why we need to borrow money. Oh, no, it is not the war. It is the trillions of dollars they have lost. And now they want to lose another \$4 trillion.

Larry Lindsey—he doesn't like me referring to him—but he is the one who opposed what we had going with President Clinton and Secretary Summers to stop all of these offshore locations from avoiding taxes. They even had a bill, reported out of the committee over on the House side, that did that.

You would think, by gosh, we would be raising taxes to pay for the war, certainly not escaping our civic duty in a time of war. But that is the hands that we are dealt. The wonderful Business Roundtable, the Conference Board, the National Association of Manufacturers, and the U.S. Chamber of Commerce—oh, they will all tell you what is good for the country. What they are saying is wrecking the economy. They don't want to pay for anything. All they want to do is just help everybody buy the different elections.

I see my time is up. I hope that at 2:15, when they move to table, Madam President, that the people will sober up and come to the floor and give us a chance on that vote to table the Grassley amendment so we can do our job. We don't say one way or the other; we just say, give us an up-or-down vote to consider the security, consider the antidumping provisions, as the Dayton-Craig amendment calls for.

Madam President, I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:46 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. BREAUX).

#### ANDEAN TRADE PREFERENCE EXPANSION ACT—Continued

AMENDMENT NO. 3408

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, as soon as we have someone here from the other side, I will move to table the amendment now pending. We have had a good debate. The debate was very constructive all morning. It is time to test the strength of the second-degree amendment and find out what we are going to do.

As we proceed through this trade legislation, we should have more debates such as we had this morning. We should vote as soon as we have had debate. Of course, a motion to table can be offered at any time. It is high time we did this on this amendment.

I was talking to some Democratic Senators this morning. Between the two Senators they have six or seven amendments. So there is a lot that needs to be done on this legislation. If someone does not have an opportunity to speak on one amendment, they can certainly do it on the other.

I hope we can continue to move this legislation. I know Senator DAYTON and Senator CRAIG have waited for days on offering their amendment.

I say to my friend from Minnesota, I appreciate very much his patience in waiting to get to a point to test the strength of what is happening.

I have been told that the Dayton-Craig amendment has at least 60 votes in favor of it. I certainly think we should find out if that is the case. There have been some who have been trying to prevent Senators DAYTON and CRAIG from having a vote on their amendment. I suggest that is not the way we should do things. Something this complex and this important we should move as quickly as possible.

I therefore move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER (Ms. STABENOW). Is there a sufficient second?

There is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

The Senator from Nevada.

Mr. REID. Madam President, I renew my request to table the amendment.

I withhold that request.

Madam President, I ask for the attention of my friend from Iowa. Is it the Senator's intention to withdraw the amendment?

Mr. GRASSLEY. Yes.

AMENDMENT NO. 3409 WITHDRAWN

Mr. GRASSLEY. Madam President, I ask unanimous consent to withdraw my amendment.

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

AMENDMENT NO. 3408

Mr. REID. Madam President, I move to table the Dayton amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion to table amendment No. 3408. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "no."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 61, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—38

Allard	Gramm	Lugar
Baucus	Grassley	McCain
Bennett	Gregg	McConnell
Bond	Hagel	Miller
Breaux	Hatch	Murkowski
Brownback	Hutchinson	Nickles
Chafee	Hutchison	Roberts
Cochran	Inhofe	Santorum
DeWine	Kyl	Stevens
Domenici	Landrieu	Thomas
Ensign	Lieberman	Thompson
Fitzgerald	Lincoln	Voinovich
Frist	Lott	

NAYS—61

Akaka	Dayton	Nelson (FL)
Allen	Dodd	Nelson (NE)
Bayh	Dorgan	Reed
Biden	Durbin	Reid
Bingaman	Edwards	Rockefeller
Boxer	Enzi	Sarbanes
Bunning	Feingold	Schumer
Burns	Feinstein	Sessions
Byrd	Graham	Shelby
Campbell	Harkin	Smith (NH)
Cantwell	Hollings	Smith (OR)
Carnahan	Inouye	Snowe
Carper	Jeffords	Specter
Cleland	Johnson	Stabenow
Clinton	Kennedy	Thurmond
Collins	Kerry	Torricelli
Conrad	Kohl	Warner
Corzine	Leahy	Wellstone
Craig	Levin	Wyden
Crapo	Mikulski	
Daschle	Murray	

NOT VOTING—1

Helms

The motion was rejected.

Mr. REID. Madam President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BAUCUS. Madam President, I rise today to discuss U.S. trade remedy laws—antidumping, anti-subsidy, and safeguard laws.

Senators DAYTON and CRAIG have offered an amendment on this important

issue. I want to say a few words about our trade laws. While much of this year's debate over fast track has centered around labor and environment, there has been less talk about the equally important issue of U.S. trade laws—specifically, how we will ensure that these laws are not weakened in future trade negotiations. This is not an academic issue. In Doha last November, our trade negotiators put U.S. trade laws on the negotiating table. I believe that was a mistake. And I want to make it clear now: This Senate and this Congress will not tolerate weakening changes to our trade laws.

It is a grave mistake to suggest that the United States must weaken its trade laws to be a participant in future trade negotiations. There is virtually no political support for such a position. The last tabling motion showed that. There were 61 Senators who voted not to table the underlying amendment. This point was made clear in the letter sent to the President last year by nearly two-thirds of the Senate.

I ask unanimous consent that a copy of this letter be printed in the RECORD.

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

MAY 7, 2001.

THE PRESIDENT,  
*The White House,*  
*Washington, DC.*

DEAR MR. PRESIDENT: We are writing to state our strong opposition to any international trade agreement that would weaken U.S. trade laws.

Key U.S. trade laws, including anti-dumping law, countervailing duty law, Section 201, and Section 301, are a critical element of U.S. trade policy. A wide range of agricultural and industrial sectors has successfully employed these statutes to address trade problems. Unfortunately, experience suggests that many other industries are likely to have occasion to rely upon them in future years.

Each of these laws is fully consistent with U.S. obligations under the World Trade Organization (WTO) and other trade agreements. Moreover, these laws actually promote free trade by countering practices that both distort trade and are condemned by international trading rules.

U.S. trade laws provide American workers and industries the guarantee that, if the United States pursues trade liberalization, it will also protect them against unfair foreign trade practices and allow time for them to address serious import surges. They are part of a political bargain struck with Congress and the American people under which the United States has pursued market opening trade agreements in the past.

Congress has made clear its position on this matter. In draft fast track legislation considered in 1997, both Houses of Congress have included strong provisions directing trade negotiators not to weaken U.S. trade laws. Congress has restated this position in resolutions, letters, and through other means.

Unfortunately, some of our trading partners, many of whom maintain serious unfair trade practices, continue to seek to weaken these laws. This may simply be posturing by those who oppose further market opening, but—whatever the motive—the United States should no longer use its trade laws as bargaining chips in trade negotiations nor

agree to any provision that weaken or undermine U.S. trade laws.

We look forward to your response.

Sincerely,

Baucus, DeWine, Specter, Rockefeller, Kerry, Byrd, Hollings, Conrad, Voinovich, Snowe, Bingaman, Collins, Santorum, Graham, Thomas, Durbin, Torricelli, Enzi, Murray, Dorgan, Akaka, Inouye, Landrieu, Boxer, Breaux, Craig, Helms, Edwards, Sarbanes, Lincoln, Johnson, Dayton, Mikulski, Lott, Daschle, Bayh, Dodd, Wellstone, McConnell, Sessions, Kennedy, Clinton, Thurmond, Schumer, Bunning, Carnahan, Cleland, Wyden, Levin, Crapo, Feinstein, Cantwell, Burns, Stabenow, Carper, Miller, Smith of New Hampshire, Smith of Oregon, Reid, Harkin, Shelby, Lieberman.

Mr. BAUCUS. Our trading partners should also understand this point. There are many countries that want to weaken U.S. trade laws. Why? Because they want to be able, if you will, to dump subsidized products—ship products that violate the basic principles of WTO—within the United States.

It is very difficult for us to protect ourselves if we don't have our anti-dumping and countervailing duty and section 201 trade laws.

I must say almost every country in the world, and certainly many in South America, are eager to negotiate free trade agreements with the United States. There are many South American countries that want to do so. Unfortunately, a thorn in our side and a thorn in the side of the countries in our joint effort to try to reach agreement on FTAA, for example, I say very respectfully, is the country of Brazil.

I think it is important to step back and ask why countries such as Brazil want us to weaken our trade laws. The answer, of course is pretty simple: their companies and their workers will benefit—at the expense of ours.

In the last couple of years, there has been considerable debate regarding the use of trade laws in the context of the steel import crisis. Last year, the administration and the Senate Finance Committee worked together to initiate a "section 201" investigation, which allows relief where an industry has been seriously injured by imports. The case of steel is well known—international overcapacity and unfair trade practices have been the norm for decades. But unfair trade practices are not limited to the steel industry. Foreign governments have sought to undercut other strategic U.S. industries—including semiconductors, consumer electronics, and supercomputers.

That last point is important—so I want to emphasize it again. Foreign governments have sought to harm American companies and workers. Opponents of dumping laws often suggest that if a foreign company wants to sell us a product cheaply we, should take advantage of that. After all isn't that what, competition is all about? But that view is far too simplistic. Companies can succeed in dumping over an extended period of time *only* if supported by government policies—trade

barriers, subsidies, lax enforcement of their own antitrust laws.

Profits gained in protected foreign markets allow foreign companies to splash prices in the United States in order to gain market share. Indeed, efficient American mills must compete with foreign mills that produce steel regardless of need. Foreign steel mills often act as little more than subsidized work programs.

I might digress slightly. The same is true with subsidized lumber in Canada. They are tantamount to subsidized work programs and subsidized timber production in the lumber industry to such a great degree.

In 1999, for example, foreign overcapacity was more than two times as great as the total annual steel consumption in the United States.

With other export markets largely closed, there is an overwhelming incentive to send underpriced steel to the open U.S. market. Let me repeat that point. Other countries tend to close their markets to companies and countries that dump steel or subsidize steel production. So what happens? That steel tends to be diverted to the United States because we, by comparison, have such an open market compared with other countries that otherwise import steel.

So without fair trade laws, investment dollars would simply not flow to American companies. For example, why would anybody invest in a U.S. company, even a highly efficient one, that could so easily be undercut by unfair foreign competition?

So it is not only a matter of workers, employees getting jobs in the United States, but it is also foreign investment and domestic investment in American companies in the United States.

A smart investor would invest in a company where its government protected its market share.

Still, the point is argued, why not just allow consumers to take advantage of cheap products? It certainly is true there may be a short-term advantage for consumers and consuming industries. But over the long term, we risk gutting our manufacturing base and gutting the technological edge of American companies.

Just think about it a second. If other countries dump, how can we invest in the United States to gain and maintain a technological edge?

For any consuming industry complaining about the use of our trade laws in the steel industry, just ask yourself what their reaction would be to foreign governments targeting their industry.

But beyond economic rationale, we risk losing the political support for trade. Trade laws are part of the political bargain. If free trade is not perceived as fair, Americans will not support it. Why would Americans support free trade if the perception is that it exposes them to foreign governments' unfair trade practices?

Consider also the consequences if we do not have effective trade laws. Trade laws ensure uniform treatment. In bad economic times, there will always be calls to take action against imports. Without consistent and transparent trade laws, those calls will come for general trade barriers against imports. The internationally negotiated trade laws we currently follow seek to provide an objective set of criteria. I might add, our trade laws are totally WTO consistent, a point some critics forget to mention.

Some have also asked whether we really need to worry about our laws being weakened in international negotiations. Recent history demonstrates why we should be concerned.

I might say, NAFTA's dispute resolution procedures under chapter 19 have significantly undermined our enforcement of U.S. trade laws. Both the GATT Tokyo Round and the Uruguay Round weakened our antidumping and safeguard rules; that is, it happens, it is not just theory. It is happening. And our laws continue to be attacked and weakened by dispute panels exceeding their authority.

Some have suggested we use negotiations as an opportunity to address due process and transparency concerns in the application of other countries' trade laws. But remember that fast track is only used to change U.S. laws. If we are only looking at the laws of foreign governments, we can resolve those differences outside of the U.S. implementing legislation.

As for difficulties encountered by U.S. exporters facing foreign countries' trade remedy actions, those are problems of compliance with the existing WTO rules, not problems requiring us to revisit the rules themselves.

Let me now turn to the Senate bill. I want to make sure my colleagues appreciate the strong provisions protecting U.S. trade laws.

First, as was the case in the House legislation, our bill provides that the President must not undercut U.S. trade laws and should also seek to put an end to the foreign practices that make trade laws necessary in the first place. Section 2102(c)(9) of the bill states, first, that the President shall:

(A) preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions. . . .

Pretty strong stuff.

Second, the bill states the President shall—I underline the word "shall":

(B) address and remedy market distortions that lead to dumping and subsidization including overcapacity, cartelization, and market access barriers.

In addition, the Senate bill makes important additions to the House bill.

Under this legislation, the Secretary of Commerce must form a strategy to

seek improved adherence to WTO dispute settlement panels to the standards of review contained in the WTO agreements or lose fast-track procedures.

In findings, the legislation identifies particular concerns regarding recent WTO decisions affecting U.S. trade laws.

The Senate bill also requires that the chairmen and the ranking members of the Finance and Ways and Means Committees to separately determine whether any changes to U.S. trade laws are consistent with the negotiated objective of not weakening U.S. trade laws.

Another protection: The President must notify the Finance and Ways and Means Committees of any proposed changes to U.S. trade laws; and, following a report by the chairmen and ranking members, the President must separately explain how proposed changes are consistent with the negotiating objectives established in the fast-track legislation.

When it comes to protecting U.S. trade laws, I believe the Senate bill is a strong bill. But let me end by emphasizing the importance of these laws.

Why do our trade agreements basically work? They work only because there is respect for the agreements themselves, and for the enforcement of those agreements. But how long will Americans support new negotiations or existing agreements if they see foreign governments taking advantage of us?

I believe the language in this fast-track bill makes it very clear that Congress will not tolerate weakening changes to U.S. trade laws. And I—and the great majority of my colleagues—will continue to pursue this issue as we move forward in future trade negotiations.

I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Texas.

Mr. GRAMM. Mr. President, I want to talk about trade promotion authority. I want to talk a little bit about the history of how we came to be here. I want to talk about why this issue is so critically important. I want to talk about the Craig amendment. And I want to talk about how we are reaching a point where we are beginning to endanger trade promotion authority altogether.

This is a lot to talk about, and I know there are a lot of other people who want to speak, so let me begin. And let me start at a logical point: 1934.

Imagine that it is 1934 in America. One out of every three Americans is out of work. The gross domestic product of the country has declined by almost a third. We have adopted a series of protective tariffs including the onerous Smoot-Hawley tariffs initiated by Republicans and supported by Democrats. And in the process, we not only have a depression in our own country, but we, by starting a trade war worldwide, have turned the global recession of 1929 and 1930 into a global depression.

And in that humbling moment of 1934, where everything we did related to trade and the economy was wrong, there was a rare bipartisan consensus. It occurred because the country was in so much trouble, and because there was a recognition that we had created our own problem. At that moment in 1934, Republicans and Democrats got together and passed what was called the Reciprocal Trade Agreements Act. That Act allowed the President to negotiate 29 trade agreements between 1934 and 1945. We literally were the leader in starting up world trade again.

As world trade was reignited, as our economy started to grow, and as we fought and won World War II, the bipartisan consensus on trade grew. We saw that trade is a good thing that promotes jobs, growth, opportunity, prosperity, and freedom. The bipartisan consensus expanded to the point where in 1948 we adopted the General Agreement on Tariffs and Trade, known as GATT, and initiated a worldwide effort to try to open up global trade.

Subsequently, from 1947 to 1963, we completed five successful negotiating rounds under GATT. But then, in 1962, something happened that is highly relevant to the debate we are having today over the Dayton amendment. By 1962, the principal impediment to trade in the world was not protective tariffs. Instead, the key impediment was non-tariff measures anti-trade laws adopted by countries that limited the ability of trade to flow freely. For example, countries began to adopt laws allowing producers within a country to get special protection if they were harmed by trade, and allowing countries to subsidize their exports if they felt they were losing out in trade.

By 1962, therefore, President Kennedy recognized it was no longer enough to negotiate tariff reductions. We needed to negotiate away all the barriers that we and other countries had put up that consisted not of tariffs, but of non-tariff trade protections. Therefore, the Kennedy Round focused on issues such as countries' use of export subsidies, and of anti-dumping laws. When the Kennedy Round of negotiations was completed, it addressed not only tariffs, but sought to establish some worldwide rules related to countries' use of anti-trade laws.

But at that point, when presented with the Kennedy Round by the Johnson Administration, Congress approved legislation undoing the provisions of the Kennedy Round Agreement that related to anti-trade items such as export subsidies—the very provisions we are debating today in the Dayton amendment. Congress effectively amended the deal. The Kennedy Round of negotiations was agreed to by other GATT members and became the new foundation for world trade. But because Congress basically changed the deal, the United States did not participate in or get the full benefits of the Kennedy Round. We had negotiated this entire set of agreements with our

trading partners. But when we changed one critical ingredient, our trading partners said: We are not willing to negotiate with the United States and then let Congress strike the parts in which the United States made concessions and yet leave the parts where we, the United States' trading partners, made our concessions.

When the Kennedy Round went ahead without the United States in 1967, so shocked was Congress that in 1974 we created a new process that today is known as fast track. And every succeeding President since President Ford has had fast-track trade authority. That trade authority has allowed the President to go out and negotiate agreements with our trading partners. In those agreements we give up some things we don't want to give up, and our partners give up some things they don't want to give up, but the United States and the group of countries involved decide that overall, the trade agreement is in their interest. And that was the procedure that we had in place until 1994, when the fast-track provisions expired.

Since then, we have found that few countries in the world are willing to negotiate with us, because any trade agreement negotiated could be amended in Congress. Obviously, countries are not willing to make concessions that bind them when our concessions would not bind us should Congress decide to change them.

As a result, there are some 130 trade agreements worldwide that we in the United States are not part of. For example, Europe has negotiated an expanded trade agreement with South American nations. We have no similar agreement. Mexico has negotiated and successfully completed free trade agreements with Central and South American nations. We have no such agreements. Canada has negotiated free trade agreements with South American nations. We have been unable to have such agreements. So today, appliances that could be produced cheaper and better in the United States are being sold in Chile today by Canadian manufacturers because their manufacturers have an advantage over ours: they have a free trade agreement that means lower tariffs. Chilean consumers could buy better American appliances cheaper, but without a trade agreement, they can't buy them without having to pay a tariff. Canada benefits from that trade, and we do not.

We have come here today to try to set this situation straight. We have come here today to try to give the President the authority to promote American exports and to engage in trade liberalization around the world.

Without getting into a long harangue about it, let me say that Republicans have been asked to pay a tremendous level of tribute to get to this point. The President asked the Senate for an up-or-down vote on trade promotion authority. That request was denied. Instead, the majority has said that to get

a vote on trade promotion authority, we must add a trade adjustment assistance bill to it, and that bill must contain a new provision requiring the government to pay 70 percent of the health care costs of people who lose their jobs because of trade, even though many Americans have no health care benefit when they are working.

Moreover, we have been asked to agree—and to this point we reluctantly have agreed—that if you are a worker whose company is affected by trade and is not competitive, you get not only 2 years of unemployment and 70 percent of your health care benefit, but you get part of your wages paid for by the government. Let's say you lose your job in the steel mill but you have always wanted to be a batboy for the Pittsburgh Pirates. If you take the lower-paying job as a batboy, we will supplement your wages to make up half the difference of what you lost in salary from the steel mill wages as compared to the Pittsburgh Pirates bat boy wages. Meanwhile, if you lose your job because a terrorist destroys the factory you work in, you get 6 months unemployment and you get no health care.

It is fair to say that there are 45 Republican Members of the Senate who are adamantly opposed—adamantly opposed—to those provisions. We have created two new entitlements that are unfunded and that nobody knows what they cost. We are creating the incredible anomaly where we will be taxing people who are working and who don't have health insurance in order to subsidize 70 percent of the health care costs of certain people who are unemployed but had health insurance when they worked. They now will be getting a taxpayer subsidy, even though the people paying the subsidy don't have health care themselves. And we are being asked to sign on to a system where the American Government for the first time is going to get into wage guarantees. There is no sense beating this old dead horse, but let me say that these are the same kinds of deals that Europe is desperately trying to get out of. They can't create jobs because they can't cut old jobs because they have to pay all these benefits. Yet in this tribute we are having to pay to get the trade bill, we are going in the direction that the Europeans are actively trying to get out of. We are going in the direction of imposing heavy socialistic programs that are going to have a stifling effect on the budget.

And now, in the midst of a bill that already has all these provisions that 45 Republicans hate, that will drive up the deficit, that will make the economy less competitive, and that create a terrible injustice in the system, we now are presented with an amendment before us that will literally undo fast-track authority by allowing Congress to change the deal.

Can you imagine if in buying and selling a house, or any other commonplace negotiation, you suddenly are told you must pay more than you nego-

tiated to pay? Can you imagine how commerce would break down when deals can be renegotiated after the negotiations are done?

The whole purpose of paying this heavy tribute, and adopting all this terrible, harmful public policy is to get the positive effect of fast track whereby there is an up-or-down vote on accepting the negotiated deal. But now in comes the Dayton-Craig amendment that says to the President, OK, you can negotiate, you can give, you can take, but when the trade bill comes back, if you have negotiated in areas where Congress has written laws to hinder trade, then we get to vote on those provisions separately. And if you cannot get 51 votes, then those provisions are taken out.

What country in the world is going to be foolish enough to negotiate with us when they know there is going to be a separate vote on the parts of the agreement that we in the United States like the least? We would never negotiate with another country under circumstances where their legislative body could take out the parts of the negotiation they did not like but leave in the parts we did not like.

This amendment kills trade promotion authority because it is counter to the very thesis that underlies it. What is trade promotion authority about if it is not about an up-or-down vote on a trade agreement, without amendment? How can a provision which allows part of an agreement—the part that is likely to be least popular in the United States—to be voted on separately? How can anybody be confused that this amendment absolutely kills trade promotion authority?

As the Dayton-Craig amendment has been debated, people have gotten the idea that this amendment has to do only with unfair trade practices. But most of this amendment has nothing whatsoever to do with unfair trade practices. And even where it does, it is obvious on its face that if we could negotiate agreements to fix those practices both here and in our trading partners' countries, we would want to do it.

Let me now go through the provisions of law that would be affected by the Dayton-Craig amendment.

First, the Dayton-Craig amendment says that Congress would have the right to strike, by majority vote, any provision that would limit actions against foreign subsidies such as income or price supports. The first law the amendment talks about title VII of the Tariff Act of 1930, which includes our countervailing duty law. What is that law about? That law is about American taxpayers subsidizing American producers to compensate for the subsidies that foreign governments are giving to their manufacturers and their agricultural producers.

I ask my colleagues, when we cannot sell our agricultural products in Europe because of their subsidies, when we have spent 25 years trying to get them to reduce those subsidies, why in

the world would we want to set forth a rule saying that American negotiators can negotiate anything except agricultural subsidies. Why in the world would we ever want to ban negotiations in which the Europeans agree to cut their subsidies and we agree to cut ours? Yet by taking subsidy disciplines off the table, that effectively is what we'd be doing.

What this amendment really would like to do is allow negotiations reducing European and American agricultural subsidies to go forward, but once that agreement gets over here, allow Congress to strike the provisions reducing American agricultural subsidies. Why in the world would the Europeans ever enter into such an agreement? They would never enter into such an agreement.

When 60 cents out of every dollar of farm income in America now is coming directly from the Government, when we are paying farmers literally millions of dollars to produce products that we end up having to dump on the world market, and when we claim we do this because our foreign competitors are doing the same thing, why in the world should we prevent the President from getting together the major agriculture-producing countries and saying let's stop cheating, let's get rid of these income and price support subsidy programs so we can have freer trade in agriculture?

My point is that this amendment would ban for all practical purposes all agreements that have to do with export subsidies. It would ban any agreement that has to do with eliminating the unfair trade practice of subsidies by us or by our competitors. I want my colleagues to understand that when the proponents of this amendment stand up and say they simply do not want agreements that undermine our laws protecting Americans and American producers, what they are really talking about is our ability to negotiate away harmful subsidies. Why in the world should we not be negotiating with the Europeans, the Koreans, or the Japanese to suggest that we all reduce the amount of subsidies that we are paying to dump steel on the world market? Why don't we all agree to reduce the subsidies that are resulting in overproduction of agricultural products?

The net result of this provision will not be to protect American manufacturers and farmers from losing their subsidies. The result of this amendment, if adopted, will be that there will never be another trade agreement that has anything to do with reducing export subsidies. And of all the nations on Earth, we would be the biggest beneficiary of such an agreement. What country in the world can outproduce Iowa in agriculture? We could sell billions of dollars of agricultural products in Europe if we could negotiate an end to export subsidies. Why should we prohibit the President from negotiating them? We ought to be encouraging him to negotiate them. But this amendment, despite all the rhetoric about

eliminating our ability to protect our producers from unfair trade, protects us right out of being able to eliminate unfair trade.

The second provision of the Dayton-Craig amendment refers to our anti-dumping laws. Now, on its surface, the amendment sounds good. The President would not be able to negotiate anything that would prevent America from protecting its producers from dumping. In other words, we will not be dumped upon. But what does dumping mean?

First of all, dumping means all these low-price quality items Americans can buy for their families at department stores. But forget for a moment that American families enjoy a better quality of life from low-price imports. Why shouldn't we negotiate an agreement that says why should we subsidize products to dump on your market and why should you subsidize products to dump on our market when we could get together and negotiate an armistice where we both stop dumping?

When one listens to the rhetoric of supporters of the Dayton-Craig amendment, gosh, it sounds appealing. They say, do not eliminate our protections against dumping. But when we protect our right to dump and our right to protect ourselves against dumping, we effectively eliminate our ability to negotiate for a world where we stop dumping by everybody. That just does not make sense to me.

Third, another law covered by the Dayton-Craig amendment is Section 337, which relates to U.S. patents and copyrights. From listening to the rhetoric, you might think the amendment says that anything the President might do that weakens American patents and copyrights will require a separate vote.

But who owns all the patents and copyrights in the world? What nation in the world has tried to write language protecting patents and copyrights into every trade agreement since 1948? The United States of America. We are the only country in the world that wants to talk about copyrights and patents. Why? Because we own copyrights, and we own patents. Why in the world would we want to bar the President from holding negotiations in the very areas where the United States will benefit the most? If we, who hold the vast majority of the copyrights and patents in the world, could negotiate an international agreement on respecting copyrights and patents, would we not be the principal beneficiary of it?

Mr. DAYTON. Will the Senator yield for a question?

Mr. GRAMM. I will be happy to yield, but let me finish this one point.

How can we get other countries to submit to negotiate on their patent and copyright laws if we say that we want you to change your laws but we are totally unwilling or unable to negotiate on our laws?

I will be happy to yield.

Mr. DAYTON. The Senator raises an excellent point. There are negotiations

that occur that are in the best interest of the United States. Of course, we want to encourage those negotiations to proceed. Is the Senator aware there is nothing in the Dayton-Craig amendment that would require the Senate to step in on these matters? It simply permits the Senate, by a majority of the Members, to do so if, in the view of the majority of the Members, what has been negotiated is not in the best interest of the United States.

Mr. GRAMM. Let me respond. The Senator asks whether I am aware that the Senate could decide not to strip out this provision. Yes, I am aware of that point. But every country with whom we wanted to negotiate would realize that Congress nonetheless had the ability to strip provisions out. And what country would negotiate changes to its patent and copyright laws knowing that whatever change to we agreed to could be stripped out?

Let me use a contracts example. I have only a limited number of contracts examples because I am an old schoolteacher and have been a politician for a long time, and most of the examples I have are consumer examples. But what if we had negotiated a contract that I would buy your house, but we wrote into the contract that I had the ability to change one part of the contract to suit me but that you did not have a right to change a part of the contract to suit you? No party to a contract would agree to that.

I am not talking about changing copyrights and patents unilaterally. I am talking about reciprocal commitments. Congress has passed resolutions again and again demanding that trade agreements require our trading partners to change their copyright and patent laws. It has been something we have trumpeted, it is in our interest, and we should be promoting it everywhere. But how are we going to get countries to change their laws when any changes we agree to can be voted on separately? As much as I might want your house, and even if I offer a very good price, if I can come back after the contract is signed and change the price, you are not going to negotiate with me.

Mr. DAYTON. Will the Senator yield?

Mr. GRAMM. I will be happy to yield.

Mr. DAYTON. I agree with the Senator that certainly under the terms the Senator describes, my understanding of the way this would work, if there were an agreement and the United States, by an act of this body, changed the terms of that agreement, the agreement would not be valid; the agreement would not apply.

I certainly agree with the Senator there would be no country that would want to sign and agree to something that can be changed unilaterally and still apply. My understanding is the entire agreement would have to go back to the World Trade Organization, or wherever, to be renegotiated.

Mr. GRAMM. Let me make up an example. Let's say we are negotiating

with the Chinese on a trade agreement, and one of the provisions we want is for them to recognize and respect our patents and copyrights on everything from books to CDs to DVDs. If you go to China, you will see that while you cannot bring them back with you because our Customs will not let you, and for good reason, everywhere in China you can buy pirated CDs, DVDs, books, and the like. Let's say we could work out an agreement with them that required enforcement against patent infringement in return for our reducing a patent term on an AIDS medicine or on some broad spectrum antibiotic that is important to their population's general health. Even if we had to compensate the United States patent holder because of the takings provision, there might very well be a good deal in the making there. Yet, we could not make that deal if a separate vote were allowed.

My example may be somewhat unrealistic, and I am sure if Ambassador Zoellick were here he would have 100 good examples, but I think it makes the point.

Let me go to the next provision of law that would be covered by the Dayton-Craig amendment. The third area has to do with section 201. The proponents of this amendment say over and over that we cannot negotiate away our protections against unfair trade. Yet Section 201 has nothing to do with unfair trade. It makes no pretense at unfair trade. Section 201 simply is a remedy whereby American producers can get relief if foreign competition is successful and if the injured American producers can show they are losing jobs because of imports.

It has nothing to do with unfair trade. In a sense, it has to do with successful trade. Granted, we are concerned about Americans losing their jobs, and we have assistance programs to give them some cushion. But is there anybody here who cannot imagine that we might be willing to eliminate those protective barriers in return for the elimination of similar barriers in Europe, Japan, Korea, or China? Or that we might find a better way to compensate and protect injured companies, perhaps through trade adjustment assistance?

This whole debate, the whole title of the amendment, the whole preamble to the amendment, is about unfair trade. Yet probably the most important laws covered by this amendment has nothing to do with unfair trade.

Am I in favor of unilaterally waiving every 201 right in America? The answer is "No." But my point is that if we could eliminate similar barriers against American exports, can no one imagine the possibility there might be an agreement that would be advantageous to everybody? Yet no such agreement could ever be consummated under the Dayton-Craig amendment because nobody would negotiate the elimination of their protective safeguard against American exports unless

we eliminate or modify our Section 201 provision. Negotiation in this area would be a nonstarter.

As I said when I started my remarks, our need for fast track arose in the Kennedy Round, when President Kennedy recognized that the greatest impediment to trade was no longer tariffs but domestic laws that limited trade. It was when he tried to change those laws that Congress came in and changed the deal. The Kennedy Round went into effect without our being a party to it, all because of the issues that are raised by the amendment before the Senate. The Round died for exactly the issue that are listed here in the Dayton-Craig amendment. The recognition that you cannot change a negotiated deal after the fact is what led to enactment of fast track. Senator BAUCUS and I were involved in negotiations the other day. There are a lot of things in that final deal I really do not like. But I do not have the right to go back after the fact and say Senator BAUCUS gave up on items A, B, C, D, and E, which is great, but I want to renegotiate and change our deal. I do not have a right to do that. A deal is a deal. That is the very issue the Senate is dealing with here.

The next provisions of law covered by the Dayton-Craig amendment are chapters 2, 3, and 5 of title II of the Trade Act of 1974. This is the fourth so-called unfair trade protection provision. Yet as one reads those chapters, they have nothing to do with unfair trade. They simply have to do with the assistance provided to companies and workers negatively affected by imports or by a company's shift in production. Some may not favor shifts in production, but when did it turn into an unfair trade practice? Every day, Americans are moving investments from one country to another. We are the world's largest investor. In fact one of the things we are trying to do in the underlying bill is to get other countries to allow investment in America and allow greater freedom for American investments in their country.

Even if a shift in production were an unfair trade practice, how could we say to countries that we want to negotiate away prohibitions you have against producing in the United States, but we aren't willing to do the same? Remember when we had the big battle with Japan over autos? We wanted them to produce some of their automobiles in America, and we negotiated over it, and in fact they did increase production here. But why would they ever negotiate if we have said in advance that we are not willing to eliminate prohibitions against plant relocation in our own country? Why should the Japanese allow companies to move out of Japan or set up programs that impede the process if we are not willing to do it?

I could go on at length about the other laws covered by this amendment. The amendment is written very broadly. It may list 5 bills in particular, but it is written so broadly that in my

opinion it covers at least 18 other laws that are part of current trade law: for example, section 1317 of the Omnibus Trade and Competitive Act of 1988; the Antidumping Act of 1916; the Continued Dumping and Subsidy Offset Act of 2000; section 516A of the Tariff Act of 1930; section 129 of the Uruguay Round Agreements Act; and the list goes on. The plain truth is, given the way it is written, not even the authors of this amendment truly know what it does.

I will conclude by making some final points. I understand the need for consensus. We do not get to write these bills by ourselves. It requires give and take. My belief, and the belief of the vast majority of members of the Republican Conference in the Senate, is that we have given. We gave on health benefits that are not paid for, that we think represent bad public policy, that take away from poor working people to give to relatively high income, non-working people. We gave on 2 years of wage guarantee benefits for people affected by trade. Meanwhile, somebody who lost their job because of a terrorist attack gets 6 months of unemployment, no health benefits, and no wage insurance benefits. We are getting to the point where we have already paid for the trade bill, and if this amendment passes on top of those payments, we will not be getting a bill at all.

The principal ingredient of trade promotion authority—in fact the heart of it, in its purest form—is very simply the right of the President, within the parameters we set out in law, to go out and negotiate a trade agreement and bring it back and subject it to a yes-or-no vote in Congress. We do not have the right to amend a trade agreement; we simply have to take the whole thing or reject the whole thing. That is what trade promotion authority, or fast track, is. Yet the pending amendment says the President does not get an up-or-down vote because in some 23 different areas of law, many of which have absolutely nothing to do with unfair trade, we can have a separate vote and if a majority votes to make a change, then the trade agreement is modified. Under those circumstances, nobody will negotiate with us and the President effectively does not have fast-track authority.

So what we have is a bill that claims to be about fast-track authority, which is a single take-it-or-leave-it vote on a deal. And yet we have an amendment before us that eliminates that provision and requires a separate vote on things in the agreement that we do not like.

I do not see how the two can be reconciled. It seems to me that when you are voting for this amendment, you are voting against trade promotion authority. I do not think you can have it both ways. You cannot say on the one hand that we will give the President the right to get his agreements voted on up or down, take it or leave it, yes or no; and then on the other hand say we can adopt an amendment that says but of

course on some 23 different provisions of law we don't have to take it or leave it, we can change it.

Today, through a letter from the Secretary of Agriculture, the Secretary of Commerce, and the Trade Representative, the President rightfully has indicated that he will veto the bill if the Dayton-Craig amendment is included in it.

To conclude, we paid a very heavy price to get fast track, and this amendment takes fast track away. Rather than pay all these new tributes—the expanded trade adjustment assistance, these new health benefits that are not paid for, the new entitlements that are not paid for, this wage insurance that smells very much like the programs that are killing some European countries that have not created a net new job in countries in 20 years—we are quickly reaching the point where even the strongest proponents of free trade have to say this amendment breaks the axle of the wagon. Even the strongest proponents are saying that with all else we paid to get a vote on the trade promotion authority bill, if this amendment is in the bill it means we don't have trade promotion authority, so why pay for all the other things?

I urge my colleagues as we try to find a solution to this problem. That solution might be a compromise in which we set up an oversight committee to allow those concerned about these laws to monitor negotiations, and provide 90 days' notice of any potential trade agreement that changed any of these laws. There are many ways we can enhance the ability of Members to be involved and get advance notice to allow them build political opposition. I hope those who want to pass this bill will find a way to get around this dilemma.

We are already at the point that given what we are already paying for this bill, it almost is not worth it. I believe that at this point, many Republican Members of the Senate are holding their nose and saying: OK, we have to do a bunch of bad things, but we will get trade promotion authority and maybe some of the bad things will be addressed in conference. But over and over bills have gotten worse, not better, in conference. If you are for trade promotion authority, if you want the deal we put together to work, I believe we need help in finding a way to respond to the concerns raised without providing for a separate vote, because a separate vote destroys trade promotion authority.

If the two Senators who offered the amendment wanted to be on the oversight committee for the Senate, I would be willing to write the bill to make sure they were put on it. I don't have any objection to oversight and I am for notice. Then, if people were getting ready to vote against a fast-tracked trade agreement, they could tell the President that if he makes these changes, he is jeopardizing my vote. And they would have 90 days to build up an alliance to lobby against it.

When "lobbying" is mentioned people say oh gosh, that's terrible, terrible. But making your voice heard is a good thing guaranteed under the Constitution.

But what we cannot agree to without killing the underlying bill is Congress' ability to change the trade agreement once it has been negotiated. The President must be able to say to our trading partner that a deal is a deal; not that wait, it was a deal, but the part we agreed to that we did not like is not a deal because 51 Members of the Senate decided to amend it.

I accept and am for the process whereby 51 Members of the Senate can defeat the implementing bill for a trade agreement. I have never voted against an implementing bill, although I can imagine a trade agreement that I would think was so bad that it was not worth it. I believe I ought to have the right to vote no. And I have that right under fast track or trade promotion authority. But I do not have the right to change the deal.

This amendment would allow Congress to change the deal, which is why it is a killer amendment. It is the antithesis to what trade promotion authority is about. You cannot be for trade promotion authority, which is a single vote on the deal, and then be for an amendment that allows votes to amend the deal. I don't see why the people who are for this amendment don't simply vote against the bill, and let those who are for it have a chance to vote for it. The Dayton-Craig amendment would gut that process. It would leave the Senate in the unhappy position of having a fast track bill that includes an amendment that undoes fast track.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Idaho.

Mr. CRAIG. Mr. President, I have listened intently to my colleague, the senior Senator from Texas. The reason I do that and I have done that for a good many years, I always learn a great deal. I am always extremely cautious to get on the floor and debate in opposition to a position held by my colleague from Texas, with his skill but, most importantly, his knowledge in this area. It is very important. I hope all listen.

I was taking notes as if I were a student at Texas A&M and he were the economics professor. In fact, that is what we heard today, a rather professorial statement about the ideals of trade in an ideal environment. I disagree not with that statement.

I also agree with the historical perspective that he offered from the 1960s through the 1970s and the Kennedy Round and the circumstances the world found itself in and the need for us to change from being the exclusive holder in a constitutional Republic of the right to determine international commerce flows to one where we delegated that thought by law to the executive, in a great more detail. That, of course,

is what we did with fast track. That was the 1960s and the 1970s.

Through that period of the 1970s and the 1980s and the 1990s, the world changed a great deal—really all for our betterment in the broad sense. As economies changed and we invested in world economies, there is no question that the economic engine of the United States drove the world and took a lot of poor countries and made them more prosperous. Part of it was because we allowed access to our markets while at the same time we promoted their markets and invested in their countries. All of that is true, and it will be every bit as true tomorrow and a decade or two from now as it was then. I don't disagree with that.

What I am suggesting is in the year 2002, as we once again search for a way to promote trade, we take a nearly 40-year-old model and say it works, it fits, it is the right thing to do again. Is it the right thing for us to—almost in an exclusive way—delegate full authority to the executive branch in an area that is constitutionally ours? I believe it is. I believe it is with certain conditions that are very limited and very direct. I don't believe they change the dynamics of a relationship and ultimately a negotiation.

It is very difficult to blend a parliamentary government's negotiators and what they understand their role is with that of a constitutional Republic. I know; I have been there. I have seen the frustration of the European parliamentarian who cannot understand why the President's men or women cannot speak for the United States and cut a deal and confirm it and that is the way it will be if the President signs off on it.

The reason they can't is because of us and because of a little item we call the Constitution. While we have delegated that authority by law, we have also said it has to come back here on an up-or-down vote.

What Senator DAYTON and I do is go a slight step further and say that in those areas that are fixed by law, law that we created, you have to come back to us. And not under this sweeping environment and nostalgia and euphoria of a trade package that is going to spin the world into greater economies are we going to pick apart an agreement. What we are saying is simply this. We are saying that you, Mr. President, and your team must come back as advocates and sales men and women. As you sell the whole package, you have to sell a few of the parts.

I hope, ultimately, when we see a conference report, it has a 90-day notification in it that sets the Congress to task in the sense that it notifies it that they will be making some change in current law and we are preparing ourselves, we are looking at it, we are making decisions, and the President's men and women are here on the Hill advocating and saying: It is a quid pro quo: For a reduction here, we get this here; for a reduction in our subsidies in

agriculture, the Europeans are going to reduce their subsidies, they are going to take away some of their hidden barriers, and we are going to have greater access to markets.

I think that would sell here in the Senate. I think it would work. I think you could find 50 plus 1 who would support that.

But you have to sell it. We have delegated the authority of negotiation, but we have not delegated the authority and the conditions of final passage. That alone is ours under the Constitution. That is why this is an important debate and, while it may change the character from the historic perspective of fast track, I do not believe it neuter, I do not believe it nullifies, I do not believe it causes our negotiators more encumbrance as they sit down at the table.

That is because right upfront the terms are understood. It does not deny them the right to negotiate anything. Everything is on the table. What it does say to the executive branch of Government is: Come home and sell your product. Come home and convince Congress you have done the right thing and here are all the tradeoffs and the alternatives. Because on the whole Congress agrees with the Senator from Texas: Trade for the whole of our economy and for job creation is very important.

Earlier in the day when I was debating the initial Dayton-Craig amendment as offered, I talked about Idaho's economy. We have to have trade. I know we have to have trade. I am going to work to get trade. But I want to tell the Senator from Texas that a good number of years ago a young man from Texas came to Idaho. He had been from Idaho originally but was working in Texas at a company called Texas Instruments, a little old high-tech company that became a big old powerful, important, and valuable high-tech company. He came home to Idaho, and he convinced a group of investors to go with him and his brother because they had a better idea about how to build memory chips.

They got a group of investors together, and they built a fab, and they started producing memory chips—late 1980s, early 1990s. They were doing a great job building a DRAM memory chip, selling it to the world, and then all of a sudden came the Japanese aggressively into the market, deciding they wanted the market, they were going to control the market. They had built great fab—or fabrication capacity—and they were dumping in our markets. And down went that little company in Idaho.

They came to me and others from Idaho. We went to a President—George Bush—and said: President Bush, if you do not help us, this little company is going to be destroyed and we are going to lose all of our memory chip capacity in this country. There were futurists saying this was the loss of the new intelligentsia, of the U.S. economy, and

if we lost this and gave it away to the Japanese, we would never have this new economy.

The then-President Bush stepped in and said: You are right, and he stuck an antidumping clause against the Japanese—backed them off. At that little fledgling company in Idaho, the lights went back on, they began to produce chips again. Now they are an organization known as Micron. They employ 30,000-plus people. They produce 40 percent of the memory chips of the world. They are Idaho's major employer. And they are in other States. They just bought a fab in Virginia.

But for a moment in time, the President of the United States used antidumping provisions and stopped the Japanese and, in part, shifted the world. From that moment through the decade of the 1990s, until today, this country has led in the area of new technologies. It truly was the economy of the 1990s, in part—a small part but an important part—because we helped shape a marketplace and we disallowed government-sponsored, government-supported manufacturers in other countries from dumping in the world market and, most importantly, in our market.

That is why these tools are important. If they are negotiated away, then it is phenomenally important for this Congress to speak to it. Nowhere do we say they cannot be brought to the table. Nowhere does the Dayton-Craig amendment say they cannot be negotiated. It simply says to the negotiators, our negotiators: You have a job to do. You have a very important job to do, and that is to sell it. And the same logic that sells the whole trade package, 50-plus-1 votes here in this body, blocks a point of order on any changes in trade law. That seems to be reasonable. That seems to be common sense.

We can go through all the provisions, and the Senator from Texas did that and expanded on them and talked about intellectual property and copyrights.

People come to the United States for the purpose of inventing so they can own a piece of their invention and profit by it. That is why we have had copyright law. That is why we have led the world and why we lead the world today in inventions, in new technologies, largely because those who create—those who create through thinking, and that materializes in the form of a useable object in the market, in the laboratory, in the manufacturing unit—can profit by that for a period of time. We protect them.

Yes, we will negotiate those items. But what we will not do is negotiate ours away. We are going to try to make the world a transparent place.

I am amazed that as the world shifted from tariff to antidumping, countervailing kinds of trade remedy laws, as is being argued here today, we would want to back ours off. I understand trading. I understand quid pro quo: You

do this and we will do this. But what you do must be transparent, what you do must be enforceable, because what we do as a representative republic, by the very character of our country and the character of our laws, is open. It is done in the public eye. It is done in the arena of the international trade debates.

At the Commission downtown—I have been there to testify; so has the Presiding Officer—we have talked about trade issues. We have talked about agricultural policy. We have argued before the Commissioners to make sure that the findings are correct and they are right. We have been there on Canadian-related issues.

The only reason we are allowed to go is that we have the law so that ultimately, if wrongdoing is found, if dumping is found, there is a remedy. That remedy usually allows us to cause the other country to comply, to come into balance with us. That is what is important here, isn't it? That is what helps our farmers. It doesn't protect them, it helps them. It allows competition in a fair market. It doesn't protect and isolate our manufacturing jobs. It balances it. We hope it makes them competitive.

We had a vote just a few moments ago, and 60 Senators at least disagreed with the motion to table the Dayton-Craig amendment. Here is probably the reason. Let me read this for the record, and then I will step down because others are here to debate.

During the Doha Round of the WTO in Qatar last year, we know our trade ambassador largely believed he was forced to put on the table, as a negotiable item, our trade remedy provisions. We in the Senate were concerned about that. On May 7 of last year, here is what we said:

Dear Mr. President:

We are writing to state our strong opposition to any international trade agreement that would weaken U.S. trade laws.

Key U.S. trade laws, including antidumping law, countervailing duty law, Section 201, and Section 301, are a critical element of U.S. trade policy. A wide range of agricultural and industrial sectors has successfully employed these statutes to address trade problems. Unfortunately, experience suggests that many other industries are likely to have occasion to rely upon them in future years.

Why? Because of a changing, growing, maturing world economy there will be competitors out there. Let's make sure they are fair.

Each of these laws is fully consistent with U.S. obligations under the World Trade Organization and other trade agreements.

Let me repeat: Each of these laws is consistent with U.S. obligations under the World Trade Organization and other trade agreements.

Moreover, these laws actually promote free trade by countering practices that both distort trade and are condemned by international trading rules.

U.S. trade laws provide American workers and industries the guarantee that, if the United States pursues trade liberalization, it will also protect them against unfair foreign

trade practices and allow time for them to address serious import surges. They are part of a political bargain struck with Congress and the American people under which the United States has pursued market opening trade agreements in the past.

Congress has made clear its position on this matter. In draft fast track legislation considered in 1997, both Houses of Congress have included strong provisions directing trade negotiators not to weaken U.S. trade laws.

Some of those provisions are in the current document here on the floor to which we are offering an amendment.

Congress has restated this position in resolutions, letters, and through other means.

Unfortunately, some of our trading partners, many of whom maintain serious unfair trade practices, continue to seek to weaken these laws. This may simply be posturing by those who oppose future market opening, but—whatever the motive—the United States should no longer use its trade laws as bargaining chips in trade negotiations nor agree to any provisions that weaken or undermine U.S. trade laws.

We look forward to your response.

Sincerely—

And it is signed by 62 Members of the Congress, Democrat and Republican alike.

What we are offering today in the Dayton-Craig amendment is fully consistent with the letter we sent to the President last May 7. The vote we had an hour or so ago to table the Dayton-Craig amendment is almost to the vote similar to this letter. In other words, I do not believe the Senate has changed its mind. I think the President has a very clear message.

But what is most important is not our President. We want him to negotiate. We want him to put the items on the table. We want him to engage the world. We want to trade. We want our producers to produce for a world market. What we do not want is an agreement struck that is impossible to take. What we do want is for the rest of the world to know that we will, in some ways, protect and provide for the American, the U.S. economy in a way that allows us to prosper while allowing other countries entry into our economy, and we hope they will allow us into theirs, and in fair, balanced, and equitable processes.

That is what is at issue. I believe that is the essence of the debate. Idealism has its place. Academic arguments are critically important. But today we talk about the practical application of the law and our constitutional responsibility, and the impact it has on my farmers and my ranchers and my working men and women, who, like me, believe they have to trade in a world market to stay economically alive.

I yield the floor.

Mr. DAYTON. Will the Senator yield for a brief question?

Mr. CRAIG. Yes, I am happy to yield.

Mr. DAYTON. The Senator raised an excellent point which I had not thought of until the Senator made the point: 62 Senators signed that letter. Sixty-one Senators voted today in support of the Craig-Dayton amendment.

And the one Senator who was necessarily absent was a cosponsor of that amendment.

So does the Senator believe, then, this sends a message when 62 Senators sign a letter that they mean what they say?

Mr. CRAIG. I thank the Senator from Minnesota. The point is well taken.

I yield the floor.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask my friend from North Dakota to yield to me without losing his right to the floor.

Mr. DORGAN. Mr. President, I yield to the Senator from Nevada without losing my right to the floor.

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

The Senator from Nevada.

Mr. REID. Mr. President, I very much appreciate my friend for yielding.

What I want to say is that we have an amendment now before the Senate. I believe we should act on this matter. I have told my friend, the Senator from Iowa, we are not going to do anything as long as he is on the floor. But I would say, through him to my friend from Texas, my dear friend, Senator GRAMM, that if he wants to filibuster this amendment, he is going to have to have a real filibuster. He is not going to be able to come and go from the floor because we have to move on.

I know his heart is in the right place, "his heart" meaning Senator GRAMM's heart is in the right place. But we have had a vote this morning that shows 61 Senators are in favor of this amendment. It would seem to me we should move on this amendment and go on to something else.

I spoke to the Senator from North Dakota earlier today. He has at least four or five very substantive amendments. I think we should get on to those. I have spoken to other Senators who have amendments. I know there are approximately 10 amendments from the other side. And it is being held up.

I repeat, if the Senator from Texas wants to conduct a filibuster, he is going to have to conduct a real, honest filibuster, not just tell us he is going to talk a lot on this. If I did not have the relationship I have with my friend from Iowa—and I hope we can work something out—we would have moved the question when the Senator—not this Senator was off the floor but when the Senator from Texas was off the floor.

So I hope we can move forward. There are a number of people who are not real anxious to move this legislation at all. And my friend from Texas, who claims he is in favor of it, is working into the hands of those who do not want to move the legislation. It is kind of a unique twist of logic, as far as I am

concerned. I know my friend from Texas is very logical. He has the mind of an academic. And I understand that. But being very base about all this, there are certain parliamentary rules in the Senate, and we are going to stick to them. We are not going to have a gentleman's filibuster. It is going to be a real filibuster or no filibuster.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, the Senator from Nevada makes an interesting point about the difficulty of getting a vote even on amendments that have wide support.

Nearly a week and a half ago I offered my amendment dealing with chapter 11 of NAFTA, to deal with the issue of secret multinational tribunals that consider trade bases behind closed doors. This was an amendment that was bipartisan, and had wide support. I offered my amendment, and there was a tabling motion. We had 67 Members of the Senate vote against tabling, and then we could not get the amendment adopted. A number of days elapsed where we just could not get the amendment adopted.

It appears the same thing is happening here. The same Member of the Senate is doing it. He certainly has a right to do that, but as the Senator from Nevada says, if somebody wants to filibuster this, then let him come to the floor and bring a pitcher of water, get some comfortable shoes on, and stand here for a few hours.

But what I hope we will do is adopt the Dayton-Craig amendment. It is quite clear, from the evidence of the vote on tabling a while ago, that this amendment will pass by a very significant margin. And the sooner the better.

I tell you, I listened, at great length, to my friend from Texas. I must say that I actually taught economics in college for a couple years, but I was able to overcome that experience and go on to lead a different life.

The issue that is before us is not about economic theory. It is about the reality of trade relationships we have with other countries—and what real remedies we have to address that unfair trade.

I am sure there are people listening to this debate or watching this debate, and they think this all sounds like a foreign language: CVD, antidumping, 301, 201, chapter 11.

But trade issues can and should be discussed in terms of how they impact real people. This debate is about real people in our country that decide to form a company, to produce a product and market it, and then have to contend with foreign competition. I have no problem with fair competition—I welcome it. But when our producers' competitors overseas are exploiting the labor of a 12-year-old for 12 cents an hour locked in a garage 12 hours a day, is that fair competition?

Take a person who works in a manufacturing plant and has worked there

22 years, is an honest employee, has committed his or her life to that employer, only to discover that next month the identical product is coming in from Bangladesh or Sri Lanka or Indonesia, produced by children working 12 hours a day or 14 hours a day, getting just cents per hour. Fair competition?

American workers are told that they cannot compete. You, Mr. and Mrs. America, can't compete because working in this factory we have 12-year-olds who will work for less money than you will. They live in countries where it is all right to work them 12 hours a day and pay them \$2 at the end of a day. That is not fair competition.

The issue is, what are the remedies? What can we do about that? Should we be able to do something about it? Should our trade laws allow our companies and our workers to do something about trade that they think is fundamentally unfair?

The answer clearly ought to be yes. If the answer is not yes, then just forget about the past 100 years of history dealing with labor and other issues.

There are people who died on the streets in America some three-quarters of a century ago, during the struggle of American labor to get the right to organize and form labor unions. There are people who risked their lives in this country because they demanded that we have a safe workplace. There are people who risked their jobs and their lives fighting for the issue of child labor laws so we could take kids out of the coal mines.

The fact is, we worked on all of these issues for a long time. Over a century this country had to digest these issues. Should we have a requirement for a safe workplace? Should we have child labor laws so people aren't putting 8 and 10 and 12-year-olds down in the mines? Should we have a requirement of a minimum wage? Should we have the right to organize as workers? The answer to all of those issues has been yes. But it was never an easy yes. It took this country decades to get through those discussions and debates. As I said, there were some people who died on the streets during the violence that ensued over those debates.

A century later we have some who say, let's just get a big old pole and pole vault over all those issues and act as if they don't exist. Because you can start a company and you don't have to worry about that. You don't have to worry about whether you hire kids. Just go to another country and hire kids. You don't have to worry about paying a decent wage. You can go somewhere else and pay them 24 cents an hour to put together canvas bags so they can be shipped to Fargo or Los Angeles or Pittsburgh. You don't have to worry about dumping chemicals and pollutants into the streams and the air. Just move your factory somewhere else where they don't have environmental laws, laws that protect the drinking water and the air. You can

just pole vault over all of that and decide to move all these jobs somewhere.

The person who is working in that factory and has been there 22 years says: Wait a second. What has happened to my job?

That person is told: Your job is gone, my friend. Your job is somewhere else because you were too expensive. There are kids who will work for less money in another country. They will work all the overtime hours they are told to work, and they have no recourse.

I happen to believe that expanded trade and fair trade is good for this country. I think it enhances this country. It increases the opportunity for a better economy. But I don't think we can talk about fair trade without addressing the issues I am describing.

We have a lot of people in our country who work hard all day, every day. To be told that somehow they can't compete because someone else can produce that product at a fraction of the price because they don't have to follow any rules, anyplace, anytime, that is not fair trade.

What we have is a situation where globalization is here. No one is attempting to turn back globalization. It is a fact of life today in the world. This is a globalized economy. The question isn't whether globalization. The question is what are the rules for globalization. What are the rules for the global economy?

There is an admission price to this marketplace, and that is fair trade. That is part of what we are trying to define with respect to the rules of the global economy.

My colleagues, Senators DAYTON and CRAIG, have offered an amendment. It is a fairly straightforward amendment. It says that if and when the next trade agreement is negotiated under fast track rules and brought back to the Congress, we ought to have the right to have a separate vote on any provision that diminishes the protections we now have to take action against those who engage in unfair trade practices against our businesses and against our workers.

If they do anything behind a closed door in some foreign land where they negotiate a trade agreement to diminish our protection to take action against unfair trade, we reserve the right to have a separate vote on it.

Let me show you what Mr. Zoellick said in Doha, Qatar. I wonder how many of the Members of the Senate could point to Doha on a world map. I will tell you why this ministerial meeting was held in Doha: Because they couldn't hold it anyplace else. You have to find a place that is very hard to find and has very few hotel rooms in order to avoid the people who will demonstrate against these trade agreements these days. So they picked Doha, Qatar.

Last November at the ministerial meeting, Trade Representative Zoellick agreed that U.S. antidumping laws could be discussed as a new trade round gets underway.

Why is this important? Well, we have laws that say to other countries and other producers, you can't dump your products into this country. You can't, for example, produce a product that costs you \$100 to produce and dump it in the American marketplace for \$50 apiece to undercut the American producer.

My colleague from Texas said: Gee, that is a good thing, isn't it, that they are going to send a \$100 product over here and sell it for \$50.

Well, I guess it is a good thing if you don't lose your job as a result of it. I don't know of one Senator or one Member of the House who has ever lost a job because of a bad trade agreement. Just name one, just one man or woman serving in the Senate or House who has ever lost their job because of a bad trade agreement. It is just folks out there who work all day in factories being closed because of bad trade agreements who lose their jobs.

That is not theory. Those are broken dreams. Somebody coming home from work having to say: Honey, they told me I have lost my job today because I can't compete. I can't compete with 50 cents an hour wages, working 12-hour days in a factory where they don't have to worry about pollution. That is what antidumping laws try to remedy.

What Senators DAYTON and CRAIG say with this amendment is very simple: If you want to negotiate an agreement, Mr. Trade Ambassador, that negotiates away our antidumping laws, then Congress has a right to have a separate vote on that provision pertaining to our trade laws. Because this Congress is not any longer going to allow you to dilute or delete the protections and remedies which we have to deal with unfair trade.

I have spoken at length in this Chamber about my concern about our trade policy. We have a trade deficit that is growing and growing and no one cares a whit about it: Over \$400 billion a year. Every single day we add over \$1 billion to our trade deficit and our current accounts balance.

We used to have debates about deficits in this Chamber, about fiscal policy deficits when the budget deficit was \$290 billion and going in the wrong direction. We would have debates, we would have people doing handstands and cartwheels about how awful it was. Not a word about the trade deficit.

One can make the case in theory that the budget deficit is a deficit we owe to ourselves. One cannot make that case about the trade deficit. The trade deficit is going to be paid for by a lower standard of living in America's future, and over \$1 billion a day every single day we are adding to the merchandise trade deficit.

This trade policy of ours is not working. We cannot load ourselves up with debt and choke on this trade debt and say: Boy, this is a good thing; this is really working well.

I have been very critical of our trade ambassadors, Republicans and Demo-

crats, for not having the backbone to take action when we see unfair trade. We now have remedies that are not used. Even when they use remedies, I always scratch my head and think: What a strange approach.

We have a little dispute with Europe. The dispute is with respect to beef produced with hormones that are banned in Europe. We went to the WTO, and the WTO ruled in our favor. But Europe said: Fly a kite. Europe would not comply with the WTO requirement, and so we took action against Europe.

Mr. President, do you know what we did to Europe? Our negotiators said: We are imposing sanctions on imports of truffles, Roquefort cheese, and goose liver. That will sure strike fear in the hearts of competitors. Those engaged in unfair trade ought to know from here on forward, America takes tough action to deal with goose liver imports.

My point is, our country does not stand up for its economic interest in international trade very often, and to weaken the remedies that already exist—they did that under the United States-Canada agreement and under NAFTA. Section 22 used to be helpful to us. Not anymore. Section 301 is weakened and diminished as an area of trade protection.

It is interesting, I pointed out the antidumping laws we now have are on the trading block. Our allies who want to get rid of these antidumping laws in our country will negotiate them away, if they can. And by the way, they will do that in secret because the American public and Congress will not be there when it is done. It will be done, in most cases, in a foreign land behind a closed door. They will bring it back here and say: you have one vote on it, yes or no, and it deals with a broad range of issues and you cannot get at the antidumping provision we traded away because you just get a yes or no on the entire product. That is why Senators DAYTON and CRAIG say this is not the right thing to do.

I was interested to hear, this morning, one of my colleagues talk about all of the trade problems we have, as if to suggest we should blame ourselves for the problems. We have trouble getting high-fructose corn syrup into Mexico. So that is our problem? I do not think so. That is Mexico's fault. Grain coming in from Canada by the Canadian Wheat Board unfairly subsidized, that is our problem? Not where I sit it is not. That is Canada's unfair trading practice. I could go on and list a dozen more. Seventy percent tariff on wheat flour into Europe, is that fair? I do not think so.

I cannot even begin to talk about our trade problems with China. And it's not just unfair trade, it's also about badly negotiated trade agreements.

A year and a half ago, we negotiated a bilateral agreement with China. The United States agreed that after a long phase-in with respect to automobiles, any Chinese cars that are sent to the United States will be subject to a 2.5-

percent tariff on them. Any U.S. cars that are sent to China will be subject to a 25-percent tariff.

So we have a 2.5-percent tariff on the Chinese cars coming into our market, but the Chinese can impose a tariff that is 10 times higher on U.S. cars into China. You ask: How did that happen? Because our negotiators negotiated away the store. It is the same squishy-headed nonsense our negotiators do every time they negotiate.

Will Rogers once said—I have told my colleagues this many times—the United States of America has never lost a war and never won a conference. He surely must have been thinking of our trade negotiators. They seem to manage to lose within a week or two of leaving our shores.

Whenever I talk about trade, someone will call my office and say: you are a protectionist. I am not. If protectionism means standing up for America's economic interest, then count me in, sign me up, that is what I want to do but I am not asking for anything special for anybody. I want all our people to have to compete—farmers, businesses, and others. But I want the competition to be fair, and if the competition is not fair, then I want the remedies available to address that unfairness. Those remedies have been weakened dramatically, and they will be weakened further, mark my words, in the next set of negotiations.

This amendment is not in any way, as some have said, a killer amendment. That is not what this amendment is about. If my colleagues want to stand up for American jobs and demand fair trade and demand the remedies that will get you to fair trade, then it seems to me they have an obligation to support this amendment.

I was pleased with the last tabling vote because it showed an overwhelming number of Members of the Senate understand this issue and are no longer going to sit quietly by and say: You go ahead and negotiate. Get on an airplane, go someplace, roll up your shirt sleeves, and negotiate. Whatever you come back with, that is fine, we will handcuff ourselves. You can negotiate away our antidumping laws; you can trade away our remedies; and we will agree to handcuff ourselves and not have a vote on it.

I believe the Senate is finally saying to those who will listen: We are not willing to do that.

I did not support providing fast-track trade authority to President Clinton, and I do not support giving it to President Bush. I say to this administration, as I said to the past administration: Negotiate agreements and you will do so with my best wishes. And I hope you will negotiate good agreements for our country, agreements that stand up for our economic interest, and agreements that demand that the rules for that competition be fair. Then come back, and when you see unfair trade, be willing to stand up, have the guts to stand up for this country's interest.

The reason there is so much anger about trade these days—we see it in the streets during these ministerials, and we hear it in the debates—is because we are so anxious to negotiate the next agreement and so unwilling to enforce the last agreement.

We have done so many agreements with Japan that nobody can even find the agreements. USTR cannot find all the agreements the United States has with Japan, let alone enforce them. We have something like eight to nine people in the Department of Commerce enforcing our trade agreements with respect to China. The same is true with respect to Japan, eight or nine people. Why? Because this country is not serious about enforcing trade laws. This country is serious only about negotiating the next agreement and not caring how many people lose their jobs because of unfair trade that results from that agreement.

My beef with trade is that, A, we negotiate bad agreements and, B, we consistently fail and in most cases refuse to enforce the agreements we do negotiate.

I will conclude by saying this: We have, for the 50 or so years following the Second World War, largely dealt with trade as a matter of foreign policy. For the first 25 years after the Second World War, it was not a problem dealing with trade as foreign policy. This country could tie one hand behind its back and beat anybody at any time in almost anything in international trade. So our concessions in trade to almost every country were concessions that reflected the struggle that economy was having and our ability to help them in that struggle.

The second 25 years after the Second World War, our competitors became shrewd, tough international negotiators. Our trade policy must change to be a trade policy that demands the rules of fair competition, and is no longer about foreign policy.

There is one issue in recent days that demonstrates that trade is still, in many cases, foreign policy, and that is with Cuba. Cuba is a communist country, no question about that. So is China. So is Vietnam. We have people traveling back and forth to China and Vietnam. We trade with China and Vietnam, but we have a 40-year failed embargo with Cuba. Until I and a couple of others from this Chamber fought to get food shipped to Cuba, we could not even ship food to Cuba. Cuba could not buy food from us. That did not hurt Castro. He never missed a meal. It hurt poor, sick, and hungry people. That has finally changed, except we have some people in the State Department who still do not want to ship food to Cuba, and they are trying to impede in every possible way American food from being sold in the country of Cuba. So once again, trade policy is not trade policy, it is foreign policy.

I think it would be smart if we could get some of the folks in the State Department to stop meddling in trade

policy. They should start worrying a little more about terrorists with bombs and a little less about Cubans who want to buy beans in this country.

I have taken a long, meandering road to get to the point, but it is therapeutic to talk about these trade issues from time to time. The Dayton-Craig amendment is a very simple, straightforward amendment that this Senate ought to enact and ought to do so soon. We have now been on this amendment a good many hours. These are people who apparently support fast track but do not support the Senate imposing its will with a popular vote, as was the case on a motion to table the Dayton-Craig amendment. I hope that we can get past this and put our trade ambassador and our trading partners on notice, that we will not trade our remedies that exist against unfair trade.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 3411 TO AMENDMENT NO. 3401

Mr. KENNEDY. Mr. President, one of the greatest public health challenges we are facing in the world today is the pandemic of AIDS in Africa, increasingly in India and the subcontinent, spreading as well into China, and also the Soviet Union. It is most dramatically expressed in the neediest and the poorest countries of the world.

I think Africa has been on the minds of many of us in the Senate about how we were going to respond and how we were really going to provide international leadership. The United States has been a country that has developed a variety of different medications over the period of recent years, as well as treatment for a wide variety of different kinds of AIDS cases, particularly in the area of pediatric AIDS and other types of challenges that have affected those with HIV. We are now involved in responding to the real challenge of Kofi Annan and the world community in providing world leadership, in providing funding, and being replicated by other countries. We still have a long way to go, but I think many of us who have watched this develop in terms of the breadth of the support from our Members have been impressed that we are finally beginning to measure up, although I think we do have a long way to go.

Having said that, one of the great challenges that these countries have is acquiring the various kinds of prescription drugs they need. One of the issues that will be presented, should this legislation be passed and signed into law, still will be what is the availability of some of these generic drugs, which might provide a lifesaving circumstance to millions of people around the world if they are able to be produced, in these countries that do not have the resources to buy the brand name drugs.

The question has been whether these countries that are facing this kind of extraordinary crisis would be able to issue what is called a compulsory license that would permit them to buy

generic drugs that are being either produced or can be produced in their own country or in another country, and that has been very much an issue. This amendment, which I would offer myself with a number of our colleagues, would make it very clear that if the country itself issued what is called a compulsory license, based upon the critical need and public health disaster they are facing, it could not be considered to be in violation of the trade laws, and they would be able to either develop that capability within the country or, for example, if we were talking about Botswana, which has a high incidence of HIV and AIDS, be able to make contracts with other countries and purchase a generic, which they would be interested in doing, as I understand, with Brazil or other nations.

It is perhaps, in many respects, one of the most important clarifications in terms of the health care crisis of HIV and of AIDS. This provision will make a very substantial difference. The cloudiness that currently surrounds this issue will be eliminated with this amendment. The amendment is very simple. It ensures those countries hit hardest by the AIDS crisis and other public health emergencies will have access to the affordable medicines to address these crises. It does this by expressing support for the Doha declaration on TRIPS and the public health as adopted by the World Trade Organization last November.

The Doha declaration was supported by Ambassador Zoellick, the pharmaceutical industry, and thousands of public health advocates and religious leaders. It is one of the most important global health issues we face today, and I am pleased we could address it in a bipartisan manner.

I will submit a more complete statement for the RECORD, but I acknowledge and thank the chairman, Senator BAUCUS, and Senator GRASSLEY and their staffs for their willingness to consider this amendment.

I am not going to ask that the current amendment be temporarily set aside, but I had the opportunity to talk with the chairman earlier—the ranking member was not present—with his staff, and so at an appropriate time—and I will leave it up to the managers to work out what is the appropriate time—I hope this amendment might be considered favorably.

As I say, this is a matter of enormous importance and incredible consequence. It really will result in the savings of hundreds of thousands of lives. It needs to be clarified in an important way. I welcome the strong bipartisan support of my colleagues who are supportive of this proposal on both sides of the aisle. It will be enormously welcomed by the neediest countries in the world.

AMENDMENT NO. 3408

Mr. WELLSTONE. Mr. President, I rise to support this important amendment. This amendment will help preserve our trade laws by allowing Con-

gress to exclude trade remedy provisions from any agreement receiving fast track consideration. This is extremely important at a time when our trade laws are under attack at the WTO.

Here's how it would work: Should Congress receive a trade agreement containing a provision changing current U.S. trade remedy law, the provision would be subject to a point of order. After hearing the administration's concerns about minority obstructionism, Senators DAYTON and CRAIG changed this amendment so that the point of order is now subject to a simple majority vote. Yet, still the administration opposes this amendment. It opposes the legislature of the United States having a simple up or down vote on a provision of a trade agreement that changes existing law that this body made. In fact, the Secretary of Commerce, the Secretary of Agriculture, and the USTR have said they would strongly recommend to the President that he veto this bill if the Dayton-Craig amendment passes.

This amendment is entirely appropriate. Given many of the trade agreements we have seen, at a minimum, this body should ensure we retain our authority and obligation to fully deliberate and debate and proposed changes to U.S. trade remedy law. The amendment would provide a critical channel through which Senators could act to prevent such undesirable agreements as the one made—in spite of our strong and vocal opposition—at the latest WTO negotiations in Doha: In May 2001, 62 Senators sent a letter to the President specifically opposing any weakening of trade remedy laws in international negotiations; in a subsequent Hill appearance USTR Zoellick made a public commitment to Senator ROCKEFELLER that the administration would not permit this to happen.

At Doha however, other WTO member countries demanded U.S. trade remedy laws be put on the table as a condition of beginning the new round. So, despite the word of the Administration that this would happen—it did. The administration broke its word to us and our trade remedy laws are on the table. With this amendment, we will send a strong message directly to other WTO countries and the administration that the U.S. Senate will not tolerate any weakening of these critical laws.

Oddly enough, while the administration continues to allow our trading partners to rewrite U.S. trade remedy laws, China refuses to even discuss theirs. Accordingly to last Friday's Inside U.S. Trade:

China over the past week continued to resist efforts aimed at reaching agreement on timelines and procedures for information it must provide to the World Trade Organization committees in charge of reviews of its trade remedy laws that were set up as a condition of China's entry to the WTO. China charged this week that these proposed procedures go beyond the obligations of its accession commitments . . . Specifically, China,

argues it is not obligated to discuss specific procedures for the reviews of its anti-dumping, subsidies and safeguards mechanisms.

There is absolutely no reason for us to allow the safeguards provided by our trade laws to be undermined by the concerted efforts other countries in multilateral negotiations. All of our trade remedy laws—from the anti-dumping and countervailing duties to the Trade Act's section 201 and 301—are entirely consistent with WTO principles and help protect U.S. workers and producers from unfair trade practices.

At a press conference last week, USTR Zoellick said this amendment would prevent the U.S. from negotiating on trade remedies, and because this issue is a priority for U.S. trading partners, the amendment would lead these countries to refuse to negotiate at all. This statement should make it clear to all that not only does this administration believe certain countries are willing to trade with us only if they are able to weaken or undermine our trade remedy laws; but that it intends to accommodate them. By permitting a point of order against any trade agreement provisions that change our trade laws, this amendment provides an extra level of protection for these vitally important safeguards. These laws have been effectively employed in a variety of sectors to address numerous trade imbalances or to give domestic producers vital time to address major import surges.

Our spring wheat farmers in Minnesota have been struggling for years to win effective relief against cheap imports from Canada. And it's not that Minnesota wheat producers cannot compete with their Canadian counterparts—it is that the Canadian system is run so very differently from ours that direct competition simply does not occur. The Canadian Wheat Board enjoys monopoly control over their domestic wheat markets. Its ability to set prices months in advance effectively insulates Canadian wheat farmers from the commercial risks that Minnesota growers are routinely exposed to, and gives their product a built-in advantage right here in our own American market. Unfortunately our softwood lumber producers have faced many of the same obstacles in competing with their Canadian counterparts. Of course we are disappointed that we were unable to informally resolve our differences with our close friend and ally. But at least we have meaningful trade remedy laws we can fall back on. The International Trade Commission and the Department of Commerce found earlier this month that our lumber industry is threatened with material injury from subsidized Canadian imports. As a result, countervailing duty and antidumping duties will be issued on these products.

Another Minnesota industry that has been immeasurably helped by these trade remedy laws is that of sugar beet

production. Together with our hard working neighbors in North Dakota, our beet sugar industry is the largest in the country—an estimated \$1 billion in economic benefits flows from it each year. Yet without the protection of our trade remedy laws, this industry could be in serious jeopardy. Our trading partners in the EU are one of the largest exporters of beet sugar in the world yet it is well-known that they have been heavily subsidizing their production. Our industry cannot and should not be expected to compete with such heavily subsidized imports. This is why there are antidumping and countervailing duty orders currently in effect on imported European beet sugar. As Minnesota beet sugar producers know all too well, these orders are entirely appropriate and very necessary countermeasures to the considerable subsidies that EU producers enjoy.

We cannot expect our producers to be able to compete with the unreasonably low prices that subsidies or closed, monopolistic systems produce. We look forward to the day when there is a more level playing field. But until that day comes, it is vitally important that we protect and maintain these trade remedy laws that all too often represent their only hope for much-needed relief.

As we have learned over the past decade, trade liberalization has increased the opportunities for unscrupulous countries or industries to manipulate markets through unfair trade practices. With major new agreements like the FTAA on the horizon, it is imperative that we maintain these important laws so that they can continue to be used to protect our workers and companies from the risks posed by those who seek to distort and manipulate the very markets we are seeking to open to free and fair competition.

Mr. HATCH. Mr. President, I rise to oppose the Dayton-Craig amendment.

I have no doubt that the sponsors of the Dayton-Craig amendment have nothing but the best intentions. They believe that they are protecting the interests of the American public by walling off our Nation's trade remedy laws.

Senators DAYTON and CRAIG believe that the Congress should take a special look to determine whether a particular trade agreement undermines our trade remedy laws. These important protections include the anti-dumping and countervailing duty laws.

I understand what my friends, Senators DAYTON and CRAIG, are attempting to do with their amendment. But the trade promotion authority bill before us today already addresses their major concern—the weakening of our domestic trade laws.

The bill before us already gives clear direction to our U.S. negotiators to “avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade.” This includes dumping, subsidies, and safeguards.

Under the provisions of the Dayton-Craig amendment, a minority of this body could work to defeat future trade agreements. By raising a point of order objection, any one Senator could slow the chance for any future trade agreement and 41 Senators could effectively kill a global trade agreement signed by the President, passed by the House and supported by a majority in the Senate, for any reason—even one totally unrelated to trade laws—as long as the implementing bill contained any change, no matter how minor, to a U.S. trade law.

If this amendment were to pass and become law, the United States' negotiating position would be severely weakened in any future trade talks. Our trading partners will view this amendment as a vulnerability—in essence, by passing this amendment we are outlining to our potential trading partners our greatest negotiating weakness.

If we declare U.S. trade laws off limits, I must ask if this is really the best way to encourage other countries to bring their trade laws up to U.S. standards which, most would agree are the gold standard that all countries strive to meet? But sometimes you can't get here from there immediately, and you have to take intermediate steps along the way.

While I believe that the United States has enacted and plays by a fair set of rule with respect to trade remedy laws, we should never send a signal to our neighbors that our laws cannot be improved and should not be the subject for discussion.

I have absolute faith that the President, Secretary Evans, and Ambassador Zoellick would never do anything to fundamentally undercut our trade remedy laws.

And what if I am wrong, and the administration gave away the store in a negotiation on our antidumping laws?

The remedy would be simple—the Congress would not adopt the trade treaty. The President would quickly get the message and would learn how far is too far.

While this would be harsh medicine, it would be what the doctor ordered. The Constitution gives the Congress an active role in the development of international trade policy. We are not to be a potted plant or a rubber stamp.

There is good reason to believe that we will not go down this path absent the Dayton-Craig amendment.

Let me be clear, as part of granting fast track authority to the President, Congress naturally will expect extensive consultation and notification procedures.

Success in passing TPA will require a close partnership between the executive and legislative branches of our Government. The Constitution grants Congress the authority to promote international commerce.

However, the Constitution also gives the President the responsibility to conduct foreign policy. Thus, the very nature of our Constitution requires a

partnership between the executive and legislative branches of government in matters of international trade negotiations. That is what the trade promotion authority bill is all about—a partnership between the executive and legislative branches of government to enable U.S. consumers, workers and firms to be effectively represented at the negotiating table.

The current TPA bill already establishes extraordinary procedures for congressional consultations and review of negotiations involving U.S. trade remedy laws. Under the procedures outlined in this bill, the President must give an advance report to the Senate Finance and House Ways and Means Committees at least 90 days before the United States enters into a trade agreement. This report must outline any amendments to U.S. laws on antidumping, countervailing duties and safeguards that the President proposes to include in a trade implementing bill.

After the President notifies Congress of his trade negotiation intentions, the chairs and ranking members of the relevant committees then report to their respective chambers on their own assessments as to the integrity of the proposed changes to the TPA's objectives.

The effect of these provisions would be to assure that the President and the Congress are on the same page regarding proposals in trade negotiations on subsidies, dumping, and safeguards.

I might add that one need not look back very far to prove the resolve of President Bush's administration in upholding our trade laws. Just this year the President took action to save the U.S. steel industry and made a bold move to slow the unfair import of softwood lumber.

This is not an administration, in my opinion, that is looking to weaken our trade laws.

Here is what the administration has said about the Dayton-Craig amendment:

... the amendment derails TPA without justification. The Bush administration has demonstrated its commitment to U.S. trade laws not through talk but through action. We have been committed not just to preserving U.S. trade laws, but more importantly, to using them. The administration initiated an historic Section 201 investigation that led to the imposition of wide-ranging safeguards for the steel industry. The administration's willingness to enforce vigorously our trade laws, in Canadian lumber and other cases, sends the clearest signal of our interest in defending these laws in the WTO.

This administration takes the trade protection laws very seriously.

The administration has also warned us about what may very likely happen if we adopt this seemingly good-government amendment.

Here is what Secretary Evans, Secretary Veneman, and Ambassador Zoellick are worried about, if we adopt this misguided amendment: “the rest of the world will determine that the U.S. Congress has ruled out even discussion of a major topic. Other countries will refuse to discuss their own

sensitive subjects, unraveling the entire trade negotiation to the detriment of U.S. workers, farmers, and consumers.”

It seems to me that this is a dynamic that we ought to worry about.

And I think this could very well extend to places where it can materially injure American leadership in high technology. As Ranking Republican Member of the Senate Judiciary Committee, I am particularly concerned that some nations might remain derelict, or become derelict, in their responsibilities of implementing the TRIPS provisions of GATT. These are the intellectual property provisions relating to international trade.

It is the TRIPS provisions that govern such valuable intellectual property as patents and copyrights. We know that a great deal of American inventive capacity is tied to the software, information technology, entertainment, and biotechnology industries. We are the world's leaders in these vital areas. We should not encourage or allow other nations to unilaterally enact their own Dayton-Craig-type provisions that act to allow them to delay TRIPS implementation.

All you have to do is to read the latest USTR report on special 301 with respect to intellectual property to see the potential scope of the problem. This lays out which countries need to do better in meeting their obligations under TRIPS with respect to intellectual property.

Just so everybody knows, the priority watch list countries are: Argentina; Brazil; Columbia; the Dominican Republic; the EU; Egypt; Hungary; India; Indonesia; Israel; Lebanon; the Philippines; Russia; Taiwan; and Uruguay. In addition to these countries, Ukraine continues to be listed as a priority foreign country because it has been determined by USTR that it has a particularly poor record in this area.

Dayton-Craig can only send a signal to these priority watch list countries that they can try to avoid their intellectual property responsibilities by saying that they want to take aspects of their IP laws off the table just like the United States may do with our trade remedy laws.

So it is not only the traditional sectors like farming that have a stake in this but also the most cutting edge industries that rely on patents and copyrights.

Let me say that I am a strong supporter of our trade remedy laws. In fact, I think I may have irritated a number of my colleagues on the Finance Committee and in the full Senate by helping to lead the charge on the steel issue this Congress.

It seems like my friend Senator ROCKEFELLER and I kept bumping into one another as we testified before the International Trade Commission in both the injury and remedy phases of the steel case.

I am a proponent of trade but I am against dumping of products into the

United States. I know what the dumping of steel has done to 1,400 laid-off steel workers and their families in Utah.

Frankly, many of my colleagues might think my actions amounted to protectionism, but I think that the facts compelled the ITC and President Bush to conclude otherwise.

I commend the strong action that President Bush took in response to the crisis in the steel industry. The steel 201 case was an example that our trade remedy laws can work.

I part company with those who take the well-intentioned, but I think ultimately counter-productive, position that Congress should essentially get a second bite of the apple when it comes to the trade remedy laws.

I have no doubt of the good intentions behind this amendment. But seems to me that you either believe, or disbelieve, in the wisdom and integrity of the fast track process. Either we have an up or down vote on the whole package or we don't. We should not be picking and choosing in a way that invites interminable debate and innumerable amendments.

If you don't like an agreement—for any reason, not just the trade remedy laws but for the old-fashioned reason that it is just not a good thing for your state and your constituents, then by all means, vote against it.

The Dayton-Craig amendment, if adopted, will invite similar responses from our trading partners. If we try to take these matters off the table, we can only guess what matters they will deem as inviolate.

Let the trade negotiators negotiate. I have faith that no USTR—in either a Republican or Democratic administration—will ever give away the store on trade remedy laws. And, in the unlikely event that this occurs—the Constitution gives the Congress the final word.

TPA is an essential tool for sound trade expansion policy, a tool we have been without since its expiration in 1994. For over a decade, the United States has too often sat on the sidelines while other nations around the world continued to form trade partnerships and lucrative market alliances. The lack of fast track has put the United States at a disadvantage during trade negotiations.

I submit that this amendment does nothing less than hand trade opponents a tool to block future agreements that are overwhelmingly in America's interests.

I urge my colleagues to oppose the Dayton-Craig provision.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. What is the regular order?

The PRESIDING OFFICER. Further debate on amendment No. 3408.

Mr. BAUCUS. I ask for regular order.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3408.

The amendment (No. 3408) was agreed to.

Mr. BAUCUS. 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.

AMENDMENT NO. 3411 TO AMENDMENT NO. 3401

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Is it appropriate to send my amendment to the desk?

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KENNEDY] proposes an amendment numbered 3411 to amendment No. 3401.

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

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

The amendment is as follows:

(Purpose: To include the Declaration on the TRIPS Agreement and Public Health as a principal negotiating objective of the United States)

Section 2102(b)(4) is amended by adding at the end the following new subparagraph:

(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001.

Mr. KENNEDY. Mr. President, sometimes Democrats and Republicans can stand shoulder to shoulder with health advocates and industry representatives, find common ground, and develop constructive ideas to address some of the world's most pressing problems.

We can do this today by supporting the World Trade Organization's Declaration on TRIPS and Public Health, adopted at its Fourth Ministerial Conference last November in Doha. "TRIPS" stands for Trade-Related Aspects of Intellectual Property. The TRIPS Agreement is one of the agreements maintained by the World Trade Organization. TRIPS is the final word when it comes to international patent issues.

In recent years, there has been some confusion over the TRIPS Agreement and the ability of poorer countries to gain access to affordable medicines to fight some of the worst plagues of our age—including malaria, tuberculosis, and AIDS. Many health advocacy groups, including Doctors Without Borders and the World Health Organization, as well as faith-based and secular groups like Oxfam, expressed concern that dying people in impoverished nations could not receive medicines because their countries were not being afforded the flexibility in the TRIPS Agreement to acquire them cheaply.

Developing nations facing health emergencies reported political pressure when they tried to employ compulsory licensing—that is, the temporary suspension of a drug's patent and an order to a manufacturer to produce that drug

at a lower cost—or parallel importing, looking for the lowest price of a branded drug on the global market. The nations encountered threats of litigation through the WTO for trying to save the lives of their citizens. The poorest countries felt that our international trade agreements, written with the intent of lifting people out of poverty, were now being used against the poorest and most vulnerable when they needed them most.

After the anthrax scare here in Washington and the East Coast the United States raised the possibility of issuing a compulsory license for Cipro—the drug proven to kill anthrax, to ensure that an adequate supply of the drug was available at a reasonable cost. HHS Secretary Thompson discussed publicly the steps that would be taken, pursuant to the TRIPS, to issue and implement such a license. Few people in the United States would question such a move to protect our nation's public health.

Four people died from the recent anthrax outbreak in the United States. If an outbreak that results in four fatalities and another dozen infections is an emergency, what do we call a situation in which nearly 14,000 people will die every day from AIDS, tuberculosis, or malaria? If the TRIPS has the flexibility to accommodate the richest country in the world, it must be able to accommodate the poorest as well.

The global health crisis we face today is unprecedented. The World Health Organization reports infectious diseases are the leading killer of young people in developing countries. These deaths occur primarily among the poorest people because they do not have access to the drugs and commodities necessary for prevention and cure. Approximately half of infectious disease mortality can be attributed to just three diseases—HIV, tuberculosis, and malaria. These diseases cause over 300 million illnesses and more than 5 million deaths each year.

The WHO also reports that the economic burden is enormous. Africa's gross domestic product would be 32 percent greater if malaria had been eliminated 35 years ago. A nation can expect a decline in GDP of 1 percent annually when more than 20 percent of the adult population is infected with HIV. Of the nearly 40 million people infected with HIV worldwide, roughly 28 million of them live in Africa. If we are serious about promoting wealth across the globe, global health must be at the forefront.

Many poorer countries have shown that effective disease fighting strategies can reduce tuberculosis deaths five-fold. HIV infection rates can be reduced by 80 percent. Malaria death rates can be halved. But when a country has a health care budget of less than \$50 per capita, the costs of these tools—and the drugs—to fight these diseases is often beyond reach. As a result, many studies estimate that 90 to 95 percent of people infected with HIV

in the developing world do not have access to the medicines they need for treatment or prevention.

Recognizing the staggering global health crisis the world is now facing, the trade ministers of 142 countries decided to provide the clarity in the TRIPS Agreement that was so desperately needed. To ensure that all nations have access to lifesaving medicines, the WTO issued the Declaration on TRIPS and Public Health. Among other things, it said,

“We agree that the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health. Accordingly, while reiterating our commitment to the TRIPS Agreement, we affirm that the Agreement can and should be interpreted and implemented in a manner supportive of all WTO Members' right to protect health, and in particular, to promote access to medicines for all.”

I ask unanimous consent that a copy of the Declaration on TRIPS and Public Health be printed in the RECORD at the end of my statement.

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

(See exhibit 1.)

Mr. KENNEDY. The declaration was immediately heralded across the globe as a tremendous achievement. It struck an honest balance between the legitimate interests of intellectual property protection and the preservation of public health. US Trade Representative Robert Zoellick said immediately after Doha, “The adoption of the landmark political declaration on the TRIPS Agreement and public health is a good example of developed and developing nations advancing common goals by working through issues together.” He later added, “We were pleased with this process . . . and we believe this declaration affirms that TRIPS and the global trading system can help countries address pressing public health concerns.”

Alan Holmer, the president of the Pharmaceutical Research and Manufacturers of America also welcomed the declaration, saying, “The Declaration recognizes that TRIPS and patents are part of the solution to better public health, not a barrier to access. Without altering the existing rights and obligations under TRIPS, the declaration provides assurances that countries may take all measures consistent with the agreement to protect the health of their citizens.”

I was very pleased with the adoption of this landmark declaration. Never before had the World Trade Organization taken such a bold stance that the protection of public health, particularly among the poorest in the world, was paramount. I want to commend U.S. Trade Representative Robert Zoellick for the leadership he displayed in ensuring this declaration's adoption, and WTO Director General Michael Moore for his tireless efforts in communicating the message of the declaration across the globe.

In order to ensure that the U.S. trade negotiators fully support the implementation of the Doha Declaration in future negotiations, this amendment adds a single sentence to the section on negotiating objectives for intellectual property issues—“respect the Declaration on TRIPS and Public Health, as adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001.” This amendment directs our trade negotiations to support the declaration without reservation.

This amendment, as critical as it is to the health of millions around the globe, is merely a small step in addressing this overwhelming issue. The United States must play a more active role in fighting these diseases in the developing world. We must contribute significantly more to the global AIDS fund at the United Nations. We must do more to help develop the health service infrastructure in poor countries so they can deliver and administer treatment and prevention programs. We must provide more resources to USAID and private organizations to enhance micro-enterprise efforts, build local economies, and empower individuals so they can take care of themselves.

I'm pleased that this amendment can be accepted unanimously, because some issues are too important to be partisan. I want to extend special thanks to Senators BAUCUS and GRASSLEY and their wonderful staffs for their leadership, and for their willingness to work so closely with me on this issue. They know we don't always see eye-to-eye on trade issues, but they recognize the importance of this issue and I know they share my concerns. I look forward to working closely with them in the future on this critical issue.

#### EXHIBIT 1

WORLD TRADE ORGANIZATION MINISTERIAL CONFERENCE, FOURTH SESSION, DOHA, 9-14 NOVEMBER 2001

DECLARATION ON THE TRIPS AGREEMENT AND PUBLIC HEALTH—ADOPTED ON 14 NOVEMBER 2001

1. We recognize the gravity of the public health problems afflicting many developing and least-developed countries, especially those resulting from HIV/AIDS, tuberculosis, malaria and other epidemics.

2. We stress the need for the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) to be part of the wider national and international action to address these problems.

3. We recognize that intellectual property protection is important for the development of new medicines. We also recognize the concerns about its effects on prices.

4. We agree that the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health. Accordingly, while reiterating our commitment to the TRIPS Agreement, we affirm that the Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all.

In this connection, we reaffirm the right of WTO Members to use, to the full, the provisions in the TRIPS Agreement, which provide flexibility for this purpose.

5. Accordingly and in the light of paragraph 4 above, while maintaining our commitments in the TRIPS Agreement, we recognize that these flexibilities include:

(a) In applying the customary rules of interpretation of public international law, each provision of the TRIPS Agreement shall be read in the light of the object and purpose of the Agreement as expressed, in particular, in its objectives and principles.

(b) Each Member has the right to grant compulsory licenses and the freedom to determine the grounds upon which such licenses are granted.

(c) Each Member has the right to determine what constitutes a national emergency or other circumstances of extreme urgency, it being understood that public health crises, including those relating to HIV/AIDS, tuberculosis, malaria and other epidemics, can represent a national emergency or other circumstances of extreme urgency.

(d) The effect of the provisions in the TRIPS Agreement that are relevant to the exhaustion of intellectual property rights is to leave each Member free to establish its own regime for such exhaustion without challenge, subject to the MFN and national treatment provisions of Articles 3 and 4.

6. We recognize that WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector could face difficulties in making effective use of compulsory licensing under the TRIPS Agreement. We instruct the Council for TRIPS to find an expeditious solution to this problem and to report to the General Council before the end of 2002.

7. We reaffirm the commitment of developed-country Members to provide incentives to their enterprises and institutions to promote and encourage technology transfer to least-developed country Members pursuant to Article 66.2. We also agree that the least-developed country Members will not be obliged, with respect to pharmaceutical products, to implement or apply Sections 5 and 7 of Part II of the TRIPS Agreement or to enforce rights provided for under these Sections until 1 January 2016, without prejudice to the right of least-developed country Members to seek other extensions of the transition periods as provided for in Article 66.1 of the TRIPS Agreement. We instruct the Council for TRIPS to take the necessary action to give effect to this pursuant to Article 66.1 of the TRIPS Agreement.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, it is my intention to back the amendment. This amendment makes an important contribution to the underlying trade promotion authority bill.

Before addressing the substance of the amendment, I put it in context. The Doha ministerial held in Qatar last year was a profound breakthrough for the United States and the World Trade Organization. For the first time in many years, over 130 nations came together to launch a new round of international trade negotiations. This is no small achievement, as virtually every action taken during the Doha ministerial had to be done by consensus. These nations strongly believed a new round of international trade negotiations was in their best interests. I agree it is in their best interests, and it is in the best interests of the United States. I also think it is in our best interests to get these negotiations underway and give the President the authority he

needs to negotiate the best deals for our workers and small and large businesses.

During the WTO ministerial at Doha, the members of the organization adopted a political declaration that highlights the provisions in the TRIPS agreement that provide members with the flexibility to address public emergencies, such as the epidemics of HIV, tuberculosis, and malaria. The objectives on intellectual property, which are part of this bill, were drafted before completion of the Doha ministerial. Senator KENNEDY's amendment updates these objectives to take into account the important declaration on public health made at the Doha meeting. It is a good addition to the bill. I am pleased to accept it.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I highly compliment the Senator from Massachusetts. This is an extremely important statement. Millions of people in the world are suffering from HIV/AIDS, and the current patent the companies have, as important it is, is a measure that should be relaxed so people in many parts of the world get assistance.

The amendment recognizes the special declaration concerning public health that was adopted last November in Doha. The special declaration provided assurance to poor countries facing the immense challenges of dealing with public health emergencies caused by pandemics of infectious diseases like HIV/AIDS, that measures necessary to address such crises in these countries can be accommodated by the WTO TRIPS Agreement, the Agreement on Trade-Related Aspects of Intellectual Property Rights.

This assurance complements the numerous commitments that the United States Government, and its public and private sectors have made to help these countries cope with the HIV/AIDS pandemic.

WTO members also used the declaration to reaffirm their commitment to effective intellectual property standards such as those in the TRIPS Agreement. The declaration recognizes that effective intellectual property standards serve an important public health objective of stimulating development of new drugs.

I highly recommend this amendment to the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts, Mr. KENNEDY, numbered 3411.

The amendment (No. 3411) was agreed to.

Mr. KENNEDY. I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The majority leader asked me to announce there will be no more rollcall votes today.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Mr. President, I ask unanimous consent to proceed as in morning business.

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

(The remarks of Mr. ALLEN are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Montana.

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

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

The senior assistant bill clerk proceeded to call the roll.

Mr. BAUCUS. 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. BAUCUS. Mr. President, for the past several days, we have been debating the merits of granting fast-track trade negotiating authority to the President. Today, I would like to illustrate the importance of this measure and that of its companion, Trade adjustment assistance, to my home State of Montana.

Montana's role in the global economy is directly linked to our success in passing this important trade package. More importantly, if my State is to grow economically, we must secure opportunities beyond our borders.

Those opportunities represent risk, growth, change, and challenge for a State that is highly reliant on export markets and highly sensitive to imports.

Just as the founders of Montana—fur trappers, gold prospectors, cattle ranchers, hardrock miners—were driven west in pursuit of trade opportunities, so, too, must the citizens of modern Montana seek new markets. In fact, some would say that our viability in the 21st century is contingent upon our ability to expand and compete in the global marketplace.

To further this endeavor, we must negotiate responsible trade agreements that help Montana workers, business, farmers, ranchers and entrepreneurs.

At the same time we must recognize some of the problems associated with trade, which include worker dislocation or intensified competition, must also be addressed.

I believe that fast track and trade adjustment assistance are critical to economic growth and strength of Montana. Let me tell you why.

First, Montana exports nearly a half billion dollars in products a year. This includes \$260 million in agricultural commodities, \$100 million in industrial machinery, \$24 million in chemical products, and \$37 million in wood and paper products.

Second, as a key State in the Rocky Mountain Trade Corridor we are expanding more to Canada and Mexico—our first and second largest trading partners. Respectively, these countries

import more than \$300 million and \$34 million of Montana products with China, Japan, Germany, and the United Kingdom next in line.

With new trade agreements that open markets to Montana products and readjust some of the current trade inequities, my State's economy stands to grow and prosper.

Within this same context, the principle trade negotiating objective of the fast-track legislation calls on our negotiators to remove barriers that decrease market opportunities for Montana exports or distort imports that put producers at an unfair advantage. These barriers include governmental regulatory measures such as price controls and reference pricing which deny full market access for United States products.

Take, for example, the Canadian Wheat Board. The Government of Canada grants the Canadian Wheat Board special monopoly rights and privileges which disadvantage U.S. wheat farmers and undermine the integrity of the trading system.

These rights insulate producers from commercial risk because the Canadian Government guarantees its financial operations, including its borrowing, credit sales to foreign buyers, and initial payments to farmers. As a result, the Canadian Wheat Board takes sales from U.S. farmers and prices drop.

The negotiating authority granted the President that fast track is aimed at stopping these unjust trade practices.

Some folks say they don't want any new trade agreements until the old ones are fixed, I like the ring of that, but sometimes it is not terribly practical. I say, you can't fix something from the sidelines, you must be at the table. Fast track is a means to that end. If you want to fix an old agreement, clearly the other side is going to want to fix the old agreement from its perspective, too. It is never a free lunch.

The bill also strives to ensure that trade agreements afford small businesses equal access to international markets, equitable trade benefits, expanded export market opportunities, and provide for the reduction or elimination of trade barriers that disproportionately impact small business.

Let me illustrate what effective negotiations at the WTO mean for Main Street Montana.

A company in Bozeman could be able to ship more trailers for mining equipment to Latin America.

Discussion on pharmaceuticals could help companies like All American Pharmaceutical in Billings and Technical Sourcing International in Missoula.

Montana's tech corridor in Bozeman could seek clarification on European manufacturing standards for electronics, increasing market opportunity for small technology businesses.

Aviation firms such as Blue Sky Aviation in Lewistown, Garlick Helicopters and Tamarak Helicopters in the Bitterroot Valley could see a normalization in requirements for aviation products.

Medical standards could be addressed helping Glacier Cross of Kalispell enter new markets.

And Lawyer Nursery could spend less time fighting phytosanitary barriers and focus more on providing seeds and seedling trees to developing nations.

The bottom line is that good jobs will be created in Montana if we are willing to give our negotiators the strong hand needed to secure sound trade agreements.

In addition to small business owners, Montana's agricultural industry stands to benefit from sound trade agreements. For agriculture, the goal is to obtain competitive opportunities for U.S. exports of agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in U.S. markets.

The fast-track bill includes a concrete set of trade objectives for agriculture that targets my five key concerns.

First, we must reduce tariffs to levels that are the same as or lower than those in the United States. These are the same tariffs that block Montana beef exports to Korea and Japan.

Second, we must eliminate all export subsidies on agricultural commodities while maintaining bona fide food aid and export credit programs that allow the U.S. to compete with other foreign export promotion efforts. As you well know, the EU maintains the lion's share of export subsidies—60 times more than the United States. How can we ever expect a level playing field if we are undersold time and again by government-backed competitors?

Third, we must allow the preservation of programs that support family farms and rural communities but do not distort trade.

Currently we are engaged in passing a new farm bill. This bill seeks to reflect and respond to the counter-cyclical nature of our farm economy. It strives to limit production through sound conservation programs and maintains trade provisions, including the Export Enhancement Program and Market Access Program, which help our products overseas.

The U.S. exported over \$53 billion last year. However, our trade policy will only be effective if the commodity support and conservation programs of the farm bill are balanced. We cannot afford for one leg of the stool to be weaker than the others. Without family farmers, increased trading opportunities are irrelevant.

Fourth, we must eliminate state trade enterprises wherever possible. Montanans know far too well the effects of competing with the Canadian Wheat Board. As I mentioned above, we must bring price transparency and competition to the marketplace. The Canadian Wheat Board is nothing close

to that. Anything short of this flies in the face of fair trade.

And fifth, we must develop rules to prevent unjustified sanitary or phytosanitary restrictions not based on sound science. For three decades we fought to pry open the Chinese market to Pacific Northwest wheat due to TCK. That was a real struggle. I spent a lot of time on that. It was difficult to get the Chinese to listen to us. They finally cracked open a little bit. Now we are struggling with markets in Chile and Russia that place arbitrary sanitary barriers on U.S. exports of beef, pork, and poultry.

I will closely monitor any upcoming trade negotiations to ensure that these goals are met. Further, I will not hesitate to call for the repeal of fast-track trading authority or pursuing a resolution to limit fast track, at any time during the process if these objectives are not met.

Let me share a few more points that make the case for fast track in my State. In order to address and maintain Montana's competitiveness in the global economy, the bill directs the President to preserve the ability of the U.S. to enforce rigorously its trade laws, including antidumping, countervailing duty, and safeguard laws.

Montana has benefited from these laws. These laws have been used against unfair, or a surge in, imports of softwood lumber from Canada and lamb from Australia and New Zealand. In addition, our wheat industry is considering launching a case against the Canadian Wheat Board.

These laws are not protectionist. Far from it. They simply ensure that Montana workers, agricultural producers, and firms, can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions.

These laws are designed to help other countries play fair. If all countries played fair, our trade laws would not be necessary. They are there only to help make sure that when other countries are not playing by the rules of the road we have ways to protect ourselves against unfair foreign trade barriers. All our trade remedy laws, as you know, Mr. President, are totally WTO legal. They are totally consistent with WTO.

On a related note, I am often approached about the problem of a strong dollar for commodities and manufacturing. The overvalued dollar is certainly a problem, and I do not have the perfect solution today that balances these concerns with Treasury's intent to maintain a strong economy and control inflation.

However, within this bill, the administration is directed to work with our trading partners to draw up a blueprint to deal with the trade consequences of significant and unanticipated currency movements and to scrutinize whether a foreign government is engaged in a pattern of manipulating its currency to promote a competitive advantage in international trade.

Rest assured, I recognize these concerns, and I believe this is a step toward finding a solution and not an easy one to resolve but certainly a major step forward.

In Montana we know the value of preserving our environment while optimizing the use of our natural resources. At the same time, we cannot afford to compete with shoddy worker and environmental rights.

This measure brings that message to the world recognizing that trade and environmental policies are mutually supportive: That we should seek to protect and preserve the environment and enhance the international options of doing so, while optimizing the use of the world's resources. And, it promotes respect for worker rights and supports efforts to crack down on the exploitative child labor.

This bill is different from past fast-track legislation because it is the first to ever seek provisions that aim to ensure that parties to the agreements not weaken or reduce the protections afforded in their domestic environmental and labor laws as an encouragement for trade. It is a first, and major development. It also works to establish rules to prevent frivolous investor claims that contravene the public good.

I have a few words about part two of this package, the Trade Adjustment Assistance program or TAA. This is a program with a simple but admirable objective: to assist workers injured by imports to adjust and find new jobs. Many Montana workers are now employed and many firms still in business thanks to TAA.

Take for example the 221 employees who lost their jobs as a result of the suspension of operations at the ASARCO lead bullion facility in East Helena. It was a bitter blow to that community when that announcement was made. Due to the decline in the mining and mineral processing industries in the Western U.S., these workers faced few prospects for re-employment in a similar sector.

Thanks to income support provided by trade adjustment assistance, and NAFTA-TAA, 50 percent of these workers are involved in or did seek training—many at the Helena College of Technology and a few at heavy equipment operating school.

They are learning everything from trucking to computer technology. Now nearly 42 percent have found full-time employment. Workers at Plum Creek Timber in Seeley Lake are similarly taking advantage of this program.

TAA is often seen as the last resort, but it also provides a chance for companies to retool. This is especially true of TAA for firms, a related program that provides assistance to over 10 small companies in Montana to help them readjust and effectively compete with imports.

With TAA for firms, Montola Growers is researching new markets for its safflower oil, Tele-Tech Corporation is designing new products and print ads

for its sophisticated electronic devices, Thirteen Mile Lamb and Wool Company is designing new garments for manufacture by contract knitters, and Pyramid Lumber is improving its mill efficiency.

Without TAA for firms, we would see closed signs on many business doors. Unfortunately, more worthy projects exist than funding to support them. For that reason, I support significantly increased funding in order for this program to continue and expand its good work.

Additionally, this trade adjustment assistance bill includes a new provision that will offer up to \$10,000 in cash assistance to Montana farmers and ranchers injured by imports. Let me be clear, this is a real opportunity to retool and reform a family farming operation, to make it competitive and sound, for generations to come. Like trade adjustment assistance for firms, this program is a means to keep an operation in business and keep our Montana families on their land.

One final item tucked neatly away in the TAA title is a provision to protect Montana sugarbeet growers from unfair trade practices. We all recall the black eye that stuffed molasses gave the industry, and we can not afford to suffer from such blatant circumvention again. This provision allows the Secretary of Agriculture to monitor imports of sugar to ensure that they do not circumvent the existing quota.

If they do, the Secretary will report to the President who can then "snap-back" the offending commodity into the appropriate tariff line. This should send a clear message that America will no longer tolerate efforts to manipulate the trading system to the disadvantage of our sugar producers.

The trade package before us today will help Montana move toward a greater role in the global economy. I hope my colleagues will feel the same about their own constituencies and lend their support to this important matter.

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

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

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period for morning business with Senators permitted to speak therein for a period not to exceed 5 minutes each.

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

#### CARTER, MISSION TO CUBA

Mr. ALLEN. Mr. President, many of us have anticipated the trip of former President Carter to Cuba with a mixed sense of hope and concern. We had hoped that he would use this unique opportunity to help bring ideas of freedom and democracy to the repressed people of Cuba, just 90 miles off our shores.

However, it was amazing and disappointing for many of us to learn of Mr. Carter's visit to a Cuban biotechnology facility and his acceptance, at face value, of the assurances of communist Cuban officials there that the facility is engaged solely in medical and humanitarian pursuits.

More distressing is that former President Jimmy Carter was accorded the same privilege and courtesy extended to former Presidents who have requested top-secret intelligence briefings and situation reports on global areas of interest of the United States.

In the post-9/11 world, it is important that we as a united country protect the safety and security of our people.

Instead, what we have in Mr. Carter's visit to this biotech facility is a former President—who himself was once responsible for our foreign policy and the safety of the American people—dismissing the concerns of his own government, revealing information to which he was privy in top-secret briefings, and buying wholesale the assertions of the dictator Fidel Castro and his minions.

The words and actions of Mr. Carter at this facility are a breach of trust, and it is made even worse, in that the individual involved in that breach is one in whom the American people once placed the ultimate trust and responsibility of the Presidency.

Rather than spending his time with Fidel Castro and his henchman, I would suggest the name of at least one person Mr. Carter would be better advised to get to know.

Just a few short days ago I joined the Congressional Cuba Political Prisoner Initiative. As part of this initiative, I have decided to sponsor or "adopt," if you will, a Cuban political prisoner named Francisco Chaviano Gonzales, and to advocate on his behalf, and on behalf of the thousands of others being held in Cuba in clear abuses of their basic human rights.

Francisco Chaviano is president of the National Council for Civil Rights, an organization dedicated to promoting democratic practices, racial equality and human rights. He was arrested after government agents broke into his home and confiscated documents revealing human rights abuses in Cuba—specifically, information about the Castro government's sinking of a tugboat that claimed the lives of 41 men, women, and children who were attempting to escape to freedom.

Chaviano was arrested and detained in prison for 1 year, and although a civilian, he was tried by military tribunal and sentenced to 15 years in prison.

He has been confined in isolation and deprived of basic medical care for long periods of time. After being allowed to visit him for the first time in eight years, his wife reported that he is in very poor health. Other members of the civil rights organization have followed in Chaviano's footsteps and continued to press the Cuban government for democratic reforms, at great peril to themselves.

Jimmy Carter is a man who is often praised in the media as a "model ex-President" or a "statesman" for his work with Habitat for Humanity. I do believe there is still time for him to make a more positive contribution to the plight of the Cuban people and to American foreign policy regarding Fidel Castro.

Mr. Carter is scheduled to deliver a speech to the Cuban people tonight. His remarks have the potential to do enormous good or to cause further harm. Rather than legitimizing a tyrant and a man who doesn't care for the well-being of his own people; he could advocate positive change for the beleaguered Cuban people.

If Mr. Carter in his speech tonight is looking for a road map to freedom and prosperity for the Cuban people, he need look no further than the words and principles of freedom written by George Mason in the Virginia Declaration of Rights. This document, adopted on June 12, 1776, helped form the basis of our Declaration of Independence and 15 years later in our Bill of Rights as the first amendments to our Constitution.

I would read a few excerpts from George Mason's historic words from various articles of the Virginia Declaration of Rights, which I think are instructive.

Article 1: That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Article 2: That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants and at all times amenable to them.

Article 3: That government is, our ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most effectually secured against the danger of maladministration. And that, when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

Article 12: That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments.

Article 16: That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence;

and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience . . .

Those are the words of freedom, and of the inherent rights to which all people are entitled, even if only temporarily subjugated.

Therefore, I call on former President Carter to embrace these truths and to use this unique opportunity to advance these enduring principles of liberty in Cuba.

I urge him to support the Varela Project, which is a petition drive that has collected the 10,000 signatures needed under Castro's so-called "constitution" to force a referendum on whether his government should be allowed to continue.

I call on Fidel Castro to heed the concepts first enunciated by George Mason 226 years ago in the Western Hemisphere, and I also call upon him to schedule free and fair democratic elections on the island of Cuba within the next year.

Mr. President, I will close with more words from George Mason, who said:

There is a passion to the mind of man, especially a free man, which renders him impatient of a restraint."

Mr. Carter has the power to either to fan the flames of those passions and aspirations of the Cuban people, or to throw cold water on them. The choice he needs to make is clear. Do not flinch. Stand strong for freedom!

Thank you. I yield the floor.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last 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 April 3, 1991 in Boston, MA. A Northeastern University student was arrested for making anti-Semitic and anti-homosexual death threats. The student, Garrett McAdams, was accused of threatening to kill a Jewish Realtor and bomb the offices of a gay student organization.

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 and changing current law, we can change hearts and minds as well.

#### VOTE EXPLANATION

Mr. LIEBERMAN. Mr. President, I wish to explain my absence from yesterday's vote on the nomination of Paul G. Cassell to be U.S. District Judge for the District of Utah. After spending yesterday working with con-

stituents in Connecticut, I was scheduled to fly back to Washington in time to make the vote. Unfortunately, high wind and tornado threats caused flights into Washington to be cancelled. I ultimately returned to Washington by train and too late to cast my vote. Had I been here, I would have cast my vote in the affirmative.

#### NATIONAL POLICE OFFICERS WEEK

Mrs. CLINTON. Mr. President, each day our Nation's law enforcement officers step onto the street, putting their lives on the line to protect our communities. These honorable men and women risk so much so that others can feel safe.

New Yorkers owe our State and local law enforcement officers an enormous debt of gratitude. The historic drop in crime that we have seen in the last few years is truly a reflection of their fine work and tireless dedication. The low-crime rate that New York City enjoys today would never have been possible without the extraordinary work of the New York City Police Department.

One small step we can take to begin to repay that debt is ensuring that our men and women in blue are equipped with the tools they need to protect themselves from the constant dangers they face; and that police departments around the country have the additional resources they need meet new demands placed on them.

In the past several months, their responsibility have only grown larger. From the first moments our country saw NYPD officers at the base of the World Trade Center towers, the role of police officers around the country was changed forever. The September 11 terrorist attacks put communities around America on the frontlines in our war against terrorism at home, and our local public safety officers must now be prepared for the unimaginable: biological and terrorist attacks.

We pay tribute to the hard work and sacrifice of our police officers not just this week but every day of our lives as we move freely about our communities, largely uninhibited by fear and danger. We should take a moment to recognize the peace of mind that our local law enforcement officers provides us, and life's precious gifts that come with that assurance.

Public service is one of our country's most noble callings and law enforcement captures that spirit of sacrifice and devotion to community. We thank the families of police officers for their ever present courage and selflessness. To the police officers who uphold our laws and protect our communities from crime, we give our appreciation, admiration and immeasurable pride for the jobs you do every day.

## ADDITIONAL STATEMENTS

## TRIBUTE TO HARRISON WILLIAMS

• Mr. HOLLINGS. Mr. President, last November when our former colleague Harrison Williams passed away, I don't believe his legislative accomplishments were recognized by this body, and I wanted to remember my friend, the enormously popular Senator from New Jersey.

I had the privilege to serve with him for 15 of his 23 years, and he achieved more than most people will ever realize because he worked the old-fashioned way: making headway, not headlines. He sponsored progressive legislation that with 30 or 40 years hindsight, we now see has made an incredible difference in millions of people's lives.

The good mass transit systems we have in our Nation today we have because Pete was mass transit's champion. Americans have the best safety and environmental working conditions in the world because he created the Occupational Safety and Health Administration. We have pension protections because of him. We have greater accessibility for the handicapped because of him. Anything related to worker's rights, or working conditions, he had his hand in.

Like all of us he was not perfect, and he paid a price. But this Senator will remember my friend for his legislative accomplishments, and believes the words he said himself when he left this Chamber: That time, history and Almighty God would vindicate him for the principles for which he fought.

My wife, Peatsy, and I know how much his wife, Jeanette, and his four children, miss him, and we hope the best for them.●

## MORRISTOWN MEMORIAL HOSPITAL

• Mr. CORZINE. Mr. President, I rise today to congratulate Morristown Memorial Hospital, a member hospital of the Atlantic Health System, for their receipt of the American Hospital Association's NOVA award. This prestigious award recognizes outstanding commitment to improving community-based health care.

The NOVA award honors Morristown's TeenHealthFX.com program, a free interactive Web site, providing teenagers with confidential and anonymous answers for difficult-to-ask health questions. This innovative program has succeeded at breaking down many of the barriers that so often prevent teens from obtaining critical health care information. Created in 1999, through the collaborative efforts of community leaders, teen, and health care professionals, this site has served as a gateway to area health care providers and a source of health care information for more than 100,000 young visitors.

I want to thank Morristown Hospital for supporting such an important and

effective program. It is not enough to simply make health information available to our young people. That information needs to be made available in a setting that is comfortable for teenagers to access. This is exactly the environment that TeenHealthFX.com has created in New Jersey. TeenHealthFX.com represents the type of creative thinking and collaboration that our communities must undertake if we are going to improve the health and health habits of teenagers and young adults. Again, congratulations to Morristown Hospital and thank you for your continued commitment to improving health care for all New Jerseyans.●

## MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrent of the Senate:

H.R. 4546. An act to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The message also announced that pursuant to section 303(a) of Public Law 106-286, the Speaker appoints the following Member of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China to fill the existing vacancy thereon: Mr. BROWN of Ohio.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-6982. A communication from the Chairman, Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the Annual Performance Plan for Fiscal Year 2003 and the Program Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6983. A communication from the Chair, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2001 Annual Program Performance Report; to the Committee on Governmental Affairs.

EC-6984. A communication from the District of Columbia Auditor, transmitting, a report entitled "Audit of Advisory Neighborhood Commission 8A for Fiscal Years 2000, 2001, and 2002 through December 31, 2001"; to the Committee on Governmental Affairs.

EC-6985. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the Report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6986. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the Fiscal Year 2003 Performance

Plan and the Fiscal Year 2001 Annual Performance Report; to the Committee on Governmental Affairs.

EC-6987. A communication from the Director, Trade Development Agency, transmitting, pursuant to law, the report of the Agency's Financial Statements for September 30, 2001; to the Committee on Governmental Affairs.

EC-6988. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Change in the Survey Cycle for the Portland, OR, Appropriated Fund Wage Area" (RIN3206-AJ60) received on May 8, 2002; to the Committee on Governmental Affairs.

EC-6989. A communication from the Director, Office of Personnel Management, Employment Service, Office of Employment Policy, transmitting, pursuant to law, the report of a rule entitled "Placement Assistance and Reduction in Force Notices" received on May 8, 2002; to the Committee on Governmental Affairs.

EC-6990. A communication from the Director, Employment Service, Staffing and Restructuring Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employment Priority Consideration Program for Displaced Employees of the District of Columbia Department of Corrections" (RIN3206-AI28) received on May 8, 2002; to the Committee on Governmental Affairs.

EC-6991. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6992. A communication from the Special Counsel, transmitting, pursuant to law, the Annual Performance Report of the Office of the Special Counsel for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6993. A communication from the Chairman, National Science Board, transmitting, pursuant to law, the report of the Office of the Inspector General for the period of April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6994. A communication from the District of Columbia Auditor, transmitting, a report entitled "Department of Parks and Recreation's Purchase Card Program Requires Substantial Improvement and Increased Oversight"; to the Committee on Governmental Affairs.

EC-6995. A communication from the Managing Director of the Federal Housing Finance Board, transmitting, pursuant to law, the Board's report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6996. A communication from the Secretary of Energy, transmitting, pursuant to law, the report of the Office of the Inspector General for the period of April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6997. A communication from the Merit Systems Protection Board, transmitting, pursuant to law, the Board's Report under the Government in the Sunshine Act for calendar year 2001; to the Committee on Governmental Affairs.

EC-6998. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the Office of the Inspector General for the period April 1, 2001 through September 30, 2001; to the Committee on Governmental Affairs.

EC-6999. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Fiscal Year 2003 Performance plan and the Fiscal Year 2001 Performance Report; to the Committee on Governmental Affairs.

EC-7000. A communication from the Director, Federal Mediation and Conciliation Service, transmitting, pursuant to law, the report of the Inventory of Commercial Activities for 2001; to the Committee on Governmental Affairs.

EC-7001. A communication from the Director, Office of White House Liaison, transmitting, pursuant to law, the report of a nomination confirmed and a change in previously submitted reported information for the position of Director, Bureau of the Census, received on May 8, 2002; to the Committee on Governmental Affairs.

EC-7002. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-361, "District of Columbia Public Schools Free Textbook Amendment Act of 2002"; to the Committee on Governmental Affairs.

EC-7003. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-358, "Youth Pollworker Temporary Amendment Act of 2002"; to the Committee on Governmental Affairs.

EC-7004. A communication from the Acting Chairman, National Endowment for the Arts, transmitting, pursuant to law, the Fiscal Year 2003 Performance Plan and the Fiscal Year 1999, 2000, and 2001 Performance Reports; to the Committee on Governmental Affairs.

EC-7005. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to Budgetary Implications of Selected General Accounting Office Work for Fiscal Year 2003; to the Committee on Governmental Affairs.

EC-7006. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-357, "Election Recount and Judicial Review Amendment Act of 2002"; to the Committee on Governmental Affairs.

EC-7007. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-356, "Residential Permit Parking Area Amendment Act of 2002"; to the Committee on Governmental Affairs.

EC-7008. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 14-355, "Office of Employee Appeals Attorney Fees Clarification Amendment Act of 2002"; to the Committee on Governmental Affairs.

EC-7009. A communication from the Chief Financial Officer, Export-Import Bank of the United States, transmitting, pursuant to law, the Management Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-7010. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Government National Mortgage Association (Ginnie Mae) Management Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-7011. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Annual Performance Report for Fiscal Year 2001 and the Annual Performance Plan for Fiscal Year 2003; to the Committee on Governmental Affairs.

EC-7012. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—February 2002" (Rev. Rul. 2002-18) received on May 7, 2002; to the Committee on Finance.

EC-7013. A communication from the Chief of the Regulations Unit, Internal Revenue

Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Rev. Rul. 2002-15) received on May 7, 2002; to the Committee on Finance.

EC-7014. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dutch Investment Yield Tax Revenue Ruling" (Rev. Rul. 2002-16) received on May 7, 2002; to the Committee on Finance.

EC-7015. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Ann. 2002-40) received on May 7, 2002; to the Committee on Finance.

EC-7016. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice" (Notice 2002-26) received on May 7, 2002; to the Committee on Finance.

EC-7017. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Partial Relief from Section 170(f)(8) for Post-September 11, 2001, Contributions to Charity" (Notice 2002-25) received on May 7, 2002; to the Committee on Finance.

EC-7018. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determination of Basis of Partner's Interest; Special Rules" (RIN1545-AX94, TD8986) received on May 7, 2002; to the Committee on Finance.

EC-7019. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance for Applying Article XVIII(7) of the U.S.-Canada Income Tax Convention" (Rev. Proc. 2002-23) received on May 7, 2002; to the Committee on Finance.

EC-7020. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Non-enforcement During Pendency of Proposed DOL Class Exemption from Prohibited Transaction Rules" (Ann. 2002-31) received on May 7, 2002; to the Committee on Finance.

EC-7021. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "IRS Failure to File Penalty and DOL Delinquent Filer Program" (Notice 2002-23) received on May 7, 2002; to the Committee on Finance.

EC-7022. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "No-Rule Revenue Procedure" (Rev. Procs. 2002-3, 2002-1) received on May 7, 2002; to the Committee on Finance.

EC-7023. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Allocation of Loss with Respect to Stock and Other Personal Property" (RIN1545-AW09, TD8973) received on May 7, 2002; to the Committee on Finance.

EC-7024. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure 2002-7" re-

ceived on May 7, 2002; to the Committee on Finance.

EC-7025. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "EGTRRA Effect on Certain Distributions from a Section 401(k) Plan, etc." (Notice 2002-4) received on May 7, 2002; to the Committee on Finance.

EC-7026. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual Covered Compensation Revenue Ruling" (Rev. Rul. 2001-55) received on May 7, 2002; to the Committee on Finance.

EC-7027. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Effect of the Family and Medical Leave Act on the Operation of Cafeteria Plans" (RIN1545-AT47) received on May 7, 2002; to the Committee on Finance.

EC-7028. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice 2001-66" received on May 7, 2002; to the Committee on Finance.

EC-7029. A communication from the Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, a preliminary report relative to Community Nursing Organization Demonstration; to the Committee on Finance.

EC-7030. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a interim report on the Evaluation of Abstinence Education Programs; to the Committee on Finance.

EC-7031. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Rev. Rul. 98-1" (Rev. Rul. 2001-51) received on May 8, 2002; to the Committee on Finance.

EC-7032. A communication from the Chief, Regulations Division, Bureau of Alcohol, Tobacco, and Firearms, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Delegation of Authority [27 CFR Part 252, Exportation of Liquors]" (RIN1512-AC44) received on May 8, 2002; to the Committee on Finance.

EC-7033. A communication from the Chief, Regulations Branch, United States Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amended Procedure for Refunds of Harbor Maintenance Fees Paid on Exports of Merchandise" (RIN1515-AC82) received on May 9, 2002; to the Committee on Finance.

EC-7034. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling 2002-13" received on May 9, 2002; to the Committee on Finance.

EC-7035. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—January 2002" (Rev. Rul. 2002-14) received on May 9, 2002; to the Committee on Finance.

EC-7036. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "January-March 2002 Bond Factor Amounts" (Rev. Rul. 2002-8) received on May 9, 2002; to the Committee on Finance.

EC-7037. A communication from the Chief of the Regulations Unit, Internal Revenue

Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "IRS Announces Regulations will be Issued to Prevent Duplication of Losses with a Consolidated Group on Dispositions of Member Stock" (Notices 2002-18, 2002-12) received on May 9, 2002; to the Committee on Finance.

EC-7038. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules for Certain Reserves" (Rev. Rul. 2002-12) received on May 9, 2002; to the Committee on Finance.

EC-7039. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Loss Limitation Rules" (RIN1545-BA51, TD8984) received on May 9, 2002; to the Committee on Finance.

EC-7040. A communication from the President of the United States, transmitting, pursuant to law, a report that provides the aggregate number, location, activities, and lengths of assignment for all temporary and permanent U.S. military personnel and U.S. individual civilians retained as contractors involved in the antinarcotics campaign in Colombia, in support of Plan Colombia; to the Committee on Appropriations.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, with amendments:

S. 1867: A bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes. (Rept. No. 107-150).

#### 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. BURNS:

S. 2510. A bill to authorize the Secretary of Agriculture to accept the donation of certain lands previously disposed of from the public domain, together with certain mineral rights on federal land, in the Mineral Hill-Crevise Mountain Mining District in the State of Montana, to be returned to the United States for management as part of the national public lands and forests, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. CARNAHAN (for herself and Mrs. HUTCHISON):

S. 2511. A bill to prevent trafficking in child pornography and obscenity, to proscribe pandering and solicitation relating to visual depictions of minors engaging in sexually explicit conduct, to prevent the use of child pornography and obscenity to facilitate crimes against children, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. BINGAMAN, Mr. COCHRAN, Mr. DODD, Mr. HELMS, Mr. KERRY, Mr. ROCKEFELLER, Mr. REID, Mr. SMITH of Oregon, and Mr. WELLSTONE):

S. 2512. A bill to provide grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN (for himself and Mrs. CLINTON):

S. 2513. A bill to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence; to the Committee on the Judiciary.

By Mr. WELLSTONE (for himself, Mrs. LINCOLN, Mr. DAYTON, Mr. KENNEDY, Mrs. CLINTON, Mrs. FEINSTEIN, and Mrs. BOXER):

S.J. Res. 37. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to modification of the medicaid upper payment limit for non-State government owned or operated hospitals published in the Federal Register on January 18, 2002, and submitted to the Senate on March 15, 2002; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Ms. SNOWE, Mr. HOLLINGS, Mr. MCCAIN, Mr. LIEBERMAN, Mr. WYDEN, Mr. AKAKA, Mr. REED, Mr. TORRICELLI, Mr. FITZGERALD, Ms. COLLINS, Mr. LUGAR, Mrs. BOXER, and Mr. KENNEDY):

S. Res. 267. A resolution expressing the sense of the Senate regarding the policy of the United States at the 54th Annual Meeting of the International Whaling Commission; to the Committee on Foreign Relations.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. Res. 268. A resolution designating May 20, 2002, as a day for Americans to recognize the importance of teaching children about current events in an accessible way to their development as both students and citizens; to the Committee on the Judiciary.

By Mr. CRAIG (for himself, Mr. COCHRAN, and Mr. INHOFE):

S. Res. 269. A resolution expressing support for legislation to strengthen and improve Medicare in order to ensure comprehensive benefits for current and future retirees, including access to a Medicare prescription drug benefit; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 627

At the request of Mr. GRASSLEY, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 813

At the request of Mr. SANTORUM, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 813, a bill to amend title XVIII of the Social Security Act to increase payments under the medicare program to Puerto Rico hospitals.

S. 830

At the request of Mr. CHAFEE, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 830, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 885

At the request of Mr. HUTCHINSON, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 885, a bill to amend title XVIII of the Social Security Act to provide for national standardized payment amounts for inpatient hospital services furnished under the medicare program.

S. 952

At the request of Mr. GREGG, the name of the Senator from Oklahoma (Mr. INHOFE) 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. 999

At the request of Mr. BINGAMAN, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1707

At the request of Mr. JEFFORDS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

S. 1828

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1828, a bill to amend subchapter III of chapter 83 and chapter 84 of title 5, United States Code, to include Federal prosecutors within the definition of a law enforcement officer, and for other purposes.

S. 1860

At the request of Mr. DORGAN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1860, a bill to reward the hard work and risk of individuals who choose to live in and help preserve America's small, rural towns, and for other purposes.

S. 1931

At the request of Mr. LIEBERMAN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1931, a bill to amend title XVIII of the Social Security Act to improve patient access to, and utilization of, the colorectal cancer screening benefit under the medicare program.

S. 2051

At the request of Mr. REID, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 2051, a bill to remove a condition preventing authority for concurrent receipt of military retired pay and veterans' disability compensation from taking affect, and for other purposes.

S. 2119

At the request of Mr. DODD, his name was added as a cosponsor of S. 2119, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, and for other purposes.

S. 2189

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2189, a bill to amend the Trade Act of 1974 to remedy certain effects of injurious steel imports by protecting benefits of steel industry retirees and encouraging the strengthening of the American steel industry.

S. 2200

At the request of Mr. BAUCUS, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2200, a bill to amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property.

S. 2268

At the request of Mr. MILLER, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2268, a bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce.

S. 2454

At the request of Mr. ENSIGN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2454, a bill to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting.

S. 2465

At the request of Mr. GREGG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2465, a bill to extend and strengthen procedures to maintain fiscal accountability and responsibility.

S. 2480

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

S. 2483

At the request of Mr. CLELAND, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2483, a bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes.

ness Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes.

S. CON. RES. 94

At the request of Mr. WYDEN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. Con. Res. 94, a concurrent resolution expressing the sense of Congress that public awareness and education about the importance of health care coverage is of the utmost priority and that a National Importance of Health Care Coverage Month should be established to promote that awareness and education.

AMENDMENT NO. 3396

At the request of Mr. DAYTON, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of amendment No. 3396 intended to be proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

AMENDMENT NO. 3403

At the request of Mr. KENNEDY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 3403 intended to be proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURNS:

S. 2510. A bill to authorize the Secretary of Agriculture to accept the donation of certain lands previously disposed of from the public domain, together with certain mineral rights on federal land, in the Mineral Hill-Crevise Mountain Mining District in the State of Montana, to be returned to the United States for management as part of the national public lands and forests, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BURNS. Mr. President, I am pleased to announce the introduction of the Mineral Hill Historic Mining District Preservation Act of 2002. The purpose of this act is for the Forest Service to accept a donation from TVX Mineral Hill, Inc., an inholding of approximately 570 acres of private land in the Gallatin National Forest. This inholding overlooks the northern entrance of Yellowstone National Park and is within well-known elk habitat. The donation also includes 194 acres of mineral rights underlying Federal lands.

This bill provides a win-win situation with benefits for the community, for wildlife, for the company, and for the environment. After a rich and storied history, the Mineral Hill Mine is played out and the opportunity to extract minerals has passed. The prop-

erty is in very good condition and is being reclaimed in accordance with a reclamation plan approved by the Montana Department of Environmental Quality. The Forest Service has been closely involved during the reclamation planning and implementation processes to make certain that the property will remain in the excellent environmental state it is in today. As an added guarantee, the United States will also be the beneficiary of a \$10 million insurance policy provided by TVX to clean up the site in the unlikely event that hazardous materials are discovered in the future.

The Mineral Hill Mine is located in the historic Jardine Mining District which was established during the 1860s. Many of the buildings at the site go back to that time period. Some of the buildings will be preserved for interpretation purposes and will be available to the public. In addition, the site will be used in cooperation with Montana Tech of the University of Montana for mining and geologic education. The Mineral Hill property is being donated by TVX to the Government without the necessity of a payment. There will be ongoing permits issued by the State of Montana and by EPA for monitoring of water discharge. This bill allows for those permits to be upheld and for the water processes to be maintained. In a letter to my office dated June 25, 2001, the Greater Yellowstone Coalition observed that "we believe that there would be no adverse impact to the agency and indeed would be a benefit to the public that this donated land is conveyed with the obligation to maintain the NPDES permit already in force." This is exactly what the bill provides in section 11.

I am pleased to say that this is a bill with the support of all key parties. The Forest Service has agreed to the transfer and management of the land and has been actively involved in this process. The Gardiner Chamber of Commerce supports the project, as do the Commissioners of Park County. The Greater Yellowstone Coalition also supports the donation. Simply put, this legislation is in the public interest. On behalf of the people of Montana, I look forward to its passage.

By Mr. BIDEN (for himself and Mrs. CLINTON)

S. 2513. A bill to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I rise today to introduce the DNA Sexual Assault Justice Act of 2002, a bill that guarantees prompt justice to victims of sexual assault crimes through DNA technology. 99.9 percent, that is how accurate DNA evidence is. 1 in 30 billion, those are the odds someone else committed a crime if a suspect's DNA matches evidence at the crime scene. 20 or 30 years, that is how long DNA evidence from a crime scene lasts.

Just 10 years ago DNA analysis of evidence could have cost thousands of dollars and taken months, now testing one sample costs \$40 and can take days. Ten years ago forensic scientists needed blood the size of a bottle cap, now DNA testing can be done on a sample the size of a pinhead. The changes in DNA technology are remarkable, and mark a sea change in how we can fight crime, particularly sexual assault crimes. The FBI tells us that since 1998 the national DNA database has helped put away violent criminals in 4,179 investigations in 32 states. How? By matching the DNA crime evidence to the DNA profiles of offenders. Individual success stories of DNA "cold hits" in sexual assault cases makes these numbers all too real.

For instance, in Florida, Kellie Green was brutally attacked and raped in the laundry room of her apartment complex. Because of lack of funds, her rape kit sat on the shelf for three years until a persistent detective had it analyzed. The evidence matched the profile of a man already incarcerated for beating and raping a woman 6 weeks before Kellie. Or take for example a 1996 case in St. Louis where two young girls were abducted from bus stops and raped at opposite ends of the city. The police were unable to identify a suspect. In 1999, the police decided to re-run the DNA testing to develop new leads. In January 2000, the DNA database matched the 1996 case to a 1999 rape case, and police were able to identify the perpetrator.

Just days ago, the New York Police Department arrested a man linked to the rape of a woman four years ago. In 1997, a woman was horribly beaten, robbed and raped, there were no suspects. Several months ago, the perpetrator submitted a DNA sample as a condition of probation after serving time for burglary. That DNA sample matched the DNA from the 1997 rape. Crime solved, streets safer.

Undoubtedly, DNA matching by comparing evidence gathered at the crime scene with offender samples entered on the national DNA database has proven to be the deciding factor in solving stranger sexual assault cases, it has revolutionized the criminal justice system, and brought closure and justice for victims.

In light of the past successes and the future potential of DNA evidence, the reports about the backlog of untested rape kits and other crime scene waiting in police warehouses are simply shocking.

Today I am introducing legislation, "The DNA Sexual Assault Justice Act of 2002", to strengthen the existing Federal DNA regime as an effective crime fighting tool. My bill addresses five, pressing issues.

First, exactly how bad is the backlog of untested rape kits nationwide? A 1999 government report found over 180,000 rape kits were sitting, untested,

on the storage shelves of police department and laboratories all across the country. While recent press reports estimate that the number today is approaching 500,000 untested rape kits, I am told that there is no current, accurate numbers of the backlog. Behind every single one of those rape kits is a victim who deserves recognition and justice. Accordingly, my legislation would require the Attorney General to survey every single law enforcement agency in the country to assess the extent of the backlog of rape kits waiting to undergo DNA testing. To combat the problem of rape kit backlogs, it is imperative to know the real numbers, and how best to utilize federal resources.

Second, how can existing Federal law be strengthened to make sure that State crime labs have the funds for the critical DNA analysis needed to solve sex assault cases? To fight crime most effectively, we must both test rape kits and enter convicted offender DNA samples into the DNA database. There has been explosive growth in the use of forensic sciences by law enforcement. A government survey found that in 2000 alone, crime labs received 31,000 cases, a 47 percent increase from almost 21,000 cases in 1999. In addition, the labs received 177,000 convicted offender DNA samples, an almost 77 percent increase from 100,242 samples in 1999.

All across the country, laboratories report personnel shortages in the face of this overwhelming work. According to this same government survey, on average, there are 6 employees in a state crime lab—a lab that must not only do test DNA for hundreds of cases, but also run forensic tests on blood, footprints or ballistic evidence. The bill I'm introducing would: 1. increase current funding levels to both test rape kits and to process and upload offender samples; and 2. allow local governments to apply directly to the Justice Department for these grants. I thank my colleagues, Senators KOHL and DEWINE, who began this effort with the DNA Backlog Elimination Act of 2000.

Third, what assistance does the FBI need to keep up with the crushing number of DNA samples which need to be tested or stored in the national database? I am told that the current national DNA database, known as the Combined DNA Index, or "CODIS", is nearing capacity of convicted offender DNA samples. My bill would provide funds to the FBI to 1. Upgrade the national DNA computer database to handle the huge projections of samples; and 2. process and upload Federal convicted offender DNA samples into the database. Efforts to include more Federal and State convicted offenders in our database just makes plain sense to fight crime. We know that sexual assault is a crime with one of the highest rates of recidivism, and that many sexual assault crimes are committed by those with past convictions for other kinds of crime. Their DNA samples

from prior convictions help law enforcement efforts enormously.

Fourth, what additional tools are needed to help treat victims of sexual assault? One group that understands the importance of gathering credible DNA evidence are forensic sexual assault nurse examiners, who are sensitive to the trauma of this horrible crime and make sure that patients are not revictimized in the aftermath. These programs should be in each and every emergency room and play an integral role in police departments, bridging the gap between the law and the medicine.

Likewise, tapping the power of DNA requires well-trained law enforcement who know how to collect and preserve DNA evidence from the crime scene. Training should be a matter of course for all law enforcement. No rape kit evidence will lead to the perpetrator if the DNA evidence is collected improperly. The DNA Sexual Assault Justice Act would create a new grant program to carry out sexual assault examiner programs and training. And it would train law enforcement personnel in the handling of sexual assault cases, including drug-facilitated assaults, and the collection and use of DNA samples for use as forensic evidence.

Fifth, what can be done to ensure that sexual assault offenders who cannot be identified by their victim are nevertheless brought to justice? Profound injustice is done to rape victims when delayed DNA testing leads to a "cold hit" after the statute of limitations has expired. For example, Jeri Elster was brutally raped in her California home, and for years the police were unable to solve the crime. Seven years later, DNA from the rape matched a man in jail for an unrelated crime. Yet the rapist was never charged, convicted, or sentenced because California's statute of limitations had expired the previous year.

The DNA Sexual Assault Justice Act of 2000 would change current law to authorize Federal "John Doe/DNA indictments" that will permit Federal prosecutors to issue an indictment identifying an unknown defendant by his DNA profile within the 5-year statute of limitations. Once outstanding, the DNA indictment would permit prosecution at anytime once there was a DNA "cold hit" through the national DNA database system.

John De/DNA indictments strike the right balance between encouraging swift and efficient investigations, recognizing the durability and credibility of DNA evidence and preventing an injustice if a cold hit happens years after the crime. The law must catch up with the technology. I started looking at this issue almost two decades ago when I began drafting the Violence Against Women Act. In fact, it is the Violence Against Women Act that provided the first funding to sexual assault nurse examiner programs. The DNA Sexual

Justice Act of 2000 is the next step, a way to connect the dots between the extraordinary strides in DNA technology and my commitment to ending violence against women. We must ensure that justice delayed is not justice denied.

By Mr. WELLSTONE (for himself, Mrs. LINCOLN, Mr. DAYTON, Mr. KENNEDY, Mrs. CLINTON, Mrs. FEINSTEIN, and Mrs. BOXER):

S.J. Res. 37. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to modification of the medicaid upper payment limit for non-State government owned or operated hospitals published in the Federal Register on January 18, 2002, and submitted to the Senate on March 15, 2002; to the Committee on Finance.

Mr. WELLSTONE. Mr. President, I rise today to submit a Resolution of Disapproval to reverse a rule submitted by the Center for Medicare and Medicaid Services, CMS. The rule, which takes effect today, lowers the Medicaid Upper Payment Limit for non-State government owned or operated hospitals. It reduces the Federal Medicaid match, or Medicaid Upper Payment Limit, from 150 percent of the Medicare rate to 100 percent. According to the administration's budget, the rule will cut \$9 billion over 5 years, money currently targeted to public hospitals and other "safety net" health programs, the most vulnerable sector of our health care system. At a time when Medicaid programs in the States are struggling, we simply can't afford to take this amount from our health care safety net. Too many people will be hurt.

The regulation will mean a loss of about \$30 million for Minnesota's public health care system this year, potentially more in future years. Hennepin County Medical Center alone stands to lose about \$10 million this year. This is a hospital that provides essential health care for thousands of Minnesotans. For many, it is the only place they can go. Other hospitals and clinics around Minnesota will also be deprived of needed funding. At a time when our health care system, and particularly our public hospitals are struggling just to survive, we ought not to be taking resources away from them like this.

CMS Director Scully has attempted to justify this damaging reduction by pointing to instances in the past when States did not use the program's money for health care purposes. Director Scully is certainly correct. The program should be used for health care, not for anything else. But slashing the Upper Payment Limit means that none of this money goes to health care. That doesn't make any sense. The loopholes that existed in the program have already been closed. The rule is a \$9 bil-

lion transfer away from those who desperately need health care, purportedly in order to solve a problem, but the problem has already been fixed. The rule is not needed and will cause great harm. I urge colleagues to support this resolution of disapproval.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 267—EX- PRESSING THE SENSE OF THE SENATE REGARDING THE POL- ICY OF THE UNITED STATES AT THE 54TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION

Mr. KERRY (for himself, Ms. SNOWE, Mr. HOLLINGS, Mr. MCCAIN, Mr. LIEBERMAN, Mr. WYDEN, Mr. AKAKA, Mr. REED, Mr. TORRICELLI, Mr. FITZGERALD, Ms. COLLINS, Mr. LUGAR, Mrs. BOXER, and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

#### S. RES. 267

Whereas whales have very low reproductive rates, making whale populations extremely vulnerable to pressure from commercial whaling;

Whereas whales migrate throughout the world's oceans and international cooperation is required to successfully conserve and protect whale stocks;

Whereas in 1946 the nations of the world adopted the International Convention for the Regulation of Whaling, which established the International Whaling Commission to provide for the proper conservation of whale stocks;

Whereas the Commission adopted a moratorium on commercial whaling in 1982 in order to conserve and promote the recovery of whale stocks;

Whereas the Commission has designated the Indian Ocean and the ocean waters around Antarctica as whale sanctuaries to further enhance the recovery of whale stocks;

Whereas many nations of the world have designated waters under their jurisdiction as whale sanctuaries where commercial whaling is prohibited, and additional regional whale sanctuaries have been proposed by nations that are members of the Commission;

Whereas two member nations currently have reservations to the Commission's moratorium on commercial whaling and 1 member nation is currently conducting commercial whaling operations in spite of the moratorium and the protests of other nations;

Whereas a nonmember nation that opposes the moratorium against commercial whaling is seeking to join the Convention, on the condition that it be exempt from the moratorium;

Whereas the Commission has adopted several resolutions at recent meetings asking member nations to halt commercial whaling activities conducted under reservation to the moratorium and to refrain from issuing special permits for research involving the killing of whales and other cetaceans;

Whereas 1 member nation of the Commission has taken a reservation to the Commission's Southern Ocean Sanctuary and also continues to conduct unnecessary lethal scientific whaling in the Southern Ocean and in the North Pacific Ocean;

Whereas the Commission's Scientific Committee has repeatedly expressed serious concerns about the scientific need for such lethal research;

Whereas one member nation in the past unsuccessfully sought an exemption allowing commercial whaling of up to 50 minke whales, in order to provide economic assistance to specific vessels, now seeks a scientific permit for these same vessels to take 50 minke whales;

Whereas the lethal take of whales under scientific permits has increased both in quantity and species, with species now including minke, Bryde's, and sperm whales, and new proposals have been offered to include sei whales for the first time;

Whereas there continue to be indications that whale meat is being traded on the international market despite a ban on such trade under the Convention on International Trade in Endangered Species, and that meat may be originating in one of the member nations of the Commission; and

Whereas engaging in commercial whaling under reservation and lethal scientific whaling undermines the conservation program of the Commission. Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) at the 54th Annual Meeting of the International Whaling Commission the United States should—

(A) remain firmly opposed to commercial whaling;

(B) initiate and support efforts to ensure that all activities conducted under reservations to the Commission's moratorium or sanctuaries are ceased;

(C) oppose the proposal to allow a nonmember country to join the convention with a reservation that exempts it from the moratorium against commercial whaling;

(D) oppose the lethal taking of whales for scientific purposes unless such lethal taking is specifically authorized by the Scientific Committee of the Commission;

(E) seek the Commission's support for specific efforts by member nations to end illegal trade in whale meat; and

(F) support the permanent protection of whale populations through the establishment of whale sanctuaries in which commercial whaling is prohibited;

(2) at the 12th Conference of the Parties to the Convention on International Trade in Endangered Species, the United States should oppose all efforts to reopen international trade in whale meat or downlist any whale population;

(3) the United States should make full use of all appropriate diplomatic mechanisms, relevant international laws and agreements, and other appropriate mechanisms to implement the goals set forth in paragraphs (1) and (2); and

(4) if the Secretary of Commerce certifies to the President, under section 8(a)(2) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1978(a)(2)), that nationals of a foreign country are engaging in trade or a taking which diminishes the effectiveness of the Convention, then the United States should take appropriate steps at its disposal pursuant to Federal law to convince such foreign country to cease such trade or taking.

Mr. KERRY. Mr. President, as Chairman of the Oceans, Atmosphere and Fisheries Subcommittee, I rise today to submit a resolution regarding the policy of the United States at the upcoming 54th Annual Meeting of the International Whaling Commission, IWC. I wish to thank the Ranking

Member of the Subcommittee, Ms. SNOWE, for co-sponsoring this resolution. I wish to also thank my colleagues Mr. HOLLINGS, Mr. MCCAIN, Mr. WYDEN, Mr. FITZGERALD, Mr. LIEBERMAN, Mr. AKAKA, Mr. REED, Mr. TORRICELLI, Ms. COLLINS, Mr. LUGAR, Mrs. BOXER and Mr. KENNEDY for co-sponsoring as well.

The IWC will meet in Japan from May 20 to 24, 2002. Despite an IWC moratorium on commercial whaling since 1985, Japan and Norway have harvested over 1000 minke whales since the moratorium was put in place. Whales are already under enormous pressure worldwide from collisions with ships, entanglement in fishing gear, coastal pollution, noise emanating from surface vessels and other sources. The need to conserve and protect these magnificent mammals is clear.

The IWC was formed in 1946 under the International Convention for the Regulation of Whaling, Convention, in recognition of the fact that whales are highly migratory and that they do not belong to any one Nation. In 1982, the IWC agreed on an indefinite moratorium on all commercial whaling beginning in 1985. Unfortunately, Japan has been using a loophole that allows countries to issue themselves special permits for whaling under scientific purposes. The IWC Scientific Committee has not requested any of the information obtained by killing these whales and has stated that Japan's scientific whaling data is not required for management. At this meeting, Japan intends to propose to add an additional 100 whales to the whales it kills for scientific purposes. Japan's claim that it needs these whales for scientific purposes is ever more tenuous: last year, Japan unsuccessfully sought to obtain an exemption allowing 50 whales to be commercially hunted to provide economic assistance to specific vessels. This year, Japan is seeking to use these same vessels to kill the same number of whales, in the name of "science." The additional 50 whales include new species, sei whales. Norway, on the other hand, objects to the moratorium on whaling and openly pursues a commercial fishery for whales. Iceland, currently a nonparty, is proposing to join the Convention, but only if it is granted a reservation that exempts it from the ban on commercial whaling.

This resolution calls for the U.S. delegation to the IWC to remain firmly opposed to commercial whaling. In addition, this resolution calls for the U.S. to oppose the lethal taking of whales for scientific purposes unless such lethal taking is specifically authorized by the Scientific Committee of the Commission. The resolution calls for the U.S. to oppose the proposal to allow a non-member country to join the Convention with a reservation that would allow it to commercially whale. The resolution calls for the U.S. delegation to support an end to the illegal trade of whale meat and to support the

permanent protection of whale populations through the establishment of whale sanctuaries in which commercial whaling is prohibited.

SENATE RESOLUTION 269—EX-  
PRESSING SUPPORT FOR LEGIS-  
LATION TO STRENGTHEN AND  
IMPROVE MEDICARE IN ORDER  
TO ENSURE COMPREHENSIVE  
BENEFITS FOR CURRENT AND  
FUTURE RETIREES, INCLUDING  
ACCESS TO A MEDICARE PRE-  
SCRIPTION DRUG BENEFIT

Mr. CRAIG (for himself, Mr. COCHRAN, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 269

Whereas our nation's senior citizens and the disabled need and deserve the highest quality health care available;

Whereas the Medicare program has not fundamentally changed since its creation over 35 years ago and has not kept pace with recent improvements in health care delivery;

Whereas the Medicare Trustees report that the current system is not sustainable;

Whereas Medicare only provides limited access to many lifesaving and health enhancing pharmaceutical and biological medicines;

Whereas America's seniors need a comprehensive, voluntary outpatient prescription drug program under Medicare; and

Whereas Medicare prescription drug coverage can best be provided through comprehensive steps to modernize and strengthen the Medicare program: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) by September 30, 2002, the Senate should consider legislation to comprehensively modernize the Medicare program under which beneficiaries will be offered more choices, including outpatient prescription drug coverage;

(2) this legislation should ensure that the Medicare program's financial solvency is preserved and protected;

(3) this legislation should permit beneficiaries to choose from a variety of coverage options, including an option to continue benefits under the current plan as well as an option to choose from benefits offered by multiple competing, private insurance plans that rely on competition to control costs and improve quality; and

(4) this legislation should provide at least one option providing comprehensive outpatient prescription drug coverage to Medicare beneficiaries, including those having high prescription drug costs.

Mr. CRAIG. Mr. President, I rise today to submit a Sense of the Senate Resolution expressing support for Medicare Reform and the addition of a prescription drug benefit. I am pleased that Senator THAD COCHRAN and Senator JAMES INHOFE are joining with me in this effort today.

The Medicare program is of vital importance to our Nation's seniors and has been providing them dependable, affordable and high quality health care for over 35 years. Despite this, I think we would all agree that the system has not kept pace with modern medicine or coverage available to those covered by private insurance. The practice of medicine has changed dramatically since

the inception of the Medicare program. The many new technologies and drugs that are available to our seniors today weren't even an option 35 years ago.

No senior should have to worry about whether he or she can afford the medicine they need to stay healthy. I am well aware that the rising cost of prescription medicine and prescription drug coverage is a great concern for today's seniors and tomorrow's retirees. Indeed, in some cases, prescription drugs are as important as a doctor's care. It is this reality that makes it so critical we focus our efforts on finding a solution.

As discussion continues, it is crucial we develop effective options for simultaneously modernizing and securing Medicare. We can not afford to add an expensive new comprehensive benefit without real reform to the program and we need to focus our attention on the necessary steps to ensure Medicare remains dependable and up to date.

This is why I am choosing to submit this Sense of the Senate Resolution expressing support for a prescription drug benefit and Medicare modernization. I am calling on the Senate to work to pass legislation on this issue before September 30, 2002 and to give current and future seniors the benefits they deserve. Included in this resolution are principles that I believe should be included in any Medicare or prescription drug legislation that passes this year. I hope my colleagues will join me in supporting these principles and working towards the goal of passing substantial Medicare reform.

AMENDMENTS SUBMITTED AND  
PROPOSED

SA 3408. Mr. DAYTON (for himself and Mr. DORGAN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

SA 3409. Mr. GRASSLEY (for himself and Mr. BAUCUS) proposed an amendment to amendment SA 3408 proposed by Mr. DAYTON (for himself and Mr. DORGAN) to the amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3410. Mr. THOMPSON submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3411. Mr. KENNEDY proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3412. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3009, supra; which was ordered to lie on the table.

SA 3413. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 3009, supra; which was ordered to lie on the table.

SA 3414. Mr. BINGAMAN (for himself and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3408.** Mr. DAYTON (for himself and Mr. DORGAN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

At the end of section 2103(b), add the following:

(4) LIMITATIONS ON TRADE AUTHORITIES PROCEDURES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the provisions of section 151 of the Trade Act of 1974 (trade authorities procedures) shall not apply to any provision in an implementing bill being considered by the Senate that modifies or amends, or requires a modification of, or an amendment to, any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including—

(i) imposition of countervailing and antidumping duties (title VII of the Tariff Act of 1930; 19 U.S.C. 1671 et seq.);

(ii) protection from unfair methods of competition and unfair acts in the importation of articles (section 337 of the Tariff Act of 1930; 19 U.S.C. 1337);

(iii) relief from injury caused by import competition (title II of the Trade Act of 1974; 19 U.S.C. 2251 et seq.);

(iv) relief from unfair trade practices (title III of the Trade Act of 1974; 19 U.S.C. 2411 et seq.); or

(v) national security import restrictions (section 232 of the Trade Expansion Act of 1962; 19 U.S.C. 1862).

(B) POINT OF ORDER IN SENATE.—

(i) IN GENERAL.—When the Senate is considering an implementing bill, upon a point of order being made by any Senator against any part of the implementing bill that contains material in violation of subparagraph (A), and the point of order is sustained by the Presiding Officer, the part of the implementing bill against which the point of order is sustained shall be stricken from the bill.

(ii) WAIVERS AND APPEALS.—

(I) WAIVERS.—Before the Presiding Officer rules on a point of order described in clause (i), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in clause (i) is waived only by the affirmative vote of a majority of the Members of the Senate, duly chosen and sworn.

(II) APPEALS.—After the Presiding Officer rules on a point of order under this subparagraph, any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled. A ruling of the Presiding Officer on a point of order described in clause (i) is sustained unless a majority of the Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(III) DEBATE.—Debate on a motion to waive under subclause (I) or on an appeal of the ruling of the Presiding Officer under subclause (II) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader, or their designees.

**SA 3409.** Mr. GRASSLEY (for himself and Mr. BAUCUS) proposed an amendment to amendment SA 3408 proposed by Mr. DAYTON (for himself and Mr. DORGAN) to the amendment SA 3401

proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

In lieu of the matter proposed to be inserted by the amendment, insert the following:

(4) ADDITIONAL PRINCIPAL TRADE NEGOTIATING OBJECTIVE.—

(A) IN GENERAL.—Section 2102(b) of this Act is amended by adding at the end the following:

“(15) TRADE REMEDY LAWS.—The principal negotiating objectives of the United States with respect to trade remedy laws are—

“(A) to preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws, and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, or that lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

“(B) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.”

(B) CONFORMING AMENDMENTS.—

(i) Section 2102(c) of this Act is amended—

(I) by striking paragraph (9);

(II) by redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively; and

(III) in the matter following paragraph (11) (as so redesignated), by striking “(11)” and inserting “(10)”.

(ii) Subparagraphs (B), (C), and (D) of section 2104(d)(3) of this Act are each amended by striking “2102(c)(9)” and inserting “2102(b)(15)”.

(iii) Section 2105(a)(2)(B)(ii)(VI) of this Act is amended by striking “2102(c)(9)” and inserting “2102(b)(15)”.

(C) PRESIDENTIAL REPORT TO COVER ADDITIONAL TRADE REMEDY LAWS.—Section 2104(d)(3) (A) and (B)(i) of this Act are each amended by inserting after “title VII of the Tariff Act of 1930” the following: “, section 337 of the Tariff Act of 1930, title III of the Trade Act of 1974, section 232 of the Trade Expansion Act of 1962.”

(D) EXPANSION OF CONGRESSIONAL OVERSIGHT GROUP.—

(i) MEMBERSHIP FROM THE HOUSE.—Section 2107(a)(2) of this Act is amended by adding at the end the following new subparagraph:

“(C) Up to 3 additional Members of the House of Representatives (not more than 2 of whom are members of the same political party) as the Chairman and Ranking Member of the Committee on Ways and Means may select.”

(ii) MEMBERSHIP FROM THE SENATE.—Section 2107(a)(3) of this Act is amended by adding at the end the following new subparagraph:

“(C) Up to 3 additional Members of the Senate (not more than 2 of whom are members of the same political party) as the Chairman and Ranking Member of the Committee on Finance may select.”

**SA 3410.** Mr. THOMPSON submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that

Act, and for other purposes; which was ordered to lie on the table; as follows:

Section 3202(b)(2) is amended by striking “2002” and inserting “2003”.

**SA 3411.** Mr. KENNEDY proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

Section 2102(b)(4) is amended by adding at the end the following new subparagraph:

(C) to respect the Declaration on the TRIPS Agreement and Public Health, adopted by the World Trade Organization at the Fourth Ministerial Conference at Doha, Qatar on November 14, 2001.

**SA 3412.** Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX of division A add the following:

**SEC. . . . SIMPLIFICATION OF EXCISE TAX IMPOSED ON BOWS AND ARROWS.**

(a) BOWS.—Section 4161(b)(1) of the Internal Revenue Code of 1986 (relating to bows) is amended to read as follows:

“(1) BOWS.—

“(A) IN GENERAL.—There is hereby imposed on the sale by the manufacturer, producer, or importer of any bow which has a draw weight of 30 pounds or more, a tax equal to 11 percent of the price for which so sold.

“(B) ARCHERY EQUIPMENT.—There is hereby imposed on the sale by the manufacturer, producer, or importer—

“(i) of any part or accessory suitable for inclusion in or attachment to a bow described in subparagraph (A), and

“(ii) of any quiver or broadhead suitable for use with an arrow described in paragraph (3),

a tax equal to 11 percent of the price for which so sold.”

(b) ARROWS.—Section 4161(b) of the Internal Revenue Code of 1986 (relating to bows and arrows, etc.) is amended by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following:

“(3) ARROWS.—

“(A) IN GENERAL.—There is hereby imposed on the sale by the manufacturer, producer, or importer of any arrow, a tax equal to 12 percent of the price for which so sold.

“(B) EXCEPTION.—The tax imposed by subparagraph (A) on an arrow shall not apply if the arrow contains an arrow shaft subject to the tax imposed by paragraph (2).

“(C) ARROW.—For purposes of this paragraph, the term ‘arrow’ means any shaft described in paragraph (2) to which additional components are attached.”

(c) CONFORMING AMENDMENT.—The heading of section 4161(b)(2) of the Internal Revenue Code of 1986 (relating to arrows) is amended by striking “ARROWS.—” and inserting “ARROW COMPONENTS.—”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to articles sold by the manufacturer, producer, or importer after the date of the enactment of this Act.

**SA 3413.** Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill H.R. 3009, to extend the Andean Trade Preference Act, to grant

additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ EXCLUSION OF INCOME DERIVED FROM CERTAIN WAGERS ON HORSE RACES FROM GROSS INCOME OF NONRESIDENT ALIEN INDIVIDUALS.**

(a) IN GENERAL.—Section 872(b) of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and inserting after paragraph (4) the following new paragraph:

“(5) INCOME DERIVED FROM WAGERING TRANSACTIONS IN CERTAIN PARIMUTUEL POOLS.—Gross income derived by a nonresident alien individual from a legal wagering transaction initiated outside the United States in a parimutuel pool with respect to a live horse race in the United States.”

(b) CONFORMING AMENDMENT.—Section 883(a)(4) of such Code is amended by striking “(5), (6), and (7)” and inserting “(6), (7), and (8)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to proceeds from wagering transactions after September 30, 2002.

**SA 3414.** Mr. BINGAMAN (for himself and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 278 of the Trade Act of 1974, as added by section 302 of the matter proposed to be inserted, and inserting the following:

**“SEC. 278. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to the Department of Commerce \$45,000,000 for each of the fiscal years 2003 through 2007 to carry out the purposes of this chapter.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, May 14, 2002, at 10:30 a.m. to conduct an oversight hearing on “The Annual National Export Strategy Report of the Trade Promotion Coordinating Committee.”

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

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

**COMMITTEE ON INDIAN AFFAIRS**

Mr. REID. Mr. President, I ask unanimous consent that the Committees on Commerce, Science, and Transportation and Indian Affairs be authorized to hold a joint hearing on tribal communications on May 14, 2002, at 10 a.m.

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

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

Environment and Public Works be authorized to meet on Tuesday, May 14, 2002, at 9:30 a.m. to conduct an hearing to receive testimony regarding the Persistent Organic Pollutants, POPs, Implementation Act of 2002, S. 2118, and the legislative proposal put forth by the Bush administration. The hearing will be held in SD-406.

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

**JOINT COMMITTEE ON TAXATION**

Mr. REID. Mr. President, I ask unanimous consent that the Joint Committee on Taxation be authorized to meet during the session of the Senate on Tuesday, May 14, 2002, at 10 a.m. to convene a joint review of the strategic plans and budget of the IRS.

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

**SUBCOMMITTEE ON CRIME AND DRUGS**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Crime and Drugs be authorized to meet to conduct a hearing on “Justice for Sexual Assault Victims: Using DNA Evidence to Combat Crime” on Thursday, May 14, 2002, at 10:30 a.m. in Dirksen 226.

**Witness List**

Panel I: Dr. Dwight E. Adams, Assistant Director, Laboratory Division, Federal Bureau of Investigation, Washington, DC; and the Honorable Sarah V. Hart, Director, National Institute of Justice, Department of Justice, Washington, DC.

Panel II: Mrs. Debbie Smith, Williamsburg, Virginia; Ms. Linda A. Fairstein, former Chief of the Sex Crimes Prosecution Unit, New York County District Attorney’s Office, New York, New York; Ms. Debra S. Holbrook, Registered Nurse and Certified Sexual Assault Nurse Examiner, Nanticoke Memorial Hospital, Seaford, Delaware; Ms. Susan Narveson, President, Association of Criminal Laboratory Directors, Phoenix, Arizona; and Mr. J. Tom Morgan, District Attorney, Stone Mountain Judicial Circuit, Vice President, National District Attorneys Association, Decatur, Georgia.

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

**SUBCOMMITTEE ON OCEANS, ATMOSPHERE AND FISHERIES**

Mr. REID. Mr. President, I ask unanimous consent that the subcommittee on Oceans, Atmosphere and Fisheries be authorized to meet on May 14, 2002, at 2:30 p.m. on S. 1825, Pacific Salmon Recovery Act, and Pacific salmon management issues.

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

**SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA**

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be authorized to meet on

Tuesday, May 14, 2002, at 10 a.m. for a hearing to examine “Tobacco’s Deadly Secret: The Impact of Tobacco Marketing on Women and Girls.”

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

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 801, Major General Daniel James, III, to be Director of the Air National Guard; that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate’s action; that any statements relating to the nomination be printed in the RECORD; and the Senate return to legislative session, without any intervening action or debate.

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

The nomination was considered and confirmed as follows:

**AIR FORCE**

The following named Air National Guard of the United States officer for appointment as Director, Air National Guard and for appointment to the grade indicated under title 10, U.S.C., sections 10506 and 601:

*To be lieutenant general*

Maj. Gen. Daniel James, III, 8248

**LEGISLATIVE SESSION**

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

**ORDERS FOR WEDNESDAY, MAY 15, 2002**

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 9:30 a.m. tomorrow, Wednesday, May 15; that following the prayer and the pledge, the time for the two leaders be reserved for their use later in the day; the Senate be in a period for morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the time from 9:30 a.m. to 10 a.m. under the control of the majority leader or his designee, and the time from 10 a.m. to 10:30 a.m. be under the control of the Republican leader or his designee; and at 10:30 a.m. the Senate resume consideration of the trade bill, with Senator WELLSTONE recognized to offer an amendment regarding labor impact.

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

**PROGRAM**

Mr. REID. Mr. President, we worked hard today. There were some good debates. There are Senators who have a lot of amendments they say they want to offer, and we need to move on those as quickly as we can. We ask Senators to be aware of what is going on in the

Chamber and to be ready at any given time to come and offer their amendments. The majority leader has indicated he wants this debate to proceed on this bill in the form of amendments being offered, but I think there will come a time when we are going to have to move on. I do not know if that means he would have to file a motion to invoke cloture, but I would assume so. So I hope Senators will realize they have a finite amount of time to offer amendments and we should move forward on these as quickly as possible be-

cause for people who wait for a day that may be more convenient to them, that day may be too late.

RECESS UNTIL 9:30 A.M.  
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 5:42 p.m., recessed until Wednesday, May 15, 2002, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate May 4, 2002:

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, AIR NATIONAL GUARD AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 10506 AND 601:

*To be lieutenant general*

MAJ. GEN. DANIEL JAMES III

## EXTENSIONS OF REMARKS

SENATOR GEORGE ONORATO RECEIVES PUBLIC SERVICE AWARD

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Senator George Onorato, who is this year's recipient of the "Public Service Award" from the Kiwanis Club of Astoria/Long Island City. Senator Onorato's numerous contributions during his career have helped shape the face of this great city. It is a pleasure to pay tribute to this esteemed public servant.

Senator George Onorato was elected to the New York State Senate in a special election in June of 1983, when he won a highly contested three-candidate race. During his first year in the Senate, the Senator was the Prime Co-sponsor of the used car 'lemon law.' Since his election, Senator Onorato has been actively involved in tenants rights issues and landlord equity.

A tenacious advocate of Senior Citizen issues, the Senator worked tirelessly toward implementation of the Elderly Pharmaceutical Insurance Coverage Program (EPIC), and has consistently co-sponsored legislation that would make prescription medication affordable to our Senior Citizens. Through his position as a member of the Senate Minority Task Force on Waterfront Development, Senator Onorato has been deeply involved in the redevelopment of the Hunter Point area.

The Senator also continues to be supportive of numerous civic and community renewal groups and their projects. He has served with the Riker's Island Liaison Group that monitors conditions and takes unified action to respond to problems associated with community proximity to Riker's Island. He is also a member of the New York State Senate Democratic Puerto Rican and Hispanic Task Force. As a determined member of the Senate Minority Task Force on Vietnam Veterans and the Acting Ranking Minority Member of the Senate Committee on Veterans Affairs, Senator Onorato sponsored legislation providing for student aid to Vietnam veterans, and in 1997 introduced legislation to increase the level of such funding. He sponsored and supported legislation requiring identification of handicapped children of Vietnam veterans in order to assist in developing a data base for research on dioxin-related birth defects.

Greatly concerned over air quality, Senator Onorato continues to be involved in negotiations that would help limit the emission of pollutants by power plants. His district in Queens has some of the dirtiest power plants in Queens. Understanding the health impacts on his constituents, Senator Onorato has been a leading proponent for cleaning up the dirty plants.

As an active participant in community affairs, Senator Onorato has served as Chairman of the Board of Directors of one of the

most prominent Democratic clubs in New York City, the Taminent Regular Democratic Club. A lifelong resident of Astoria, Senator Onorato is a proud father of three and grandfather of six. He received a Presidential Citation while serving in the United States Army, 118th Medical Battalion from 1950–1952.

Senator Onorato has always proudly sported his Italian heritage, and has promoted and championed good relations between Italy and the United States. He has traveled on numerous occasions to Italy, meeting with numerous dignitaries and businessmen in Tuscany to promote trade and government relations between our two countries.

In recognition of his many outstanding achievements, I ask my colleagues to join me in honoring Senator Onorato.

IN HONOR OF THE ADDITION OF SHERIFF JOACHIM MATTHEWS TO THE NATIONAL LAW ENFORCEMENT MEMORIAL

### HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BONIOR. Mr. Speaker, I rise today to honor the memory of Sheriff Joachim Matthews. Sheriff Matthews, who was killed in the line of duty ninety-two years ago this December 1, will be added to the National Law Enforcement Officers Memorial here in Washington, D.C. today.

Joachim Matthews served Macomb County as Sheriff for nearly four years, from 1906 until his death in 1910. Responding to a report of malicious activity on a farm, Sheriff Matthews was shot by a young man who mistook him for a robber. An investigation into the incident ruled the shooting to be accidental.

Sixty years of age at the time of his death, Sheriff Matthews left behind a wife and five children. Many of his descendants still live in the Mount Clemens area.

It is only fitting that a public servant like Joachim Matthews is recognized on the National Law Enforcement Memorial for his service to the citizens of Macomb County. He paid the ultimate price while fulfilling the duties of his office. Truly, he represents the best ideals of law enforcement: dedication, devotion, and duty.

Sheriff Matthews' name will be added today to the National Law Enforcement Memorial at a candlelight vigil. As he is remembered through this distinction, we should also honor his memory by praying for the safety and security of all men and women in law enforcement.

RECOGNIZING THE OUTSTANDING SERVICE OF COMMANDER GARY SCHRAM

### HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize an outstanding naval officer, Commander Gary Schram, who served with distinction and dedication during the last year as a Navy Appropriations Liaison Officer in the Assistant Secretary of the Navy's (FM&C) Appropriations Matters Office. It is a privilege for me to join my colleagues and the members of my Committee on Appropriations in recognizing his excellent work and the professionalism with which he has represented the United States Navy.

Through his work with the members and staff of my committee, and our Subcommittee on Defense, Gary has provided timely and accurate information that has been invaluable to us in making many important decisions about the future structure of the Navy. His areas of responsibility included highly sensitive and timely programs that have been critical to our successful war against terrorism.

Gary recently escorted my Congressional Delegation on a trip to Russia and several other countries. I greatly appreciate the time and effort he spent on this and other trips. His planning and coordination made these trips extremely successful enabling us to visit with numerous foreign dignitaries and U.S. service personnel in Europe in a relatively short amount of time. My colleagues and staff who have enjoyed working with Gary will sorely miss him. We know, however, that Gary is returning to his first love which is flying Navy jets and his next assignment as the Executive Officer of an S-3 squadron in my home state of Florida will be great training for his future job as a squadron Commanding Officer. There is no doubt in my mind that Gary will be a great XO and CO who ensures that his squadron performs safely while remaining ready to deploy and fight if necessary.

Mr. Speaker, my colleagues and I wish Gary, his wife Diana, and their son Gary the very best as they relocate to Jacksonville, Florida. This Navy family continues to make many sacrifices to serve our nation and Commander Schram's distinguished and unselfish service exemplifies the Navy's core values of honor, courage and commitment.

EXPAND ALASKA NATIVE CONTRACTING OF FEDERAL LAND MANAGEMENT

### HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to introduce legislation to expand Alaska

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Native contracting of Federal land management functions and activities and to promote hiring of Alaska Natives by the Federal Government within the State of Alaska.

The Alaska National Interest Lands Conservation Act (ANILCA) was enacted on December 2, 1980 as Public Law 96-487. Since then, Congress has passed several public laws which have amended ANILCA. The 1980 ANILCA amendments expanded the federal refuge and park systems in Alaska for the purposes of protecting habitat for fish and wildlife, to conserve fish and wildlife populations, and to provide the continued opportunity for subsistence uses by local Alaska Native residents and to protect archaeological sites associated with Alaska Native cultures.

Many rural Alaska native communities are located within close proximity of the refuges and serve an important part of the culture and ways of Alaska natives and other residents in rural Alaska. Congress, through sections 1307 and 1308 of the 1980 ANILCA amendments, directed the Secretary of the Interior to establish programs whereby Alaska natives were to be given preference in hiring, and to establish programs whereby Native lands were given preference for siting of conservation service unit facilities. The provisions also recognized that the Natives whose front and back yards were now part of the federal parks and preserves systems were the best individuals to be involved in the administering of the lands because of their special knowledge or expertise concerning the natural or cultural resources of such areas.

Public Law 106-488 authorized demonstration projects in four areas in northwest Alaska: (1) Bering Land Bridge National Preserve (2) Cape Krusenstern National Monument (3) Kobuk Valley National Park and (4) Noatak National Preserve in fiscal years 2000 and 2001. No demonstration project has been entered in either fiscal years 2000 or 2001 with the above named four areas at the Department of the Interior.

It has been twenty two (22) years since the 1980 ANILCA amendments were enacted, and the contracting and native hires provisions remain unfulfilled by the Department of the Interior. This bill would remedy this by directing the Department of the Interior to enter into demonstration projects with no less than six eligible Alaska Native tribes or tribal organizations in fiscal years 2003 and 2004.

This bill is a result of the legislative council of the Alaska Federation of Natives to address the contracting and hiring preference for Alaska native entities pursuant to the 1980 ANILCA amendments.

LINDA AND GEORGE PERNO  
NAMED KIWANIAN OF THE YEAR

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Linda and George Perno who are being honored as Kiwanians of the Year by the Kiwanis Club of Astoria/Long Island City. Their contributions to the community have touched many lives. It is a pleasure to pay tribute to both of these illustrious community leaders.

Linda and George Perno started their business, Lincolne Lithograph, in 1975. True partners in business and in life, they are both deeply involved in community activities. Born and raised in Astoria, Queens, Ms. Perno's passion for community service started when she was an office volunteer at her son's kindergarten. Ms. Perno is a current Board Member and Past President of the Astoria Civic Association. She also sits on its Scholarship Committee, and Chairs the Judge Charles J. Vallone Scholarship Dinner Dance which draws over four hundred people annually.

Ms. Perno was recently voted President Elect of Astoria Long Island City Kiwanis. She has been a board member of Community Board 1 for the past ten years, and is currently the Chairperson of Education. She was also appointed to the Board of Directors of SHAREing & CAREing, a support group for breast cancer survivors in western Queens, and is the Chairperson of Fundraising. Ms. Perno strength in education and youth make her a partner in SHAREing & CAREing's educational and youth outreach program. Ms. Perno serves as President of the Broadway-Astoria Merchants & Professionals Association.

Mr. Perno also joined the fight against breast cancer and provided his input in designing all of SHAREing & CAREing's printed matter.

Mr. Perno is a member of the Board of Directors of Astoria Civic Association and is currently a Vice President. He is Sergeant-at-Arms for the Astoria/Long Island City Kiwanis and is a thirty-five year member and a Past Deputy Grand Knight of the Knights of Columbus, Spellman & Colon Councils.

Mr. and Mrs. Perno are the proud parents of two and the grandparents of three. In 2001, they sponsored their grandson's baseball team for Elmjack Little League.

In recognition of these outstanding achievements, I ask my colleagues to join me in honoring Linda and George Perno as Kiwanians of the Year. The Pernos' dedication to our community serves as a model of commitment to us all.

IN HONOR OF THE ADDITION OF  
DEPUTY SHERIFF CLARENCE  
LACROIX TO THE NATIONAL LAW  
ENFORCEMENT MEMORIAL

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BONIOR. Mr. Speaker, I rise today to honor the memory of Deputy Sheriff Clarence LaCroix. Deputy LaCroix, who was killed in the line of duty seventy-seven years ago this August 25, was added to the National Law Enforcement Officers Memorial here in Washington, D.C. today.

Deputy LaCroix served Macomb County as Deputy Sheriff on motorcycle patrol for a short time before his death. While riding on duty, Deputy LaCroix's motorcycle was brushed by an automobile that turned in front of him. Both motorcycle and rider were thrown into a ditch, killing Deputy LaCroix. An investigation into the matter ruled the incident to be accidental.

Just twenty-nine years of age at the time of his death, Deputy LaCroix left behind a wife

and two small children. Some of his descendants still live in the St. Clair Shores area.

It is only fitting that a public servant like Clarence LaCroix is recognized on the National Law Enforcement Memorial for his service to the citizens of Macomb County. He paid the ultimate price while fulfilling the duties of his office. Truly, he represents the best ideals of law enforcement: dedication, devotion, and duty.

Deputy LaCroix's name will be added today to the National Law Enforcement Memorial at a candlelight vigil. As he is remembered through this distinction, we should also honor his memory by praying for the safety and security of all men and women in law enforcement.

HONORING THE WOODBRIDGE SENIOR CENTER ON ITS 25TH ANNIVERSARY

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Ms. DELAURO. Mr. Speaker, it gives me great pleasure to rise today to join the Woodbridge community in celebrating the 25th Anniversary of the Woodbridge Senior Center. As the center for senior activities, the Woodbridge Senior Center has become a landmark in our community.

With the establishment of a local Commission on Aging in 1977, there was an assessment of the needs of the elderly in Woodbridge. Almost immediately, the Commission found that there was a lack of space for a place for seniors to gather. Under the remarkable leadership of Patricia Gilbert and the founding members, the Commission on Aging successfully negotiated for space at Center School, adopted a budget, completed a needs assessment survey, formulated policies, opened the lounge and office, developed a volunteer transportation service and established several programs—all within nine months.

In the years since its inception, the Woodbridge Senior Center has developed a very unique relationship with the community. Through the Woodbridge Awareness to Crime and Home Safety (WATCH) Council, the Senior Center and the Woodbridge Police Department joined together to develop programming aimed at reducing fear of crime and improving the quality of life for seniors. Each year, the Senior Center sponsors an afternoon tea at which they honor the many volunteers who assist them throughout the year. Working with the town officials, the Senior Center was able to secure a handicapped accessible van which provides transportation to the senior and disabled community. These are only a few of the many outstanding programs the Center has offered to Woodbridge seniors.

Our seniors deserve to have a place in each of our communities where they can socialize as well as access much needed programs. In the quarter of a century since the Senior Center was established, the efforts of the staff and volunteers has greatly improved the quality of life of Woodbridge Seniors. Providing invaluable programs and services, they have made a real difference in the community as a whole. Even today, the Senior Center continues to

grow and expand—enriching the community and the lives of many seniors.

Today, as they celebrate their 25th anniversary, I am honored to stand and join the Woodbridge community in congratulating the staff and volunteers, past and present, of the Woodbridge Senior Center, on this milestone. Their commitment, dedication, and advocacy has left an indelible mark on our community and I would like to extend my deepest thanks and appreciation to them for all of their good work.

HONORING DR. JAMES CLARK

**HON. JERRY WELLER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. WELLER. Mr. Speaker, I rise today to honor Dr. James Clark for his years of service in the educational system. Dr. Clark, who retires this year, has served as the Superintendent of the Joliet Township High Schools since July 1, 1996.

Dr. Clark started his career in Marion, Indiana where he taught speech, drama, and English. He has since taught in Harvey and Lockport High Schools. In 1999 Dr. Clark was appointed Assistant Superintendent for Educational Services at the Joliet Township High Schools. In 1996, he received the appointment as Superintendent. Dr. Clark is also an Adjunct Instructor at Aurora University and Governors' State University.

Being a generous person, Dr. Clark is also involved with the community. He is active in Rotary, serves as a member of the Joliet Area American Cancer Society Board of Directors, on the Joliet Area Chamber of Commerce and Industry Board of Directors, as vice-chair of the American Heart Association Heart Walk, and in various professional school administrator organizations.

Dr. Clark and his wife Linda are the proud parents of two sons and one grandson. Dr. Clark is revered throughout the Joliet community. In fact, the City of Joliet declared Monday, May 13, 2002 as "Dr. James H. Clark Day".

Mr. Speaker, I urge this body to identify and recognize others in their own districts whose actions have so greatly benefitted and strengthened America's communities.

RECOGNIZING THE OUTSTANDING SERVICE OF COMMANDER KARL VAN DEUSEN

**HON. C.W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize an outstanding naval officer, Commander Karl Van Deussen, who has served with distinction and dedication during the last year as a Navy Appropriations Liaison Officer in the Assistant Secretary of the Navy's (FM&C) Appropriations Matters Office. It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the Department of the Navy, the Congress, and our great Nation.

During his tenure in the Appropriations Matters Office Commander Van Deussen provided the members and staff of my Committee on Appropriations, and our Subcommittee on Defense, with timely and accurate support regarding Department of the Navy plans, programs and budget decisions. His valuable contributions have enabled the Defense Subcommittee and the Department of the Navy to strengthen its close working relationship and to ensure the most modern, well-trained and well-equipped Naval Forces attainable for the defense of our great nation.

In addition to his professional relationship with my Committee, Karl has become like a family member to Beverly, to me, and to my sons. He is a constituent from St. Petersburg, Florida and he has served as a role model for my sons, who he has inspired to pursue careers in the United States Navy and Marine Corps.

Karl is also a recognized hero. He was recently awarded the Navy Commendation Medal for his courageous actions immediately following the September 11th attack on the Pentagon. Without regard for his personal safety, Karl time and time again helped bring fellow service members and civilians out of the burning building that terrible day.

Mr. Speaker, Commander Karl Van Deussen is the epitome of a United States Naval Officer. He now embarks on the dream job of any sailor, taking command of a ship and her crew. As he assumes command of the USS *Gonzales*, one of our nation's newest destroyers, I know the many friends he has made in working with the Congress will miss him greatly. Of course, our loss is his new crew's gain, and I am confident that Karl will be a great Captain who will ensure that his ship and crew are ready for whatever lies ahead.

I join with my colleagues today in wishing Commander Van Deussen, his wife, Beth, and their five children, Bonnie, Jon, Margaret, Todd, and Cora the very best in one of the best jobs in the world. This great American family has made many sacrifices during a Navy career in which Karl has distinguished himself with an unselfish service that exemplifies the Navy's core values of honor, courage and commitment. Clearly Commander Van Deussen is one of the best our nation has to offer and as he departs the Pentagon to return to sea duty, I call upon colleagues to wish Karl and his family every success and "fair winds and following seas" for the captain and crew of the USS *Gonzales*.

MAY 28 REPUBLIC DAY

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BURTON of Indiana. Mr. Speaker, the purpose of my remarks is to congratulate, on behalf of myself and my colleagues, the Republic of Azerbaijan on the May 28 Republic Day. After the break-up of the Soviet Union we have all seen Azerbaijan's strife not only to occupy its rightful place in the international community, but, first and foremost, to preserve its sovereignty, independence, and territorial integrity, to promote the energy projects on the Caspian, as well as to establish relations of friendship and cooperation with the United States and the European nations.

Now we consider Azerbaijan to be one of the strongest U.S. allies among the post-Soviet countries. The reforms in Azerbaijan, both economic and political, as well as this nation's role in the international antiterrorist campaign, prove its dedication to the democracy, free market economy, its intention to pursue cooperation, not confrontation.

I extend my congratulations to President Aliyev and the people of the Republic of Azerbaijan and express my belief that the bilateral relations between our two countries will further develop and strengthen for the well-being of both our peoples, as well as with the purpose of furthering the U.S. interests in the South Caucasus, where Azerbaijan has become a stabilizing force.

IN RECOGNITION OF MARGO CATSIMATIDIS

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I rise to pay tribute to Margo Catsimatidis on the occasion of the 11th Annual Hellenic Times Scholarship Dinner Dance. Ms. Catsimatidis's contributions to the Hellenic community have touched countless lives. It is a pleasure to pay tribute to this illustrious community leader.

Ms. Catsimatidis is Vice-Chairperson and one of the founders of the Hellenic Times Scholarship Fund, which this year will be granting \$150,000 in scholarships to young Greek-American students from across the country. Established in 1990 for the education of Greek-American students, the Hellenic Times Scholarship Fund has awarded over \$700,000 to more than 400 students to date.

Ms. Catsimatidis joined the staff of the Hellenic Times in 1979 as head of Advertising and assumed her current position as co-publisher in 1993. In 1984, Ms. Catsimatidis founded MCV Advertising Associates, an advertising agency specializing in retail print advertising whose accounts appear in all major New York City print media. She is also the television spokesperson for Gristede's Supermarkets in New York City.

As a civic leader, Ms. Catsimatidis served as the Coordinator of the annual Columbus Avenue Festival from 1979-1991. The 30 block festival draws a crowd in excess of one million, raising funds for the West Side of Manhattan for various schools and community projects on the West Side of Manhattan. She was also one of the founders and coordinators of the Amsterdam Avenue Festival and is a member of the West Side Chamber of Commerce.

Volunteering much of her time in an effort to better the lives of others, Ms. Catsimatidis is active on numerous committees, serving as Chairperson of the National Alzheimer's Foundation Dinner and Chairperson of the Parkinson's Disease Foundation Dinner. In addition, she serves on the Executive Committee of New York Hospital and the Police Athletic League (PAL), which helps 60,000 underprivileged children every year.

Ms. Catsimatidis and her husband, John, have used their own resources to benefit communities in need and others. Ms. Catsimatidis

and her husband built a computer and science school in Jerusalem. Recognizing that Camp David had no religious sanctuary of its own, they have helped build the first Chapel at Camp David. The couple was also instrumental in building a home for the aged in New York.

A proud resident of Manhattan and mother of two, Ms. Catsimatidis is a member of the Leadership 100 for the Greek Orthodox Church and served as Chairperson of the Children's Luncheon raising funds for cancer-stricken children.

In recognition of these outstanding achievements, I ask my colleagues to join me in honoring Margo Catsimatidis. Ms. Catsimatidis's spirit and dedication to our community serves as a model of commitment to us all.

IN HONOR OF NATIONAL NURSING HOME WEEK AND THE NURSING HOMES OF THE 10TH CONGRESSIONAL DISTRICT OF MICHIGAN

**HON. DAVID E. BONIOR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BONIOR. Mr. Speaker, I'd like to recognize today National Nursing Home Week and honor the many great nursing homes located in the 10th Congressional District. This year is the 35th annual year of National Nursing Home Week and the theme is Celebrating the Seasons of Life.

I believe that this theme is indicative of all that the nursing homes of Macomb and St. Clair Counties have to offer. They strive to provide their residents a high quality of life and treat those in need with dignity and respect. The nursing homes of the 10th Congressional District work hard to provide their residents quality care, and I have met with many of those whose lives have been improved by living in nursing homes.

I have seen first hand the importance nursing homes and their staff play in the lives of residents and the families of those residents. It is hard for families when a loved one enters a nursing home, but with a caring and compassionate staff these thoughts are quickly forgotten.

Unfortunately, I have heard first hand about the burdens that Medicare and Medicaid reductions have placed on nursing home facilities. As a nation, we should be doing everything that we can to promote good, long-term care for our citizens, not compromising the care that our parents and grandparents receive. These reductions make it hard for nursing homes to continue providing quality care to those who need it.

During National Nursing Home Week, it is important to remember that our loved ones—our parents and grandparents—deserve the best in their later years. We need to ensure that our nursing homes and their staff have the resources and support to continue to provide quality care for all.

INDIAN CHILD WELFARE ACT AMENDMENTS OF 2002

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to introduce legislation with my colleague, Congressman J.D. HAYWORTH of Arizona to amend the Indian Child Welfare Act (ICWA). This bill clarifies Congress's intent with regard to ICWA.

Many of the bill's provisions are included in direct response to tribal comments on H.R. 2644, an ICWA bill I introduced last year in response to tribal concerns. H.R. 2644 was drafted with the input of the Association on American Indian Affairs, Tanana Chiefs Conference, National Indian Child Welfare Association, National Congress of American Indians, the American Academy of Adoption Attorneys, various tribes and other concerned organizations. The changes that the present bill makes to H.R. 2644 also reflect input from each of these named organizations, although the American Academy of Adoption Attorneys has not had the opportunity to review a number of these.

It has been my policy to have all affected parties participate in the legislative process to help finalize a bill for passage. With this in mind, it is my intent to include the American Academy of Adoption Attorneys later in the legislative process.

In 2002, we still have American Indian and Alaska Native children being adopted out of families, tribal communities and states. We continue to have this problem in Alaska and I have been asked to introduce amendments to further clarify the ICWA. The amendments include, among others, the following provisions:

Requires detailed notice to Indian tribes in all voluntary child custody proceedings and to parents and tribes in all involuntary proceedings.

Clarifies right of Indian tribes to intervene in all voluntary state court child custody proceedings, provided that the tribe files a notice of intent to intervene or a written objection within 45 days of receiving notice of a voluntary termination of parental rights or within 100 days of receiving notice of a particular adoptive placement, and certifies that a child is a member or eligible for membership at the time of its intervention.

Requires notice to extended family members and recognizes their right to intervene in state child custody proceedings.

Requires attorneys, public and private agencies to provide detailed information to Indian parents of their rights under ICWA.

Limits parents' rights to withdraw consent to an adoption to 6 months after relinquishment of the child or 30 days after the filing of an adoption petition, whichever is later.

Clarifies tribal jurisdiction in Alaska.

Facilitates ability of tribes without reservations, including tribes in Alaska and Oklahoma, or with disestablished reservations to assume jurisdiction over child custody proceedings.

Narrows the grounds upon which state courts can refuse to transfer cases to tribal courts.

Clarifies tribal court authority to declare children wards of the tribal court.

Defines the circumstances under which state ICWA violations may be reviewed by federal courts and provides for federal review of state ICWA compliance.

Provides for criminal sanctions for anyone who assists a person to lie about their Indian ancestry for the purposes of applying the ICWA.

Allows state courts to enter enforceable orders providing for visitation or contact between tribes, natural parents, extended family and an adopted child.

Extends ICWA to cover children of state-recognized Indian tribes (in some cases), and children who reside or are domiciled on a reservation and are the child or grandchildren of a member, but who are not eligible for tribal membership.

Makes it easier for adoptees to gain access to their birth records.

I think it is appropriate that Congress further clarifies the ICWA to ensure that American Indian and Alaska Native children are not snatched from their families or tribal communities without cause. In July of 2001, the Child Welfare League of America offered American Indians something they have longed to hear for more than three decades: an apology for taking American Indian children.

"It was genuinely believed that Indian children were better off in white homes," said Terry Cross, Executive Director of the National Indian Child Welfare Association. (San Antonio Express News, Sunday, July 1, 2001 Article).

That changed in 1978 when Congress passed the Indian Child Welfare Act. Even now, Cross cites problems. "Sometimes social workers are not properly trained to identify children as Indian. Or agencies fail to notify tribes of adoptions." (San Antonio Express News, Sunday, July 1, 2001 Article).

I believe these FY 2002 ICWA amendments to be acceptable legislation which will protect the interests of prospective adoptive parents, Native extended families, and most importantly, American Indian and Alaska Native children.

The Committee on Resources will seek additional input from the Department of Justice, the Department of the Interior and the Department of Health and Human Services. I am hopeful that these agencies will again embrace this legislation so that we can affirm this country's commitment to Protect Native American families and promote the best interest of Native children.

I urge and welcome support from my colleagues in further clarifying the ICWA to ensure no more American Indian or Alaska Native children are lost.

HONORING PATRICIA MCKEE OF WACO, TX

**HON. CHET EDWARDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. EDWARDS. Mr. Speaker, this evening, Tuesday, May 14, 2002, the people of Waco and Central Texas will gather to celebrate a 44-year association that has enriched the lives of people and improved the lives and futures of young men and women.

Patricia McKee became a Camp Fire volunteer in 1958, when her daughter, was a Bluebird. Pat continued as a volunteer for twelve

years, and then in 1970, became Executive Director of the Camp Fire USA's seven-county Tejas Council.

What followed was thirty-two years of energetic service and determined leadership in her community. Pat began by conducting a community needs survey to find ways that Camp Fire could help. She established an after-school program that continues today and is now on seven campuses of the Waco Independent School District. Camp Fire has offered parenting education, conflict resolution seminars, nutritional courses and money management classes at three of the city's public housing developments. And, in 1977, the Camp Fire Activity Center opened to provide a safe place for children to go after school.

Mr. Speaker, during her tenure, Pat McKee has established partnerships with more than forty community agencies to develop programs that help young people grow into productive, contributing members of society.

She has been recognized with national Camp Fire USA awards for such innovative programs as Kids Care, Teen Leadership Waco, Teen Volunteers Center, Life Enrichment Programs and Campus Camp. Those remarkable achievements on behalf of others have not gone unnoticed elsewhere. Former Governor Ann Richards recognized Pat with the Yellow Rose of Texas Award. She is a recipient of the Community Builder Award from the Masonic Grand Lodge, and the Pathfinders Award from YWCA.

Now, after forty-four years of service, Pat has retired to rest and travel with her husband, Goodson, although everyone who knows her is certain that she will be volunteering her time to some nonprofit organization very soon.

Mr. Speaker, Pat McKee's life has defined service to others. While the Waco community is sad to see her retire, we are, at the same time, delighted for her. And, most importantly, we are all better people for having known her.

JOHN S. LAWS INSTITUTE  
GRADUATION

**HON. JAMES P. MCGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. MCGOVERN. Mr. Speaker, I join the community of Worcester, Massachusetts in celebrating the graduation of ten young adults from the Dynamy John S. Laws Institute. I would like to recognize the graduates: Lieu Chau, Jason Dobson, Samir Gandulla, Jamie Glenn, Melisa Jaquez, Ryan Novack, Jorid Topi, William Torres, Tram Trang and Jovon Turner.

The John S. Laws Institute was created over a decade ago in 1989 to aid talented low-income and culturally diverse students in the Worcester Public School System. The John S. Laws Institute is a four-year after school program designed to give students the tools they need to complete high school and succeed in college. As part of the program students take part in internships, leadership training, community service and other skill and character building exercises. Students who graduate from the institute are eligible for full scholarships from the Colleges of the Worcester Consortium. Ninety-eight percent of graduates

from the John S. Laws Institute are accepted into college.

Mr. Speaker, I commend these young adults for taking an active role in improving their education and I wish them the best of luck in their future endeavors.

GEORGE NAPOLITANO NAMED  
"MAN OF THE YEAR"

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mrs. MALONEY of New York. Mr. Speaker, I would like to pay tribute to George Napolitano, who will be honored as "Man of the Year" at the Holy Name Society Immaculate Conception Parish 10th Annual Dinner Dance. Mr. Napolitano is one of the nicest people I have ever worked with. His understated manner and sincerity make him enormously well-liked in the community.

George Napolitano was born and raised in the Little Italy section of New York City. He attended St. Patrick's Old Cathedral School and All Hallows High School before attending St. John's University.

Following his study at St. John's, Mr. Napolitano began his career in the financial sector. In 1960, however, he left the career he had begun on Wall Street to serve his country in the military. Stationed in Ft. Rucker, Alabama he was placed in charge of the Officers Payroll Department. He also coached the base's Little League team to a State Championship. Mr. Napolitano was granted an honorable discharge as Sergeant and completed an additional four years reserve training.

After his service, Mr. Napolitano returned to his career in the private sector working again in the financial district before beginning a career in real estate and insurance. Shortly thereafter he also began his career in politics. He worked as a legislative aide to Assemblyman Denis J. Butler for ten years. He currently runs my Queen office, and I am proud to have George Napolitano as a member of my staff.

Mr. Napolitano has made a lifelong commitment to community service. He is a member of the Tri-State Italian American Congress, a charter member of the Sons of Italy in Manhattan and a charter member of the Knights of Columbus where he was instrumental in coordinating the Youth Program. He is Treasurer of the Powhatan Democratic Club and Chairman of the Parents' Association of St. Vincent Ferrer High School. For his work as a Lector and Eucharist Minister and his commitment to the Holy Name Society he has been honored by the Brooklyn Diocesan Union. During his tenure as President of the Holy Name Society, the organization experienced unprecedented growth. Furthermore, he has co-chaired all ten Holy Name Society dinner dances which have raised funds for grants for graduating students. His hard work and self-less dedication has made a difference in the lives of many young people and community members.

Along with his many other commitments, Mr. Napolitano also operates his own real estate and insurance business in Queens, New York, where he lives with his wife, Carol, and their two daughters, Deana and Denise. He also has another daughter, Catherine, a son, Robert, and three lovely grandchildren.

Mr. Speaker, for his many accomplishments and contributions I ask that my colleagues join me in saluting George Napolitano. He exemplifies the fine American tradition of voluntarism.

HONORING THE GIRL SCOUTS OF  
AMERICA ON THEIR 90TH ANNI-  
VERSARY AND PAYING TRIBUTE  
TO THE RECIPIENTS OF THE 2002  
GOLD AWARDS

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Ms. DeLAURO. Mr. Speaker, it gives me great pleasure to rise today to join the Connecticut's Girl Scouts, and troops nationwide, as they celebrate the 90th anniversary of the Girl Scouts of America and the presentation of the Girl Scouts highest honor, the Gold Award. This tremendous organization has provided a unique and important experience to millions of young women in America and abroad.

In 1912 a group of eighteen girls assembled and, with a idea well before its socially acceptable time, Juliette Gordon Law called to order the first meeting of what has grown to become one of the most well-known and respected organizations for girls in the world. Today, the Girl Scouts can boast of a membership of just under four million young girls and adults.

The Girl Scouts organization promotes an important message for young women: that all girls should be given the opportunity to develop physically, mentally, and spiritually. Girl scouting empowers our young women to realize their full potential while making a contribution to our communities. The variety of activities and programs that they participate in teach them invaluable life lessons—lessons that they will carry with them into their adult and professional lives. Reaching beyond socioeconomic and geographic barriers, the Girl Scouts of America have touched the lives of millions of young women—many some of our nation's most vulnerable citizens. The self-confidence and determination that all Girl Scouts develop is truly invaluable.

Perhaps the most important idea that these young women take away from their girl scouting experience is the value in serving their communities. Our communities would not be the same without the efforts of those who volunteer their time and energy to its enrichment. I am always amazed at the consistency of the stories I read of our local troops actively involved in reshaping the many towns and cities of my congressional district. Whether volunteering to raise funds for a new playground or becoming mentors for other young girls, they have a direct and positive impact on our community—one of which they should all be very proud.

The Gold Award is the highest distinction earned by a Girl Scout and each of those honored today should be proud of their accomplishments. These young women have demonstrated a strong commitment to their communities through the service programs in which they have participated. This recognition reflects their hard work and dedication to the Girl Scouts and to improving the lives of their friends and neighbors.

The Girl Scouts of America have left an indelible mark on our nation as well as across

the globe. For 90 years, the Girl Scouts have given our communities an invaluable resource for young girls. I am proud to join today in expressing my sincere congratulations to them on this incredible milestone as well as to all of those who will be honored with the Gold Award.

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HONORING SEVEN ACRES JEWISH  
SENIOR CARE SERVICES

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**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BENTSEN. Mr. Speaker, I rise to honor Seven Acres Jewish Senior Care Services, which celebrated the Sara Feldt Memorial Annual Older American's Day on May 12, 2002, in recognition of Older American's Month. This event pays tribute to those in our aging population that play a vital role in our communities. Many expend countless hours on behalf of hospitals, schools and philanthropic organizations.

Seven Acres began in 1943, when a small, determined group of men and women of the Jewish faith purchased a frame house on Branard Street in Houston. Their vision was to create a warm, friendly Jewish environment for fourteen elderly citizens. As the concept and the need grew, there were milestone expansions. In 1954, a new facility, with broader capabilities, was built on Chimney Rock Road, initially serving 31 and eventually accommodating 98 residents. During the 1970s, planning began for a new and innovative facility. In 1998, a major renovation created today's modern campus and was dedicated to the mission of "Honoring thy Father and thy Mother." Throughout its history, Seven Acres has promoted a sense of satisfaction with life, so that the humanity, dignity, independence, and strengths of each resident are realized to the fullest.

Older Americans Month presents us with the opportunity to draw attention to the remarkable longevity of our population and to the challenges and opportunities which will accompany population aging in the next millennium. This month highlights the fact that many of us are living longer, fuller, more satisfying lives and that we are growing stronger in the process. Seven Acres prides itself on recognizing that aging can and should be a positive experience, and that we can take charge as we prepare for our own longevity, regardless of our age today.

Mr. Speaker, at a time when America is aging and our parents are growing older, it is imperative that facilities like Seven Acres continue to provide the highest quality of care for our aging community. Our elderly are our foundation and a great source of talent and inspiration. I commend them for their good works and Seven Acres for its great contributions to the Houston community.

BOB STUMP NATIONAL DEFENSE  
AUTHORIZATION ACT FOR FIS-  
CAL YEAR 2003

SPEECH OF

**HON. ADAM B. SCHIFF**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 9, 2002*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes:

Mr. SCHIFF. Mr. Chairman, I rise today to speak on the Edwards amendment to the DOD Authorization bill, restoring \$30 million to a nonproliferation program included in the President's Budget and designed to provide an alternative to Russian reactors that generate weapons-grade nuclear materials. This amendment was unfortunately ruled not to be in order.

The Defense Authorization Act, as currently proposed, cuts by \$30 million this critical national security work. If this \$30 million is not restored in full, it would mean at least a one year delay in shutting down these plutonium production reactors, which translates into 1.5 additional tons of weapons grade plutonium that will be produced by Russia, which is equivalent to nearly 200 nuclear weapons.

Mr. Chairman, the demise of the Soviet empire ushered in a new post-Cold War period with unclear and unidentifiable threats and a new and very real sense of urgency, instability and insecurity.

During the Cold War, the enemy was clear and identifiable. Regrettably, that is not the case today. In addition to the traditional nuclear weapons proliferators such as North Korea, Pakistan, and China, countries such as Libya, Iran, Iraq, and stateless terrorist organizations such as Osama bin Laden's al-Qaeda, are out there and are actively in search of their next deal on nuclear weapons technology and components. It is this latter type of threat—the unclear, mobile, and not easily identifiable source of threat—that compels us to continue and increase our efforts to secure Russia's nuclear weapons and materials.

In the past 11 years, while much as been done to dismantle Russia's and the former Soviet Republics' nuclear weapons, the dangers persist, and in some cases have increased. In a January 2001 report to the DOE, former Senator Howard Baker and Lloyd Cutler called the proliferation risks created by nuclear materials in the former Soviet Union the "greatest unmet national security need" for the United States."

In a speech at the National Press Club on March 29, 2001, former Senator Sam Nunn addressed the need to continue to build upon existing programs such as the Nunn-Lugar Cooperative Threat Reduction program, when he said, "As we enter the second decade of the post-Cold War world. . .the most significant, clear and present danger to the national security of the United States is the threat posed by nuclear and other weapons of mass destruction. Nothing else comes close. The public perception of the threat is low; the reality of the threat is high. There is a dan-

gerous gap between the threat and our response. To close this gap, we must make a fundamental shift in the way we think about nuclear weapons, the spread of weapons of mass destruction, and our national security.

The world has changed, and with it so too have the threats. We cannot afford to cut back on such worthwhile programs. We cannot ignore or minimize these very real threats.

Significant progress has been made thus far through the Nunn-Lugar Cooperative Threat Reduction program and various State Department and DOE programs. There is still much work to be done. Efforts to defund or reduce these vital programs are detrimental to our ability to protect Americans against the very real threat from weapons of mass destruction. The President's request and Congressman EDWARD's amendment to fund a critical program in Russia was a step in the right direction.

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SOLIDARITY WITH ISRAEL

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**HON. JERRY WELLER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. WELLER. Mr. Speaker, I rise in support of H. Res. 392, expressing solidarity with Israel in its fight against terrorism.

The United States Congress must stand in solidarity with Israel, a front-line state in the war against terrorism, as it takes necessary steps to provide security to its people. The United States and Israel are engaged in a common battle against terrorist groups who threaten our countries. Israel must fight against terror just as the United States must fight and destroy al-Qaeda and other terrorist groups.

At a time when much of the world turns its back on Palestinian terrorism and condemns Israel for exercising its right of self defense, the U.S. Congress must stand in solidarity with Israel. The ongoing wave of terror threatens the survival of Israel as a free, democratic and civilized society, and risks engulfing the entire Middle East in chaos and war. Israel also needs additional resources to meet these new threats, it must be able to protect its people from the threat of weapons of mass destruction.

H. Res. 392 reaffirms our support for Israel's right to defend itself; supports additional U.S. assistance to help Israel defend itself; acknowledges Israel's role as a front-line state in the war against terrorism; condemns the campaign of suicide bombings and terror coordinated by Arafat and other Palestinian leaders, and demands that they fulfill their commitments by once and for all dismantling the terrorist infrastructure.

I urge all parties in the region to pursue vigorous efforts to establish a just, lasting, and comprehensive peace in the Middle East.

BOB STUMP NATIONAL DEFENSE  
AUTHORIZATION ACT FOR FIS-  
CAL YEAR 2003

SPEECH OF

**HON. HOWARD P. "BUCK" McKEON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 9, 2002*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4546) to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes:

Mr. McKEON. Mr. Chairman, there are three simple reasons why Congress should support H.R. 4546. America is at War.

We must accept the fact that terrorist groups like al-Qaeda have one goal and that is to destroy America and our way of life.

As such, we must protect ourselves aggressively. More importantly, we must support our President in his efforts to root out the terrorists.

Our troops must continue to receive excellent training, but that alone won't ensure victory. We have to equip our troops with the most advanced equipment available. This legislation helps to do just that.

The programs funded in the bill are helping to win the war on terrorism. We have funded initiatives that the men and women on the front lines say work.

For example, the bill fully funds Global Hawk—This is something the good people in my district know something about.

I know how important this program is to our national security. But don't take my word for it. Listen to the people leading the fight in Operation Enduring Freedom: Theatre Commander General Tommy Franks called Global Hawk "invaluable". Air Component Commander, General Mosley said "I could use a dozen Global Hawks right now."

While the legislation has funded a number of significant program needs, we also understand that those systems are useless without the brave men and women that operate them. As the men and women of the armed services fight for our freedom, we must fight for their families. We can say we value our troops and the sacrifices they make all day long, but those words mean absolutely nothing if not backed by action. After years of neglect, we finally have an administration dedicated to supporting our military and their families.

This administration and this congress have taken steps to finally give the military the support that they deserve. By including a 4.1 percent pay raise, this legislation shows our troops that we value them and their sacrifices.

Mr. Chairman, I am also pleased that this legislation bears the name of my friend and colleague BOB STUMP. It is truly a deserving recognition and I certainly urge my colleagues to support it as well.

PERSONAL EXPLANATION

**HON. BOB RILEY**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. RILEY. Mr. Speaker, I was unavoidably detained for Rollcall No. 127, H.R. 2911, Des-

ignating the Federal Building located at 5100 Paint Branch Parkway in College Park, Maryland, as the Harvey W. Wiley Federal Building on ordering the previous question on H. Res. 404. Had I been present I would have voted "yea."

I was also unavoidably detained for Rollcall No. 128, H. Con. Res. 271, Expressing the Sense of Congress Supporting the National Importance of Health Care Coverage Month. Had I been present I would have voted "yea."

I was also unavoidably detained for Rollcall No. 129, On Ordering the Previous Question on H. Res. 414, Providing for the disposition of H.J. Res. 84, Disapproval of the Actions taken by the President Under Sec. 203 of the Trade Act. Had I been present I would have voted "yea."

I was also unavoidably detained for Rollcall No. 130, on H. Res. 414, Providing for the disposition of H.J. Res. 84, Disapproval of the Actions taken by the President Under Sec. 203 of the Trade Act. Had I been present I would have voted "yea."

I was also unavoidably detained for Rollcall No. 131, on Agreeing to the Senate Amendments on H.R. 3525, the Enhanced Border Security and Visa Entry Reform Act. Had I been present I would have voted "yea."

I was also unavoidably detained for Rollcall No. 133, H.R. Res. 87, the Yucca Mountain Repository Site Approval Act. Had I been present I would have voted "yea."

IN HONOR OF THE SANFORD  
MERIDIAN CLASS OF 2002

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. CAMP. Mr. Speaker, I rise to honor The Sanford Meridian High School Class of 2002, which, "adopted" Pentagon survivor Army Lieutenant Colonel Brian Birdwell.

I applaud the 93 students whose compassion and initiative stirred them to action following the tragic events of September 11, 2001. Their decision to "adopt" a Pentagon survivor is highly commendable. After months of hard work and dedication, the students raised over \$14,000 for Pentagon survivor Army Lieutenant Colonel Brian Birdwell, who will use the money for a college scholarship fund for his son Matthew.

Through the students' acts of kindness and compassion, the members of the Meridian High School Class of 2002 have proven to be true role models for their community. On behalf of the 4th Congressional District of Michigan, I am proud to congratulate the Meridian High School Class of 2002 for their admirable efforts.

PERSONAL EXPLANATION

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Ms. WOOLSEY. Mr. Speaker, yesterday during rollcall No. 131 my voting card did not register my "yea" vote. Instead, I was recorded as "not voting." I ask that this state-

ment be placed in the CONGRESSIONAL RECORD at the appropriate place.

RECOGNIZING OUTSTANDING  
WORK BY PARTICIPANTS IN STU-  
DENT CONGRESSIONAL TOWN  
MEETING AT UNIVERSITY OF  
VERMONT

**HON. BERNARD SANDERS**

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. SANDERS. Mr. Speaker, today, I recognize the outstanding work done by participants in my Student Congressional Town Meeting held this spring at the University of Vermont. These participants were part of a group of high school students from around Vermont who testified about the concerns they have as teenagers, and about what they would like to see government do regarding these concerns.

I respectfully request that the following testimonials be included in the CONGRESSIONAL RECORD.

REGARDING JUVENILE JUSTICE

(By Sean Fontaine, Krystal Turnbaugh, and James Nichols)

SEAN FONTAINE. Hi. I am going to begin. My name is Sean Fontaine. This is Krystal Turnbaugh and James Nichols. We all represent YouthBuild, and we're all members of the policy committee.

We come here today to discuss juvenile justice, the idea of what ongoing problems in the community with juvenile offenders, usually in age brackets of 16- to 17-year-olds, and how it affects the community in terms of positive reinforcement and what we need to do for programs to financially fund these reinforcement types of things.

I got some notes here somewhere.

I'm just going to start with a brief summary. But I'm speaking on behalf of juvenile offenders on the juvenile justice system. We all know the community is just as responsible for the upbringing of these delinquents as they are themselves. Most people fear the youth of America, and it is not a surprise. There are 2.4 million 16- to 24-year-olds in the U.S. that live low-income lifestyles. 360,000 of them are in prison. There are only 300,000 job-training openings among the 2.4 million students, which means that there are a lot of kids running rampant with no positive reinforcement and nothing to do.

There is a very few amount of people that are not involved in the community, because a community involves everybody, even though delinquents are the weakest links, I guess. But in 1997 alone, drug-law violations increased 125 percent, and I'm sure crime has a lot to do with drug use. Drug use is definitely an ongoing problem in my community, and that's something that we definitely need help with. We need more money for youth programs to support drug-free environments, recreational facilities, and low-income housing programs like YouthBuild that promote positive reinforcement and good life styles and living situations.

The biggest problem with juvenile cases today, I believe, is the system that's handling with them. I don't believe it is right to throw kids in jail. We need to improve conditions in SRS today. I attended a meeting, there was a partnership in service, with Dave Martin, the director of SRS. According to him, the caseloads are just unmanageable for their caseworkers, and they're completely understaffed, underpaid, and overwhelmed,

which leads kids to believe that no one cares about them, especially in the system of social rehabilitation services.

YouthBuild honors community. YouthBuild has just made unparalleled contributions to its community, and the residents are proud of its participants. And it's one of the many programs. There are 250-something YouthBuilds nationwide, and there is a proposal for more money. We are in the process of doing a HUD grant to get more money for those programs.

I know, from my experiences, it is unlike any program I have been in, in terms of juvenile offenders, and that is why I speak about this as I do. I know that the system that deals with juvenile offenders is basically a "first-come, first-serve" basis, that you need to be referred to by programs like Spectrum or the Department of Corrections.

Now, for kids that would like to intervene on negative pathways, we need to have programs available for kids to want to enroll for themselves, alternative programs in jail. Instead of, like, CSE is a program and Pathways is a program in jail for sexual offenders and drug addicts. There should be a way to intervene and have other programs available for kids that just need positive reinforcement. These programs can't just possibly apply to everybody's need areas.

But more importantly, people need to listen. Problems exist everywhere, and we see them and we try to solve them. Our current juvenile system doesn't respect individual cases. It is merely paperwork and statistics, seemingly. These conditions need to improve. I know it cannot be done in a six-minute segment, a six-year or a 600-year projection. The important thing here today is the acknowledgement of these problems and spreading of awareness to parents who are trying to raise these troubled teens.

#### REGARDING CREDIT CARDS

(By Kelly Green)

KELLY GREEN. I would like to begin by asking if the people who plan on attending college would raise their hand.

Thank you.

How many of you have a credit card at this time?

Thanks.

Two-thirds of you that raised your hand for going to college will have a credit card while you are there, according to Keeping an Eye on Junior's College Habits by Terry Savage. That is completely normal. The unimaginable part is, the average undergraduate will leave college about \$12,000 in credit card debt. This is due to the fact that the average unpaid balance left on a credit card is \$2,200. You most likely won't just own only one credit card either. The average number is three cards.

As a high school junior with college in my near future, these statistics scare me. Not only am I paying more than double what my parents did, but I also now have to worry about a credit card company luring me into a trap that could take away my future. According to chapter one of Paying for Your Child's College Education by Margaret Smith, a year at Harvard in the 1970s was barely \$5,000. And between 1995 to '96, the freshmen had to come up with \$27,575. And today, on average, a year in a public college costs about \$6,824, and in a private college costs about \$17,630.

As you can see, college costs have risen drastically over the years, due to more and more students attending. The median income of families in America who have college-age children has nearly tripled. Today only 30 percent of the public college costs is paid by a family's income. The rest is coming from loans and grants. These loans have to be paid off somehow, and what better way

than a credit card or two, or that is what the credit card companies lead to you think.

According to a Salliemae Financial Advice Internet site, a \$2,000 tuition bill on a credit card with 18.5 percent APR, with only a minimum payment of \$20 each month, will take eleven years to pay off, plus you will pay over \$1,900 in interest on top of the initial \$2,000. In the end, you will be paying around \$3,900 total. I don't know about you, but I can't come up with that much money all the time. Credit card companies know that. They aren't stupid. But they also know, one way or another, they will have the money in the end, even at the cost of your future.

Could you imagine being 19 years old, a sophomore in college, and filing bankruptcy because you owe a company \$23,000? This is a true statement according to the College Student Credit Card Protection Act. This sophomore isn't alone either. In 1999, 100,000 Americans under the age of 25 declared bankruptcy. As you can see, I am not the first person to bring this issue up. The legislature, too, has discussed this issue.

In this day and age, more and more young people like myself are being forced into bad credit ratings, without even starting a full-time job. We will be forced to live with this slander on our name for years after. It will affect our ability to buy a house, car, and, depending on our field of interest, starting a business will be almost impossible.

Credit ratings follow you for the rest of your life. Young people like me and many others shouldn't have to file bankruptcy so young, or be haunted by bad credit ratings. We have our whole lives ahead of us.

Things can change, and should. I strongly suggest that we take the time to make change happen. We can't eliminate all debt and credit problems, but we can lower them. High schools today don't offer much for money management classes. Freshman in college are going in blind to what these companies are doing. The school should be required, at some point in the senior year of high school, to educate us about what is happening and how to manage money so we can protect ourselves from such debt.

Another problem that is influencing the debt is guidance counselors. They are pressuring college on to students who don't want to attend. So when they get to college, they end up dropping out, and are stuck with the costs. And that, in itself, is causing higher tuition and more debt. I'm not saying that guidance counselors should stop promoting college, but should not make students feel forced to attend. This way, in the end, it will be worthwhile for them.

The credit card company should keep the amount an individual can put on a card low, instead of letting us dig ourselves a hole we can't get out of. John Simpson, of the University of Indiana, stated, "Credit cards are a terrible thing." I strongly agree. College students shouldn't be forced to ruin their lives by the bright, ludicrous ideas credit card companies are putting into their head.

Lastly, I would like to thank you, Mr. Sanders, for allowing teens like me an opportunity to have a voice on issues that affect us now or will in the near future.

#### TRIBUTE TO CANDICE NEAL OF EVA, ALABAMA

**HON. ROBERT E. (BUD) CRAMER, JR.**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. CRAMER. Mr. Speaker, I rise today to recognize Miss Candice Neal, winner of the

American Legion National High School Oratorical Contest. Miss Neal is the first Alabamian to win this contest since it began 65 years ago.

In her speech, Miss Neal demonstrated incredible patriotism and a strong understanding of the United States Constitution. With the winning prize of a four-year scholarship, she will enroll in the University of Alabama this fall.

Mr. Speaker, it is with honor that I submit Candice Neal's speech into the CONGRESSIONAL RECORD.

#### THE CONSTITUTION: A FANTASTIC JOURNEY

Attention time travelers this is your final boarding call for flight U.S. 1-7-8-7. Congratulations you have selected one of our more popular destinations, The Beginning of American Government. I will be your guide for today's journey back in time. Today, you will experience some of the more dramatic events in our nation's history. Flight 1-7-8-7 is a nonstop flight, back in time, to the creation of the U.S. Constitution. The flight crew has requested that you remain seated with your personal liberties securely fastened. When the captain is certain that you are not in danger she will illuminate the "ratification light" indicating that you may move about the cabin freely. As we prepare for take-off I will remind you that this is a non-smoking flight, and in keeping with today's destination, federal law prohibits the violation of anyone's inalienable rights.

Please look in the seat back pockets in front of you, to review today's agenda. We begin our journey with a basic knowledge and understanding of the Constitution and how it was created. In the second phase of this adventure, you will learn how to responsibly engage in our constitutional rights. And, finally you will discover what it means to become a part of history yourself, by participating in this government of the people, by the people, and for the people.

We've been cleared for takeoff, so please direct your attention to the windows on the left side of the cabin. You will note instances in recent history, in which rulers and dictators have taken away people's personal freedoms. There's Kosovo, Bosnia and Tianenmen Square.

Make sure your seat belts are securely fastened. We are about to enter a turbulent time in American History—the defense of democracy—There's Desert Storm, now Pearl Harbor and our final stop, the Revolutionary War. This is where our journey begins . . .

What you might not realize is that the Constitution is actually our third form of government. It was here during the Revolutionary War when our fight for freedom began. The American Colonies were first forced to live under the reign of England. From 1775 until 1783 the American Colonies fought for their independence. Fast forward to 1781. You'll notice that even before the fighting was over, our second form of government, the Articles of the Confederation, was adopted. It is obvious to us now, as time travelers, that these young colonies would require much more structure than the Articles of Confederation had to offer. Here we seek the lack of a central government to levy taxes and enforce laws. We see states minting their own currency and imposing tariffs on out-of-state goods. We see economic depression and political wandering.

We now move forward to 1787, please do not disturb the 55 men who are meeting in this old Philadelphia state house. They are statesmen, patriots, each with their own ideas about how this new government should be organized. Some of them are states' rights advocates. Many of them are federalists. But you will notice that one man stands out in

the crowd. His name is James Madison. And he is presenting the Virginia Plan to his fellow delegates. They will soon refer to the plan as a "political masterstroke," and in the next 5 months, it will serve as the foundation for our Constitution. By 1789, all the states had ratified and approved this new form of government. This unusual document was the first written, national constitutional since ancient times. It was also the first to set up what was called the federal system. Under this system, sovereign power comes from the people, for the good of the people.

The Founders attempted to create a form of government that would be stable, but would also allow for change. You see, in a sense, the Founding Fathers were time travelers too; they were looking to the future, planning ahead, and forming a basic framework to endure for all time. It is a document written for "we the people" and that means that "we the people" have a job to do!

Fast forward to April 1999. An issue of the USA Today Newsview, states that one of the first things that come to mind when Americans are asked what they think about the United States and its government is "freedom." Yet according to current public opinion research fewer than 15% of Americans can name the freedom of the press as one of the rights protected under the First Amendment. And little more than half of Americans know that there are three forms of government. You see, time travelers, with freedom also comes responsibility—the responsibility to understand and defend the Constitution.

James Madison once said, "The people who are the authors of this blessing must also be guardians." Today more than ever before we witness people and organizations testing the bounds of their Constitutional rights. From tabloids that slander high profile figures, to hate groups who use their misunderstanding of free to infringe upon other's inalienable rights, we are constantly called upon to defend and uphold our constitution. Clearly, these types of situations challenge our support and understanding of the constitution, but in the end, they serve only to reinforce our Founding Fathers' cry for responsible citizenry. As such, we must be able to use our privileges responsibly. In the words of Benjamin Franklin, "we have a Republic, only if we can keep it!"

And now, as we make our way back to the 21st century, I will remind you that this flight is interactive—meaning it is not enough to simply understand our constitution and to use our rights responsibly. Clearly, this travel back in time has taught us that our duties as citizens also carry the obligation to participate in our government.

Long after our Founding Fathers penned the last words of the Constitution, the amendment process ensured their continued involvement. You will see what I mean, by looking out the windows on the right side of the aircraft: here we see that The Bill of Rights was added to the Constitution in 1791. In 1865 the 13th amendment abolished slavery and in 1868 the 14th amendment outlined the rights of all citizens. Meeting the changing needs of a growing country, however, had been known to cause slight turbulence in our return flight. Therefore, in the event that we experience any threat to ourselves and our posterity any one of the 26 amendments, will drop from the overhead compartments to ensure our domestic tranquility.

The amendment process is not the only way we as citizens can participate in our government. What we have witnessed today should force us out of complacency and self-centeredness and put us in touch with a bigger reality. Robert Kennedy made it popular, but George Bernard Shaw said it long ago: "Some people see things as they are and ask

'Why?' I prefer to see things as they might be, and ask 'Why not?'" That is what the framers of our constitution had in mind so long ago. Our participation in that process in the 21st Century is essential to ensure that the Constitution continues to withstand the many and varied assaults from those who criticize it, misinterpret it, or challenge it.

We can begin participating in small ways such as reading a daily newspaper or weekly newsmagazine. What we will begin to notice is that it will become a habit, and we will start participating in bigger things as writing letters to public officials, investigating the qualifications of political candidates, exercising our right to vote, and attending meetings where important local, regional, and national issues are being discussed and deliberated. So you see, even in little ways, we must take a more active role in the government—that, time travelers, is the real journey!

Our Founding Fathers, in the words of Justice Hugo Black, "... dreamed of a country where the mind and spirit of man would be free; where there would be no limits to inquiry; where men would be free to explore the unknown and to challenge the most deeply rooted beliefs and principles..."

Today, on flight U.S. 1-7-8-7, we have traveled back in time to the formation of The Constitution of the United States. Our itinerary included a basic knowledge and understanding of the constitution; an appeal to engage in our constitutional rights responsibly; and finally, a call to participate in our government.

Here in the 21st Century, the flight crew tells me that we have been cleared for landing. We have people on hand waiting to assist you in your efforts to continue the good work of our Founding Fathers. Remember what you have experienced today is much more than a fantastic journey in to the past, it is a reminder of your responsibility for the future.

#### TRIBUTE TO JANET C. WOLF

### HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. SAXTON. Mr. Speaker, I rise today to pay tribute to Janet C. Wolf, who retires on June 1, 2002 after serving as Project Director of the National Park Service's New Jersey Coastal Heritage Trail Route since its inception in 1988.

A new idea for the National Park Service, instead of using traditional ownership, the Trail supports resource protection and awareness by linking destinations owned and managed by others through a series of interpretive theme trails: Maritime History, Coastal Habitats, Wildlife Migration, Historic Settlements, and Relaxation and Inspiration. Ms. Wolf shepherded this historic project from concept to reality.

New Jersey's Coastal Heritage Trail includes portions of eight counties and six congressional districts. Almost 70 destinations, welcome centers and local information centers have been designated to date, with two additional themes under development. Janet's experience, determination and creativity enabled the partnerships to prosper. She also worked on developments for the Pinelands National Reserve and two Wild and Scenic Rivers in southern New Jersey.

After 34 years of service with the National Park Service, half of which has been devoted

to the New Jersey Coastal Heritage Trail, Janet retires with the gratitude of the community for her commitment to the implementation of one of our state's most treasured resources, our Coastal Heritage Trail.

#### TRIBUTE TO MARY KONRAD

### HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BILIRAKIS. Mr. Speaker, I rise today to pay tribute to Mrs. Mary Konrad for her philanthropic deeds to this country and to her community.

Mary was one of the first women in her era to leave home to attend college. While enrolled at University of Illinois, she worked for a local doctor to pay her way through school. When World War II started, Mary decided she would help the war effort by working in a defense plant making bombs. Her work entailed lifting shells several hours a day. She finished college and graduated with a degree in sociology.

Following graduation, Mary moved out west and settled in California, becoming a social worker for the Red Cross. Her successful job ethics and determination earned her the "Red Cross Social Worker of the Year" award. After moving back to Chicago, she continued devoting her time to the Red Cross on weekends.

After raising two fine children, she and her husband moved to my district in Clearwater, Florida where she became active in a number of philanthropic ventures. She helped fund and start the program "Children in the 'D'Zone" for diabetic children at Morton Plant Hospital. She knew first-hand the trials and tribulations of raising a diabetic child and wanted to help others. In addition to this venture, she has supported many other programs at Morton Plant Hospital.

At Christmas, Mary helps fund the City of Clearwater's "Christmas Cheer Program" by providing all of the bicycles, helmets and locks for the needy children in the inner-city core. Supporting the arts and introducing children to the joys of the theater is another way she shows her love for those most vulnerable. Each year, Mary provides several scholarships to gifted students. Her support gives needy students an opportunity to attend performances during the year and summer programs at the Performing Arts Center at Ruth Eckerd Hall. Finally, Mary's newest love is the Clearwater AHEPA Home for which she and her husband are dedicating a Hellenic Cultural Library.

It is therefore fitting and proper that we honor her today for her long and distinguished record in community service and for her tireless efforts to improve the lives of so many children.

#### HONORING EMERGENCY MEDICAL PROFESSIONALS

### HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. WU. Mr. Speaker, Dr. Martin Luther King, Jr. reminded us that "everyone can be great because anyone can serve."

I am pleased to rise today to honor six heroic and dedicated men and women who responded to this call of greatness. These six individuals have dedicated their lives to helping others in need by working in the emergency medical and ambulance services profession.

Whenever we face a medical emergency, whether it is a family member, a friend or co-worker, the first thing we do is call for an ambulance. According to some estimates, there are almost 960 million ambulance trips made each year in the United States.

And the first people to respond to these emergencies are the millions of emergency medical professionals whose skills and training significantly improve the survival of the patient. As a result of their selfless acts, these courageous and devoted men and women save the lives of thousands of Americans each year. While these professionals do not expect to receive recognition for their work, they deserve our sincere gratitude.

I am fortunate to have met with a number of medics from Oregon and have heard firsthand accounts of their tireless efforts to serve their communities on a daily basis. They are truly America's health care safety net.

For the past nine years, the American Ambulance Association (AAA) has recognized those emergency, medical and ambulance service professionals who exemplify what is best about their field, and bestow upon them the Stars of Life award. These appropriately designated Stars of Life have been selected by their peers to represent them in Washington, DC as part of pre-National EMS Week activities. The highlight of their visit to our Nation's capital is an awards banquet where they are presented with this prestigious award. The American Ambulance Association is honoring 113 Stars of Life this year.

Mr. Speaker, I am pleased that, of these 113 Stars of Life, 6 are from my congressional district in Oregon.

They are: Victor Hoffer, Randy Johnson, Dawn Poetter, Candy Schneider, Frank Wallender, and Bill Wildman.

Our Nation is blessed by people like Victor, Dawn, Randy, Candy, Frank, and Bill who made a decision to devote their lives to helping other people and serving their communities.

I am immensely proud of all of their accomplishments. I hope that they are also beaming with pride in what they have achieved. Oregon is privileged to be protected by such devoted and courageous men and women.

Dr. King reminded us that everyone can be great. These six individuals have lived it.

TRIBUTE TO BRONX COMMUNITY  
COLLEGE

**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. SERRANO. Mr. Speaker, it is with joy that I rise today to once again pay tribute to Bronx Community College, which will hold its 24th Anniversary Hall of Fame 10K Run on Saturday, May 11, 2002. This year the theme of the race will be "Running Against Asthma."

The Hall of Fame 10K Run was founded in 1978 by Bronx Community College's third president, Dr. Roscoe C. Brown and today

continues to be an event of great significance. This year, Bronx Borough President Adolfo Carrion, Jr. proudly proclaimed May 11, 2002 as "Bronx Community College Hall of Fame 10K Race Day." Each year, amateur and professional runners alike from all five of New York's boroughs and the entire tri-state area come together to run the Bronx. Participants include teams from municipal agencies along with faculty, staff and students of Bronx Community College and other nearby schools.

It is indeed one of the Bronx's most anticipated yearly events and has contributed to a strong sense of community within the Bronx. The race also places an emphasis of physical fitness and achieving athletic goals. Historically, its mission has been to highlight the Hall of Fame for Great Americans, a national institution dedicated to those who have helped make America great. This year, along with upholding that mission, the race will take on another important function, The 2002 race's theme, "Running Against Asthma" is particularly important to South Bronx residents where the rate of asthma among children is twice the national average. It is wonderful that Bronx Community College is focusing on this important issue and raising awareness.

The 10K race tradition continues under the stewardship of Dr. Carolyn G. Williams. Dr. Williams has endorsed the race since her inauguration and has not only continued the tradition started by Dr. Brown to promote physical fitness and highlight higher education, but has added the raising of awareness of important community issues.

I can recall the high level of energy and community involvement when I ran the Hall of Fame 10K race. The race has attracted well over 400 runners each year and I'm sure this year will see an even larger number of participants. People of all ages and physical ability will be able to take part in the Bronx Community College events on May 11, 2002. Along with the 10K race, there will be a Hall of Fame Excalibur One Mile Boys and Girls Youth Challenge and a 2 Mile Fitness Walk.

Mr. Speaker, I ask my colleagues to join me in recognizing the individuals and participants who are making the Bronx Community College's 24th Annual Hall of Fame 10K run possible.

HONORING HERRMANN SPETZLER,  
HUMBOLDT COUNTY, CALIFORNIA

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Herrmann Spetzler, Executive Director of Open Door Community Health Centers in Arcata, California, and honor him for his 25 years of service to the health care needs of the people of Humboldt and Del Norte Counties.

Herrmann Spetzler has provided extraordinary leadership in directing the growth of Open Door Community Health Centers. The clinic has grown from a part time clinic staffed by volunteers to a system of eight licensed facilities and medical mobile programs serving more than 35,000 individuals throughout the two counties and specifically in the communities of Crescent City, Smith River, McKinleyville, Arcata and Eureka.

Mr. Spetzler also has provided vision and leadership in the development of collaborations that support the health of rural communities at the local, state and national levels, including the California State Rural Health Association, Community Health Alliance, California Primary Care Association and North Coast Clinics Network.

Mr. Spetzler has earned distinction as President of the Humboldt Child Care Council and founder of the Northern California Rural Round Table for Health Care Providers. He is highly esteemed for his successful efforts to develop high quality facilities to meet community health care needs with a focus on health education, access to care and prevention.

Mr. Spetzler has also served the people of California as Statewide Chair of the Expanded Access to Primary Care Committee. He is a member of the Statewide Primary Care Advisory Group to the State Health Director and a member of the Rural Health Care Forum Advisory Group to the Office of Statewide Health Planning. He is a member of the Advisory Task Force for State Facilities Financing Authority and a Board Member of the California Human Service Organization. Mr. Spetzler is esteemed by his colleagues as a leader and innovator in the field of health care.

Mr. Speaker, it is appropriate at this time that we recognize Herrmann Spetzler for his vision, leadership and commitment to healthier communities and for his extraordinary record of public service to the people of the North Coast of California.

BBC EXPOSES MILITANT HINDU  
VHP

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BURTON of Indiana. Mr. Speaker, the British Broadcasting Company recently ran an expose of the Vishwa Hindu Parishad (VHP), a fundamentalist, militant Hindu nationalist organization. The VHP is an organization, which operates under the umbrella of the pro-Facist Rashtriya Swayamsewak Sangh (RSS). The RSS is the parent organization of the ruling BJP.

The BBC notes that the VHP has promoted Hindu supremacy and has engaged in violent acts against minorities. These acts include the murder of missionary Graham Staines and his two young sons while they slept in their jeep.

The report states that the VHP, which it identifies as "a hardline Hindu outfit," rarely makes a "distinction between fellow (Muslim) citizens of the present and (Muslim 'marauders' of the past." It further reports that "the ambition of establishing a resurgent Hinduism by inculcating what some historians call a carefully constructed common 'Hindu spirit' is very much central to the VHP." Moreover, it exposes the VHP's support for a militant Hindus' project to build a Hindu temple on the site of the most revered mosque in India, which was destroyed by the BJP.

Since the BJP is also part of the RSS umbrella, it is critical to help ensure the rights of minorities in India. Tens of thousands of Sikhs and other minorities have been held in illegal custody as political prisoners for many years. Tens of thousands of minorities have been

killed by the Indian governments regardless of the political party in power. It is time to stop American aid to India and to support self-determination for all the people of South Asia in the form of a plebiscite on independence so that their rights are not subject to the whims of militant Hindu nationalists.

Mr. Speaker, I would like to place the text of the BBC report into the RECORD at this time.

[The British Broadcasting Co., Mar. 8, 2002]

PROFILE: THE VISHWA HINDU PARISHAD

(By Rajyasri Rao)

The Vishwa Hindu Parishad (VHP) was founded in 1964 by a group of senior leaders from a hard-line Hindu organisation, the Rashtriya Swayamsevak Sangh (RSS), to give Hindus what they believed would be a clearly defined sense of religious identity and political purpose.

HINDU HARDLINERS HAVE GROWN MORE VOCAL

Its founders felt the need to present Hinduism in a rigorous though simplified form which would be comparable to most other world religions.

The superiority of other faiths was believed to stem from their being far less diffuse and more uniform than Hinduism.

But its critics call the VHP a hardline Hindu outfit with unmistakably close ties to its parent organisation, the extremist RSS, whose objective to 'Hinduise' the Indian nation, it shares.

Central to the RSS ideology has been the belief that real national unity and progress will come only when India is 'purged' of non-Hindus, or, when members of other communities subordinate themselves 'willingly' to 'Hindu superiority.'

LINKED GROUPS

The VHP has tended to tone down the rhetoric of Hindu supremacy and even make an occasional distinction between fellow (Muslim) citizens of the present and (Muslim) 'marauders' of the past.

But the ambition of establishing a resurgent Hinduism by inculcating what some historians call a carefully constructed common 'Hindu spirit' is very much central to the VHP.

THE TEMPLE PROJECT ENJOYS A LOT OF SUPPORT

This is also something it shares with the Bharatiya Janata Party (BJP), which currently leads the Indian Government at the centre.

Earlier known as the Bharatiya Jana Sangh (BJS), the BJP was established in 1951 as a political wing of the RSS to counter rising public revulsion after the revered independence figure Mahatma Gandhi was assassinated by a former RSS member.

Some commentators say the party came close to obliteration in the 1960s with the Congress led by the charismatic and secular Jawaharlal Nehru, leaving little room for hardline communal politics.

But a political emergency announced by Nehru's daughter, Indira Gandhi, in 1975 enabled the BJS leaders, Atal Behari Vajpayee and LK Advani among them, to gain near stardom after serving brief prison sentences. Many women have joined the hardliners' campaign.

But it didn't really emerge as a political presence until the early 1980s.

A series of events in that decade including the mass conversion of lower-cast Hindus to Islam pushed the BJP's close affiliate, the VHP, to the forefront.

Historians say the VHP-led Hindu right considered the mass conversion of "dalits" or lower-caste Hindus to Islam to be an unforgivable insult.

The dalits, for centuries beholden to the upper castes, outraged Hindu hardliners by daring to convert at all, and moreover, convert to Islam.

The VHP saw this as a serious threat to its notion of Hinduism.

It proceeded to whip up Hindu support for a re-defined communal force, organising a series of religious meetings, cross-country marches and processions through the 1980s.

This phase coincided with the launch of an electoral strategy by the BJP to corner and hold on to the "Hindu" vote.

TEMPLE CONTROVERSY

Following the success of their campaign, senior VHP leaders announced at a religious meeting in 1984 their programme to "liberate" a site in Ayodhya from an ancient mosque to make way for a temple to the Hindu god Ram.

SOME 'MODERATE' HINDU LEADERS SUPPORT

THE VHP

Analysts say this announcement heralded a turning point in the history of the Hindu nationalist movement.

The VHP has since then claimed that the site belongs rightfully to Hindu worshippers who believe that the mosque stood on the birthplace of the god, Lord Ram. Although the claim does not stand up to substantial archaeological or historical scrutiny, the VHP and BJP are seen to have made possible the creation of a shared Hindu symbol that cuts through most divisions in Hindu society.

#### IN SUPPORT OF NATIONAL HOSPITAL WEEK

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mrs. MINK of Hawaii. Mr. Speaker, I rise today in support of National Hospital Week, a yearly event that focuses public attention on the numerous contributions hospitals make to our communities.

National Hospital Week began in 1921 when a magazine editor suggested that more information about hospitals might alleviate public fears about "shrouded" medical institutions that used "unusual" equipment and procedures.

This year's National Hospital Week theme, "Where Miracles Happen Every Day," recognizes health care workers, volunteers, and other health professionals dedicated to making hospitals open to our communities 24 hours a day, 365 days a year.

In my state of Hawaii, the health care workforce was one of the few sectors of the economy that grew in the 1990's. Due to the dramatic growth in this area, one out of every 15 employed Hawaii residents works in the health care industry. The State of Hawaii has 2.5 physicians per 1,000 residents (compared to 2.1 nationally). Unfortunately, the number of nurses declined during the nineties, and they now shoulder an even larger burden as they work to help everyone who must visit our hospitals.

As a result of the hard work by these people, my state has achieved a health status that is the envy of many other states. The State of Hawaii has longer life expectancies, lower rates of cancer, and lower hepatitis rates.

The same dedication to improving the health of our nation can be found at the nearly 6,000

registered hospitals located throughout the United States. In 1999, America's hospitals discharged roughly 35.5 million people. This staggering workload is handled by highly qualified professions and volunteers who have dedicated their lives to helping others.

I fully support National Hospital Week and extend my warmest expression of gratitude to the staff and volunteers who work in our nation's hospitals.

#### PAYING TRIBUTE TO LUCILE SUGDEN

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. ROGERS. Mr. Speaker, I rise to honor the accomplishments of Mrs. Lucile Sugden of Lansing, Michigan, who will be honored on Sunday, June 2, 2002, by South Baptist Church and the Lansing community for her years of service, including 75 years of faithfully serving as a Sunday School teacher.

For 35 years, Mrs. Sugden and her late husband, Dr. Howard Sugden, ministered to the members and community of South Baptist Church in Lansing. During her years of service, Mrs. Sugden's witness has inspired and motivated many Christian families.

Even today, Lucile Sugden, who celebrates her 95th birthday on May 31, 2002, continues to teach a weekly Sunday School class at South Baptist. She also leads a weekly Bible study at her apartment complex.

Described by those who know and love her as a true Woman of God, Mrs. Sugden is a role model for staying active in our golden years. She swims regularly in a local pool and even evangelizes those she meets in the hot tub. She has also been seen each summer in recent years zipping around on a jet ski watercraft on Lake Michigan.

Long before her jet ski days, Lucile Sugden became a dedicated Tiger baseball fan. Twice honored at Tiger games in Detroit, she is fiercely loyal and devoted to her Tigers.

Today, we extend our admiration and respect to Lucile Sugden of Lansing, Michigan. Her life truly reflects the direction of II Timothy 2:15 which tells us: "Study to show thyself approved unto God, a workman that needeth not to be ashamed, rightly dividing the word of truth."

#### INTRODUCTION OF THE CHARITABLE CONTRIBUTION BILL

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. WU. Mr. Speaker, September 11 showed us the horrors of this world. But it also showed us the good in human nature. Americans have been incredibly generous with their time and money in response to the terrorist attacks. Numerous charitable organizations were started within hours of the attacks to help the families whose lives were suddenly torn apart. People took time off from work to assist with feeding the emergency rescue crew digging through the rubble. And over \$1 billion dollars has been raised to assist in these efforts.

Yet, since September 11, other important charitable efforts have been suffering from a lack of donations. The Starlight Children's Foundation, for instance, estimates that fundraising was down roughly \$500,000 for the year, which represents a large portion of its annual budget. Numerous other charitable organizations have seen similar reductions in contributions. This decrease in contributions has led to reduced services and even the failure of some organizations.

Moreover, charities are having to rely more on individual donations as businesses curtail their donations. American Airlines, for instance, its business severely affected by the September attacks, announced that it would not be making any charitable contributions this year.

It is imperative that Congress do something to address this growing problem.

Last fall, we debated proposals to stimulate our economy. While I agreed that legislation was needed to stimulate the economy, I was adamant that any proposal balance business interests with those of individual taxpayers. So, with each debate, I went before the Rules Committee proposing an amendment that would allow taxpayers who do not itemize their deductions to deduct their charitable contributions. Not only would this encourage charitable giving, but the tax benefit would help individuals and ultimately could help stimulate the economy. Unfortunately, my amendment was ruled out of order each time.

Today, I am introducing legislation that would allow for such a deduction. Although I was not able to get this included in the economic stimulus bill that passed Congress, I feel strongly that we should turn this proposal into law. We should encourage charitable giving.

My legislation is very similar to the proposal that was enacted in H.R. 7 earlier this year. However, unlike the proposal in H.R. 7, my amendment does not put an arbitrarily low cap on the dollar amount that can be deducted. Instead, it would follow current law for taxpayers who itemize their deductions. Specifically, this means that standard deduction taxpayers can deduct charitable contributions up to 50% of their adjusted gross income.

On April 15, more than 30 million taxpayers who itemized deductions on their tax returns were able to claim tax deductions for any contributions made to their favorite charities. The effect of the deduction was to lower the taxpayer's cost of giving one dollar by amounts ranging from 15 cents to almost 40 cents.

This same benefit should go to the millions of taxpayers who also generously contribute to charities but are not eligible for a charitable deduction because they claimed the standard deduction instead of itemizing deductions on their tax returns.

I am proud that President Bush endorsed my proposal on April 11. I urge all of my colleagues to support this very important bill as well. We have the opportunity to enact legislation that will not only encourage charitable giving but will help stimulate our economy as well.

HONORING HENRY A. ROSENBERG

**HON. BENJAMIN L. CARDIN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. CARDIN. Mr. Speaker, I rise today to honor Henry A. Rosenberg, Jr., industrialist, philanthropist, civic leader, proud American and friend.

Henry Rosenberg, Jr. is a Baltimore native. While college studies, business and travel have taken him out of town, he has always returned to his roots—those of his family and his business. As Chairman of the Board of Crown Central Petroleum Corporation and Rosemore, Inc., Mr. Rosenberg has guided his family business. Begun by his grandfather who sold oil from the back of a horse and cart in the streets of Baltimore, Crown Central today is a regional powerhouse operating two refineries and 329 gas stations.

But it is not just corporate and financial success that drives Mr. Rosenberg. He comes from a family that believed civic involvement and philanthropy was important as the petroleum business.

His business success led others to rely on Mr. Rosenberg for leadership. Mr. Rosenberg has served on the boards and/or held officer positions on the Greater Baltimore Committee, Signet Banking Corporation, The Pride of Baltimore, Inc., the National Aquarium in Baltimore, Loyola College, Johns Hopkins Health System, McDonogh School, Hobart College, the National Petroleum Council and the Refiners Association, Villa Julie College, University of Maryland Baltimore County, National Association of Manufacturers, Towson State University, Maryland Business Roundtable for Education, Signal 13 Foundation, Inc., Baltimore Area Convention and Visitors Association, Crohn's and Colitis Foundation, United Way of Central Maryland, Inc., YMCA of Greater Baltimore, Boy Scouts of America, and the University of Baltimore.

Mr. Rosenberg's personal and foundation contributions have touched almost every non-profit organization in Baltimore with primary emphasis on art and culture, education and adult self-sufficiency, health, disease and disability, youth development and community building. In addition to the Baltimore Symphony Orchestra, Center Stage, Peabody Conservatory, Baltimore Chamber Music Society, Johns Hopkins University and Hospital, Sinai Hospital, The Associated Jewish Charities, the Maryland Science Center, the Baltimore Zoo, and the Boy Scouts of America. Most recently, Mr. Rosenberg and his wife Dorothy and their family foundation contributed to the Kennedy Krieger Institute to provide the lead gift to establish a unique behavioral testing laboratory that will be key in the development of new treatment and therapeutic programs.

Mr. Rosenberg has been honored for his philanthropy and board leadership by being named Philanthropist of the Year by the National Society of Fund Raising Executives, receiving the Lifetime Achievement Award from the Arthritis Foundation, the Corporate Champion Award by the National Multiple Sclerosis Society, the Silver Buffalo Award by the National Executive Board of the Boy Scouts of America, and most recently, being inducted into the Maryland Chamber of Commerce Business Hall of Fame.

It should also be noted that Mr. Rosenberg is a man of athletic talent as well and was inducted into the Hobart College Athletic Hall of Fame where he had been a standout lacrosse player for the then, Division III powerhouse in men's lacrosse. As a result of this lifelong interest, Mr. Rosenberg continues his support of the sport by serving as Director of the Lacrosse Foundation, Inc.

On May 22nd, 2002 Mr. Rosenberg is being honored by The Patriots of Ft. McHenry for his outstanding contributions to the preservation and interpretation of Fort McHenry National Monument and Historic Shrine and will receive their 2nd Annual Francis Scott Key Award. He serves as Chairman of the National Flag Day Foundation and has been a long time supporter of the Patriots of Fort McHenry and is an Honorary Colonel in the Fort McHenry Guard. For more than 20 years, Mr. Rosenberg has been committed to making the birthplace of the "Star-Spangled Banner" a place of inspiration for all Americans.

I ask my colleagues to join me in saluting Mr. Henry Rosenberg, Jr. on a life well spent in service to his country and his city of Baltimore.

PERSONAL EXPLANATION

**HON. GEORGE R. NETHERCUTT, JR.**

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. NETHERCUTT. Mr. Speaker, On May 9, 2002, I missed Roll Call votes 138 through 158 to attend my daughter's college graduation ceremony. I request that the record reflect that had I been present, I would have voted aye on Roll Call votes 142, 154, 155, 156, and 158, and that I would have voted no on Roll Call votes 138—141, 143—154, and 157.

AMENDING PL 96-565, AN ACT TO ESTABLISH THE KALAUPAPA NATIONAL HISTORICAL PARK TO ALLOW FOR LAND EXCHANGES OUTSIDE THE STATE OF HAWAII

**HON. PATSY T. MINK**

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to introduce a bill which will amend Public Law 96-565, the law that established the Kalaupapa National Historical Park, to remove the restrictions regarding the exchange of lands between the National Park Service and the Department of Hawaiian Home Lands (DHHL). PL 96-565 currently does not allow for land trades outside of the State of Hawaii between the two departments.

Amending PL 96-565 will greatly increase the National Park Service's ability to locate and acquire lands to exchange for Hawaiian Home Lands located within the boundaries of Kalaupapa National Historical Park on the island of Molokai. Certain lands within the Kalaupapa Park are currently leased by the National Park Service. The best way for the lands within Kalaupapa to be permanently protected from development is to have the federal government acquire the lands.

As a result of the current law, the National Park Service is severely limited in acquiring lands to trade with the DHHL and has not been able to acquire land within Kapaupapa.

The DHHL has recently advised that it is not limited to accepting surplus federal property only within the State of Hawaii. As a result, the Congress should immediately move to amend PL 96-565, and allow the federal government to finally acquire precious lands within Kalaupapa National Historical Park. I urge my colleagues to support the passage of this bill.

IN HONOR OF THE CITY OF  
GLENDALE'S 50TH ANNIVERSARY

**HON. DIANA DeGETTE**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Ms. DEGETTE. Mr. Speaker, I rise today in honor of the City of Glendale's 50th Anniversary. I am indeed gratified to have the privilege of representing this outstanding community in the United States Congress. The City of Glendale was incorporated on May 22, 1952 and will celebrate its 50th anniversary on May 18, 2002.

The City of Glendale has grown from a rest stop and watering hole on the major stagecoach route along the Cherry Creek Trail in the 1800s, and has become a city with a rich tradition of hospitality, vitality and amenities for residents and visitors alike; and

It has become a true "urban village," with an ethnically diverse population of 4,527 residents whose heritage's are celebrated as part of Glendale's annual National Night Out festivities; and

Glendale has also become a prominent business center, with approximately 12,000 people employed by the more than 300 businesses occupying nearly 2.2 million square feet of office space in this conveniently located community.

The City of Glendale's 41-member Police Department and 29-member Fire Department safeguard the health and safety of residents, visitors and those employed in the City. Its Public Works Department is responsible for maintaining 35 acres of parks and open space, 6.9 miles of City streets, as well as 25 miles of sidewalk, 1.3 miles of trail, and two bridges spanning Cherry Creek, and operating the City's water treatment facility.

Glendale also offers a variety of recreational activities in two community recreation centers and in conjunction with the Cherry Creek School Districts, sponsors a Head Start program and kindergarten enrichment program at Glendale's Agnes Riddle Education Center.

The Education Center also houses a Computer Lab where residents of all ages learn the latest computer software in free classes taught in both English and Russian. The City of Glendale, in conjunction with the Cherry Creek School District, also offers a free after-school tutoring/homework help program at the Glendale Community Center during the school year.

The Glendale Public Library is well known to the Russian community throughout the metro area, for its comprehensive collection of English and Russian books, newspapers, magazines, videos and other materials, as

well as English as a Second Language classes and citizenship classes.

Mr. Speaker, Glendale residents continue to enjoy the benefits of being part of a vibrant, cosmopolitan community and I am pleased to have the opportunity to salute Glendale on the occasion of its 50th Anniversary.

INTRODUCTION OF THE NURSING  
HOME STAFFING IMPROVEMENT  
ACT OF 2002

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. WAXMAN. Mr. Speaker, I rise today to introduce the Nursing Home Staffing Improvement Act of 2002.

In March of this year, HHS provided Congress with the results of a decade-long study on staffing in our nation's nursing homes. HHS researchers concluded that 90% of nursing homes have staffing levels that are too low to provide adequate care. The researchers also identified specific minimum staffing levels that would substantially improve the quality of care received by nursing home residents.

The Bush Administration has chosen not to implement these much needed minimum staffing levels, even going so far as to limit public distribution of the study. In order to ensure that this important research is not ignored, the Nursing Home Staffing Improvement Act of 2002 would establish the minimum nurse staffing levels identified by HHS researchers.

The bill requires that nursing-homes comply with HHS-identified staffing levels for registered nurses, licensed nurses, and certified nurse aides. These staffing levels would require that all nursing home residents receive between 4.1 and 4.85 hours of nursing care each day. The bill increases resources to nursing homes to comply with these staffing levels by reinstating the Boren Amendment and increasing the federal Medicaid match to states for payment of health care services by 1.5%.

There is an urgent need for this bill right now, as demonstrated by the findings of the HHS study and investigative reports issued by the minority staff of the Government Reform Committee. At the request of House members, the Government Reform Committee minority staff has written over 25 reports on nursing home conditions around the country. These reports have found that large numbers of nursing homes are being cited for violations of federal standards relating to pressure sores, preventable accidents, improper medical care, malnutrition, dehydration, and abuse. These reports also have found a clear relationship between more staffing and better care.

The Bush Administration claims that more research is necessary before we can establish minimum staffing standards. We have already had a decade of research from some of the foremost experts in the field. Now is the time for action.

We in Congress have a responsibility to do all we can to protect our nation's seniors. They helped our generation when we needed their help. And now it's our turn—and our obligation—to provide them with the highest quality of care.

ERIE OTTERS WIN THE ONTARIO  
HOCKEY LEAGUE TITLE

**HON. PHIL ENGLISH**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. ENGLISH. Mr. Speaker, I would like to take a moment to recognize the Erie Otters hockey team for their recent triumph over the Barrie Colts in the Ontario Hockey League Championship Series.

On Friday, May 10, Erie center Sean Courtney snapped the series-clinching shot off a Colts defenseman to give the Otters a 2-1 win 14 minutes into the overtime period. The Otters, coached by Dave McQueen, pulled off their first OHL championship by "crushing the Colts" 4 games to 1. Erie's own league-ending playoff scorer, center Corey Pecker, opened the scoring with his 25th goal of the playoffs early in the first period. The Colts, struggling to stay alive in the championship series, tied the game late in the first. The game remained tied until Courtney's clutch game winner in OT. Otters' captain Brad Boyes was later named the OHL playoffs' Wayne Gretzky 99 Most Valuable Player.

The Otters arrived in my hometown of Erie in 1996, and have since featured some of the most dynamic young hockey players in the world. The Ontario Hockey League has produced world superstars like Mario Lemieux, Joe Sakic, Ron Francis, Scott Stevens and Patrick Roy. Friday's win marks the first time that the Otters have won the highly-regarded OHL championship and gives the young Otters an opportunity to battle for the Canadian Hockey League's Memorial Cup. The Memorial Cup is an 84-year-old "final four" tournament that crowns the year's best Junior hockey team in North America. The Otters, combining a steely work ethic and spectacular skill, should be a dominant force at the Memorial Cup tournament. The tournament begins May 18th in Guelph, Ontario. I would like to conclude by congratulating Erie's hockey heroes and by wishing them the best of luck in their quest for the Memorial Cup trophy.

HONORING THE MILPITAS ROTARY  
CLUB FOR 50 YEARS OF EXEM-  
PLARY SERVICE TO THE COMMU-  
NITY

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. STARK. Mr. Speaker, I rise today to recognize The Milpitas Rotary Club on its 50th anniversary. For 50 years now, members of the Milpitas Rotary Club have committed themselves to serving the community, the country, and the world.

The Rotary Club is a major force in the community and significantly improves the lives of children and families in Milpitas by sponsoring Interact Clubs at Milpitas and Calaveras Hills High Schools, granting both academic and technical scholarships, holding community events, and sending high school students to a week-long summer youth leadership training camp.

The Milpitas Rotary Club's tradition of service began with its chartering on June 24,

1952, at a dinner in St. John's Church Hall. Charter officers included President Joseph Gagliardo, Vice President Irving Crabb, Secretary William Barleson, Treasurer Thomas Cardoza, Sergeant-at-Arms Ray Madruga, and Charter Board Members Sal Cracolice, Ben Rodgers, and Clarence Smith.

For years, the club held its meetings on Mondays at noon at the Cozy Kitchen on Main Street in Milpitas. In the 1980's, the Big Yellow House and Calamity Jane's were the meeting sites, until the Holiday Inn Hotel, now the Crowne Plaza Hotel, became the club's home.

An active member of Rotary District 5170, which consists of 55 clubs in Alameda, Santa Clara, Santa Cruz and San Benito counties, the Milpitas Rotary Club's former president, Denny Weisgerber, served as District governor in 1999-2000.

I am proud to recognize the Milpitas Rotary Club on its 50th anniversary. I am confident this club will continue to improve our community, as well as the country and the world, for years to come.

KAZAKHSTAN IS THE STRONGEST  
U.S. ALLY IN CENTRAL ASIA

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. TOWNS. Mr. Speaker, Kazakhstan, the largest country in Central Asia, is a relatively new friend of the United States, but they have become staunch allies with strong economic and political ties to America. They work side by side with us in the war against the terrorists, and their commitment to democracy is part of the fiber of their society.

Kazakhstan has been helpful in many ways during the recent fighting in Afghanistan, and today is looking at this neighbor's future.

When the guns fall silent in Afghanistan, the rebuilding of that nation must already be well underway. The Afghans have lost many years of what should have been a civil society. The twin curses of war and famine have spread throughout their land. Now it is time for their neighbors and friends to help rebuild Afghanistan and bring the country fully into the community of nations. A politically stable Afghanistan will not harbor terrorists and will emerge as a partner in the increasingly critical Central Asian region.

Kazakhstan recently played host to the U.S. Secretary of Defense, Donald Rumsfeld, who met with the Kazakh President, Nursultan Nazarbayev. During the joint press conference Secretary Rumsfeld noted, "We are partners in the global war on terrorism, and we discussed the situation in Afghanistan as well as our common interest in an independent, economically healthy, and secure Afghanistan."

Kazakhstan, with its developing society and emphasis on democracy, is an ideal source of the help the Afghans so badly need. Kazakhstan can be a model for an emerging society and stable economy in Afghanistan.

Kazakhstan has already been providing humanitarian assistance to the Afghan people. Three thousand tons of grain have already made the journey from Astana to Kabul. The U.N. World Food Program has also signed contracts for 100,000 tons of grain at prices well below world market prices. Beyond this,

the government of Kazakhstan is building a database of individuals who have special skills needed for the rebuilding of Afghanistan and have volunteered to help. You might call it a "Central Asian Peace Corps." Ironically, many of these volunteers have personal experience in Afghanistan where they served as unwilling draftees in the Soviet Army.

These activities, at both the government and the individual volunteer level speak volumes about the similarities between Americans and Kazakhs. Both respond quickly to a neighbor's need.

The pluralistic society being sought for Afghanistan is one that Americans will feel comfortable with. The people of Kazakhstan already enjoy a free and open society where religion and the will to succeed are prerogatives of the individual. In Kazakhstan, debate is enlivened by the presence of 17 political parties, 1,600 newspapers and broadcast entities and more than 130 ethnic groups. All have their own points of view and are not timid about voicing them. Kazakhstan is a Muslim-majority country, but, while synagogues are being attacked in Western Europe, they are being built in Kazakhstan. New houses of worship are also being built in Kazakhstan.

Kazakhstan itself is a country of enormous economic potential and good relations between Washington and Astana are ever more important.

With predicted oil reserves of 100 billion barrels or more, Kazakhstan will play a key role in easing America's dependence on current energy sources. The availability of Kazakh oil will help stabilize world markets and keep domestic prices in check.

Thousands of Americans go to work every day in Kazakhstan. Most work in the energy sector, but Americans have also become a common site in the towns and villages of the country. We work well with the people of Kazakhstan, and many friendships have been established. A shared value system is a good basis for friendships.

I welcome the recent decision of the U.S. Department of Commerce to grant Kazakhstan the market-economy-country status, a well-deserved recognition of their achievements in reforming their economy and moving away from the Communist past. The next step in this direction should be the repeal of the outdated Jackson-Vanik amendment in relation to Kazakhstan and I call on my colleagues to support the appropriate resolution.

President Nazarbayev, in his recent State of the Nation Address, spoke of the need to continue "pragmatic policies" in all areas. The question of revitalizing the farms of Kazakhstan has been a subject of much debate and was a major topic for the President. The debate over farm policies would probably sound familiar to many Americans. In the foreign affairs area the President noted, "Kazakhstan has managed (over the first decade of independence) to build good stable relationships with all the nations without harming its own strategic interests."

Kazakhstan's firm commitment to the ideal of democracy was also a major topic in President Nazarbayev's speech. He said, "democracy is our deliberate choice for development and we all must work to strengthen this process. We will move step by step, preserving values of our culture founded in mutual assistance, tolerance, cooperation, and mutual respect between the peoples of different ethnic background."

As he closed his speech, President Nazarbayev foresaw closer ties with the United States and even greater emphasis on the development of democratic ideals and the civil society.

We must support Kazakhstan for many reasons. Heading the list are our shared ideals of democracy, a better life for all peoples and the uprooting of terrorism.

Mr. Speaker, Kazakhstan is the hope for political stability and prosperity in Central Asia.

RECOGNITION OF FRIEDREICH'S  
ATAXIA AWARENESS DAY

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. ANDREWS. Mr. Speaker, I rise today in support of Friedrich's Ataxia Awareness Day, which is recognized each year on the third Saturday in May.

Friedreich's ataxia is a life-shortening neurological disorder that is usually diagnosed in childhood. It causes muscle weakness and loss of coordination in the arms and legs; impairment of vision, hearing and speech; scoliosis, diabetes; and a life-threatening heart condition. Most patients need a wheelchair full-time by their twenties. Life expectancy is reduced to early adulthood. There is currently no effective treatment or cure for Friedrich's ataxia.

Although there is no treatment or cure available, Friedrich's ataxia patients and families have more and more reason for real hope. An extraordinary explosion of research findings has followed the identification of the Friedrich's ataxia gene in 1996. Since that discovery, research scientists have learned a great deal about the disorder. We now know what defects in the gene cause the disease, what protein the gene is supposed to produce, what that protein is supposed to accomplish, and why a shortage of the protein results in the cell death that leads to the disease symptoms. Investigators are increasingly optimistic that they are drawing closer to understanding more fully the causes of Friedrich's ataxia and to developing effective treatments.

At the National Institutes of Health and around the world, clinical trials for Friedrich's ataxia are being conducted on drugs that hold real promise. Intensifying cooperation among organizations supporting the research and the multidisciplinary efforts of thousands of scientists and health care professionals provide powerful evidence of the growing hope and determination to conquer Friedrich's ataxia. There is a growing conviction that treatments can and will be developed for this disease and that the resulting insights will be broadly applicable across a wide range of neurological disorders.

On the third Saturday of May, events will be held across our country to increase public awareness of Friedrich's ataxia and to raise funds to support the research that promises treatments for this disease. I applaud the Friedrich's Ataxia Research Alliance (FARA) for its contributions to these efforts and ask my colleagues to join me in recognizing May 18, 2002, as Friedrich's Ataxia Awareness Day to show our concern for all those families affected by this disorder and to express our

support and encouragement for their efforts to achieve treatments and a cure.

INTRODUCING THE "AMATEUR RADIO EMERGENCY COMMUNICATIONS CONSISTENCY ACT"

**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. ISRAEL. Mr. Speaker, I rise today to introduce the "Amateur Radio Emergency Communications Consistency Act," a bill that seeks to ensure the continued viability of a volunteer public safety resource which has been instrumental in providing our nation emergency communications services during times of disaster and crisis. I am pleased that the gentleman from Oregon, Representative WALDEN, and the gentleman from Texas, Representative SESSIONS are co-sponsors of this bipartisan legislation. Radio amateurs, more commonly known as "ham" operators, provide emergency communications when regular channels are disrupted or disabled. These federally licensed volunteers operate at their own expense in aiding government and private relief agencies. State and local governments, as well as disaster relief agencies, could not possibly afford to replace the services that radio amateurs dependably provide for free. For the hundreds of thousands of amateur radio licensees, there is a growing challenge to their ability to provide these public services.

Developed communities, such as retirement communities and planned unit subdivisions, are an increasingly popular housing option throughout the country that provide a wide range of convenient housing choices. Unfortunately, the governance of these communities has led to inconsistent and at times burdensome regulations on amateur radio operators, making it extremely difficult for these operators to continue providing their valuable services. The legislation I am introducing today will simply ensure consistent application of these regulations.

The Amateur Radio Emergency Communications Consistency Act is based upon a 1985 ruling by the Federal Communications Commission, which stated that homeowners, seeking to install some form of antenna on their own property, must work with state and local land use officials to determine the most appropriate size antenna. Good faith negotiations ensure that amateur radio operator's technical needs are met, while preserving the aesthetics and interests of a neighborhood.

Under current law, the FCC does not apply this policy consistently. Its policy applies to States and localities, but fails to address situations affecting private land use groups. My bill addresses this issue, and provides amateur radio licensees with the ability to negotiate reasonable accommodation provisions with homeowners' associations, just as they do now with public land-use regulators.

Amateur radio operators provide an invaluable service to our nation, ensuring communication services during emergencies. We must support the efforts of the 650,000 federally licensed amateurs around the country in earnest. The Amateur Radio Emergency Communications Consistency Act will help to protect the vital function of Amateur Radio as an

emergency communications and public safety resource, and I urge my colleagues to join with me in supporting this legislation.

HONORING THE RETIREMENT OF PRINCIPAL PATRICIA GEISTER FROM MOREAU CATHOLIC HIGH SCHOOL

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. STARK. Mr. Speaker, I rise today to honor Patricia Geister on the day of her retirement as Principal of the Moreau Catholic High School in Hayward, California.

For 16 years, Patricia Geister has served the Moreau Catholic High School as principal. Her dedication to excellence in education is evident in the visionary improvements that have resulted from her years as school principal.

By improving student programs, updating facilities, making institutional changes, and enhancing the faculty, Patricia Geister assured every student at Moreau a top-quality education.

During her tenure, the Ivaldi Student Center was completed; the availability of technology and other educational resources to students, faculty and staff was increased; and a safe campus environment was maintained. The number of Advanced Placement courses offered at the school increased from 4 to 14, the college preparatory curriculum was revamped and class size was reduced. A collegiate-style, alternate day schedule was introduced, providing students with an early introduction to collegiate life, and a competitive edge when applying to colleges.

Patricia Geister introduced a student support system to the administration, which tasks assistant principals and counselors with making sure that every student need is fulfilled and nurtured. In 1987, she implemented the school's mission statement, and over the years she has furthered the relationship between Moreau Catholic and the Brothers of Holy Cross, and strengthened the school's relationship with its Catholic elementary schools.

During her tenure, the school received maximum accreditation from the Western Association of Schools and Colleges in 1988, 1994, and 2000. In 2000, Patricia Geister implemented the school's Expected Schoolwide Learning Results.

I am honored to join the colleagues of Patricia Geister in commending her for her many years of dedicated service to the Moreau Catholic High School. Her commitment to excellence in education is truly an inspiration to all.

CRYSTAL APPLE AWARD

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to commend seven dedicated teachers from Northwest Indiana have been voted outstanding educators by their peers for

the 2001–2002 school year. These individuals, Joyce Abbott, Laura Marzotto, Danny Chapman, Carole Selund, Patricia Premetz, Ben Geesa and Kay Harness will be presented with the Crystal Apple Award at a reception sponsored by the Indiana State Teachers Association. This event will take place at the Andorra Restaurant and Banquets in Schererville, Indiana, on Wednesday, May 15, 2002.

Joyce Abbott, from the Crown Point Community School Corporation, has taught music for 17 years at Solon Robinson Elementary School. The love and passion that Joyce has for music, both personally and professionally, is demonstrated through the creativity and enthusiasm that she projects, in order to inspire not only the students, but also the teachers at Solon Robinson Elementary School.

Laura Marzotto has only been with the Hanover Community School Corporation for three years, but she is a great addition to Hanover Central High School. When Laura first came to Hanover Central as a teacher in the Business Department, a marketing program was non-existent. Yet as a result of her tireless efforts, a marketing track has been initiated, a program through which students can take a variety of marketing courses. Additionally, students are able to receive college credit through Ivy Tech State College after successfully completing required proficiencies.

A dedicated science teacher in the School Town of Highland for more than 30 years, Danny Chapman is a role model, an inspiration to his students, and an outstanding professional. Dan is a wonderful caring teacher who frequently offers a wide variety of activities and learning experiences to supplement the curriculum. The most notable, and perhaps most challenging experience, includes a three day/two night field trip to the Indiana Dunes Environmental Learning Center in Porter, Indiana. Here, students were involved in science-based activities for three days. Since 1994, Dan has served as co-sponsor for the Science Olympiad Team at Highland High School. Additionally, he is the Science Teacher for the Adult Education program for GED classes at Highland, a position he has held since 1996.

A professional educator for thirty-six years in the Lake Central School Corporation, Carole Selund is a valuable asset. Carole has taught both Spanish and English to freshmen and sophomores at Lake Central High School. Since Carole is conscientious about having her students meet the standards expected of them, she returned to college to earn a Master's degree in Reading and created the first curriculum in the Lake Central School Corporation to address individual reading problems in the student population. In addition, Carole is very active in the School Corporation. She has co-chaired a number of committees for the Performance Based Accreditation Committee and served on the North Central Accreditation Committee.

Twenty-three years ago, Patricia Premetz was hired to teach honors Geometry at Munster High School. She is described by her peers as an outstanding professional and dedicated teacher. For the past three and one-half years, Patricia has been the Department Chairperson and is now teaching honors PreCalculus. Her enthusiasm for the subject matter, as well as her teaching style, has withstood the test of time. Patricia makes learning an enjoyable experience, for she blends her

creative spirit and her willingness to experiment with new ideas and techniques to better foment mathematics concepts in the minds of her students. Patricia's compassion for others is exhibited by her thoughtfulness towards both students and teachers.

Ben Geesa came to the Newton School Corporation 27 years ago, after serving his country in the United States Air Force. Since technology plays a vital role in the world and the economy, Ben was instrumental in starting the first computer education classes at North Newton High School. Ben is known as the computer "guru" throughout the corporation, as he helps to troubleshoot computer problems. His peers know him as a dedicated teacher and he is a continuous source of enthusiasm for his students as well as his co-workers.

Kay Harness is a fine example of the tenets embodied by those who have dedicated their lives to educating America's youth. Kay hails from the Tri-Creek School Corporation, where she has greeted her students and colleagues with a genuine smile for over 33 years. She has been active in all aspects of the school environment and has given continued support to the Parent Teacher Organization. Kay strives to be approachable and communicates well with administrators, fellow teachers, students, and parents.

Mr. Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding educators on their receipt of the 2001–2002 Crystal Apple Award. The years of hard work they have put forth in shaping the minds and futures of Northwest Indiana's young people is a true inspiration to us all.

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#### PERSONAL EXPLANATION

### HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. OSE. Mr. Speaker, due to a loss in the family, during the week of May 6 through May 10 I was in California and unable to cast a vote on Rollcall votes 127 through 158. Had I been present I would have voted in the following manner:

Rollcall votes 127–133, Aye; Rollcall 134, No; Rollcalls 135 & 136, Aye; Rollcalls 137–141, No; Rollcall 142, Aye; Rollcalls 143–152, No; Rollcalls 153–156, Aye; Rollcall 157, No; Rollcall 158, Aye.

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#### PERSONAL EXPLANATION

### HON. MARK R. KENNEDY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. KENNEDY of Minnesota. Mr. Speaker, I would like the RECORD to reflect how I would have voted on Thursday May 9, 2002 during consideration of H.R. 4546.

Rollcall 138 Motion that the Committee Rise Nay.

Rollcall 139 Motion that the Committee Rise Nay.

Rollcall 140 Motion that the Committee Rise Nay.

Rollcall 141 On Agreeing to the Amendment (Markey) Nay.

Rollcall 142 On Agreeing to the Amendment (Weldon) Yea.

Rollcall 143 On Motion that the Committee Rise Nay.

Rollcall 144 On Motion that the Committee Rise Nay.

Rollcall 145 On Agreeing to the Amendment (Tierney) Nay.

Rollcall 146 On Motion that the Committee Rise Nay.

Rollcall 147 On Motion that the Committee Rise Nay.

Rollcall 148 On Motion that the Committee Rise Nay.

Rollcall 149 On Motion that the Committee Rise Nay.

Rollcall 150 On Motion that the Committee Rise Nay.

Rollcall 151 On Motion that the Committee Rise Nay.

Rollcall 152 On Motion that the Committee Rise Nay.

Rollcall 153 On Agreeing to the Amendment (Sanchez) Nay.

Rollcall 154 On Agreeing to the Amendment (Goode) Yea.

Rollcall 155 On Agreeing to the Amendment (Paul) Yea.

Rollcall 156 On Agreeing to the Amendment (Bereuter) Yea.

Rollcall 157 On Motion to Recommit with Instructions Nay.

Rollcall 158 On Passage Yea.

#### INTRODUCTION OF THE MEDICARE CHRONIC KIDNEY DISEASE MANAGEMENT ACT

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. STARK. Mr. Speaker, I rise today to introduce the Medicare Chronic Kidney Disease Management Act. My bill would expand Medicare eligibility for uninsured patients with chronic kidney disease before their condition advances to End-Stage status. The bill would provide access to healthcare and most importantly disease management and End Stage Renal Disease-prevention services (ESRD). It would improve the quality of life for those suffering from kidney disease and could provide real savings for the Medicare program by helping chronic kidney disease patients avoid or delay the costly dialysis treatments and kidney transplants associated with the end stage status of the disease.

ESRD patients are the only group eligible for Medicare enrollment due to their medical diagnosis. ESRD is characterized by a permanent loss of kidney function, which results in the need for weekly dialysis treatments to cleanse impurities from the blood. ESRD patients are subject to a 30-month waiting period following diagnosis before Medicare benefits begin, which leads to further deterioration of health prior to being able to access care under Medicare. The decline in health that occurs during this waiting period reinforces the need for disease management interventions to preserve maximum health and delay advancement of the illness. It is known that early diagnosis and treatment of kidney disease can prevent certain future complications including progression to end stage status and development of heart disease, a common outcome of kidney disease. By allowing this vulnerable population to access care during the 2 years prior to qualifying for Medicare due to an End Stage Renal Disease diagnosis, this bill wisely and appropriately addresses a critical unmet health need.

Under the Medicare Chronic Kidney Disease Management Act, uninsured, pre-ESRD chronic kidney disease patients would be eligible for full Medicare coverage and ESRD prevention services. To be eligible, a physician would need to certify a chronic kidney disease patient as likely to need dialysis or a transplant in the next two years under accepted clinical standards. Individuals eligible under the bill would pay Medicare Part B premiums. Disease management and ESRD-prevention services provided by this legislation include counseling on treatment options, the viability of a kidney transplant, disease management, and nutrition. These new services would also be available to current Medicare enrollees who become diagnosed with chronic kidney disease.

Today, more than 300,000 people receive dialysis. By 2010, it is expected that 650,000 individuals will be receiving weekly dialysis treatment. In 2001, Medicare spent \$14.4 billion to care for ESRD patients, which averages more than \$20,000 per member, which far exceeds the average 2001 Medicare expenditure for non-ESRD beneficiaries, \$6000.

The National Kidney Foundation, who has endorsed this bill, estimates that 20 million

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#### OLDER AMERICANS MONTH

### HON. FRANK A. LOBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. LOBIONDO. Mr. Speaker, I rise today to speak on behalf of a resolution I introduced to honor and recognize older Americans who continue to contribute valued work experience to their home communities. As you know, May is Older Americans Month, and as such it provides us with a perfect opportunity to reflect on the contributions of all of our nation's older Americans. I have been fortunate in my career to have a successful working relationship with the Experience Works organization, formerly known as Green Thumb, which has a Staffing Service office located in my Congressional district. I have seen the great work they accomplish in encouraging senior citizens to stay active and involved in their communities by continuing to work or simply by mentoring younger workers. Therefore, I have introduced a resolution, H. Res. 407, to recognize these contributions of effort and active involvement on the part of our older Americans. It is a pleasure to honor America's seniors this month for their continued interest and enthusiasm in contributing to the American workforce. I urge my distinguished colleagues to support H. Res. 407 to honor our hard working older Americans.

Americans have kidney disease. Many of these Americans do not know they suffer from this condition and therefore do not take advantage of beneficial prevention measures. In February 2002, the National Kidney Foundation called for earlier screening for kidney disease in reaction to the near doubling of the illness in the U.S. in the last decade. Their screening campaign focuses on those at high risk for developing chronic kidney disease including people with diabetes, high blood pressure, a family history of the disease, older Americans, African Americans, Asian and Pacific Islanders, American Indians, and Hispanics.

Expanded prevention services for chronic kidney disease patients are long overdue. The preventive measures in this bill will minimize the damaging impact of this chronic illness and allow Medicare to slow the growth of the ESRD population. I urge my colleagues to join me in supporting the Medicare Chronic Kidney Disease Management Act so we can make these vital improvements to the Medicare program for those who suffer from chronic kidney disease.

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#### PERSONAL EXPLANATION

### HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber on May 7, 2002. I want the record to show that had I been present in this chamber, I would have voted "yea" on rollcall vote 127 and "yea" on rollcall vote 128. I was also unavoidably absent for a few minutes on May 9th and would like the record to show that had I been present in this chamber, I would have voted "no" on rollcall vote 139 and "no" on rollcall vote 140 and "yea" on rollcall vote 152.

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#### IN REMEMBRANCE OF MARY ELIZABETH PARKER COLLINS

### HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. BACA. Mr. Speaker, I rise today with regret and deep sadness to announce the passing of Inland Empire community leader and dear friend Mary Elizabeth Parker Collins who died at the age of 73 on May 6th. I first got to know Mary when I was elected to the California Assembly. Mary volunteered in my San Bernardino office as I was beginning my political career. Her enthusiasm and wisdom were an inspiration to me and all who knew her.

Mary was a great advocate of equality and humanitarianism her entire adult life. Her experience as a single mother of five children in the 60's instructed Mary on the inequalities in society and was the catalyst for her commitment to social change. She became active in the Urban League of Indianapolis, where she dedicated herself to motivating the disenfranchised. Mary was involved in a wide variety of crucial movements such as tenant strikes, community based programs for at risk teens, and voter registration and participation programs.

While continuing to seek a better life for her family, Mary moved her family west to Southern California. She spent time in Los Angeles before moving and settling in the Inland Empire. Mary continued her commitment to civil rights while in the Inland Empire, by participating in the "Gates Must Go" and "Tyisha Miller Justice" campaigns. She then served as President of the Fontana/Rialto NAACP, where she fought to reinstate the jobs of countless people of color who had been arbitrarily laid off. Mary also spearheaded the establishment of a Police Review Board in Rialto, which helped reduce the number of civilian shootings by Police and led the way for the first Black Police Chief of Rialto.

Mary had a clear political gift, and she later served as President of the Inland Empire Democratic Club. She was not afraid of hard work and contributed greatly in my office by volunteering during my years as a newly elected California Assembly Member.

Mary is survived by her only son, Stephan Collins, four daughters, Karen Collins Lewis, Remelle Lumpkins, Terry Hunter and Carolyn Gullex, 15 grandchildren and 9 great grand children.

Mary has left behind a wonderful legacy of social justice and community activism. She will be missed by family and friends alike. Mary touched us all with her kind deeds and leadership in our community. Barbara and I extend our deepest condolences to her family and may God bestow his comfort upon them at this time.

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#### DAM SAFETY AND SECURITY ACT

### HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. SHUSTER. Mr. Speaker, I rise today to introduce legislation that will prevent us from repeating the past. Specifically, the National Dam Safety and Security Act reauthorizes a program that has directly helped the states and protects the citizens of this great country.

Dams provide tremendous benefits including water supply for drinking, irrigation and industrial uses; flood control; hydroelectric power; recreation; and navigation. At the same time, dams also represent one of the greatest risks to public safety, local and regional economies, and the environment. Historically, some of the largest disasters in the U.S. have resulted from dam failures. The 1928 St. Francis Dam failure killed more than 500. During the 1970's the Buffalo Creek, Teton and Toccoa Creek dam failures collectively cost 175 lives and more than \$1 billion in losses.

One dam failure hits a little closer to home for me. On May 31, 1889, the 72-foot high South Fork Dam above Johnstown, Pennsylvania, burst. Twenty million tons of water took its natural course, dropping 450 feet in 14 miles, at times 70 to 75 feet high and reaching speeds of 40 miles per hour. In 40 minutes, three miles of water drained into the valley below.

At 4:07 on the chilly, wet afternoon the inhabitants heard a low rumble that grew to a roar like thunder. Most never saw anything until the 36-foot wall of water, already boiling with huge chunks of debris, rolled over them at 40 miles per hour, consuming everything in

its path. Making the wave even more terrifying was the black pall of smoke and steam that hung over it—the "death mist" remembered by survivors. Almost 113 years ago to the date, more than 2,209 people lost their lives when the dam failed. In their memory, we must not let this happen again.

Unfortunately, even today many dams are not maintained properly. Dams require ongoing maintenance, monitoring, frequent safety inspections, and rehabilitation. More than 90 percent of the nation's approximately 100,000 dams are regulated by the states. Further, many dam owners, including most private dam owners who own over half of all dams, lack the resources necessary to perform dam maintenance or to make significant repairs.

In the past two years more than 520 dam incidents, including 61 dam failures, were reported to the National Performance of Dams Program. As a matter of fact, the number of high-hazard potential dams whose failure would cause loss of human life is increasing, due to development of downstream land. Today there are 9,921 high-hazard potential dams.

Even more alarming, states presently report approximately 2,100 "unsafe" dams, which have deficiencies that leave them highly susceptible to failure.

The combined effect of rapid downstream development and aging or noncompliant structures, coupled with a predicted increase in extreme events, demands fully funded and staffed State dam safety programs as well as substantial and proactive funding for dam repairs.

In an effort to ensure dam safety, Congress passed the National Dam Safety Program in 1996. Under this program, State dam safety agencies have received grants totaling \$7 million to assist them with improving dam safety regulatory programs by procuring equipment, implementing new technology, and enabling more frequent inspections. The program also provided opportunities for continuing education to dam safety engineers and funding for research to advance the technology of investigations, construction and rehabilitation of dams.

I am pleased to report that this program was successful and deserves to be continued. It is important to note that this model program sent the money directly to the States—where it was used, to educate, inform and help protect the people.

My State of Pennsylvania has been at the forefront of the nation's dam safety efforts over the last two decades and our program has been cited as a role model for other States in developing new and expanded programs. Of the three thousand two hundred dams in Pennsylvania, nine hundred and fifty are now classified as high-hazard potential structures, meaning their failure could cause loss of life or substantial damage to properties. This determination helps our State dam officials identify which dams deserve regular inspection and those that require more infrequent inspection. In conversations with the Pennsylvania State dam officials, they confirmed that they couldn't have done it without the National Dam Safety Program.

My bill reauthorizes this successful National Dam Safety and Security Act by updating and

fine-tuning the underlying language and providing a modest boost to the funding for research and development. Importantly, my legislation will provide States the technical assistance necessary to maintain security for the nation's dams.

Specifically, the program will:

Ensure new and existing dams are safe through the development of technologically and economically feasible programs and procedures for national dam safety hazard reduction;

Encourage acceptable engineering policies and procedures to be used for dam site investigations, design, construction, operation and maintenance, and emergency preparedness;

Encourage the establishment and implementation of effective dam safety programs in each State based on State standards;

Develop and encourage public awareness projects to increase public acceptance and support of State dam safety programs;

Develop technical assistance materials for Federal and non-Federal dam safety programs;

Develop mechanisms with which to provide Federal technical assistance for dam safety to the non-Federal sector; and

Develop technical assistance and encourage appropriate security for the nation's dams.

I want to point out that this program is truly a State-based program—because that is where the money goes and is used. The money in this program is not swallowed up in some nameless and faceless bureaucracy here in Washington, the money goes directly to the States.

It is also important to note that this program does not provide funds for constructing or fixing dams due to the cost of such activities. These funds are to identify and educate the public and dam owners about dam safety and conduct necessary research to ensure dams are as safe as possible.

For less than \$10 million, this program authorizes:

Provides \$6,000,000 per year 2003–2006 National Dam Safety Program;

Provides \$500,000 per year for National Dam Inventory;

Provides \$500,000 per year for Dam Safety Training;

Provides \$1,500,000 per year for research; and

Provides \$600,000 per year for staff.

Mr. Speaker, I would like to remind everyone how important dams are to this country. Dams provide hydroelectric power to almost every State in the union, habitats for fish, birds, and other animals, recreational activities from bird watching to water sports, flood control and are a source of water. Maybe because of the positive impacts of dams more and more people are building downstream from dams. This is not dangerous, as long as the dams are monitored and maintained.

For these reasons, and in memory of the lives lost one hundred and thirteen years ago in Johnstown, I ask that the House favorably consider this legislation.

AMERICAN LEGION AUXILIARY  
UNIT 146 IS MAKING A DIFFERENCE  
IN TENNESSEE

### HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. HILLEARY. Mr. Speaker, my home state of Tennessee's nickname "The Volunteer State" dates all the way back to the War of 1812 when thousands of Tennesseans enlisted in response to Governor Willie Blount's call for volunteers. The volunteer spirit that moved so many Tennesseans to service then remains alive and well in our beautiful state almost 200 years later.

Today, the volunteer spirit is manifested by the thousands of Tennesseans in the armed services and by the countless civilian volunteers from Memphis to Bristol and Chattanooga to Clarksville.

One such group of Tennessee volunteers is American Legion Auxiliary Unit 146 in Lawrence County. I am proud to commend them today for the fine work they do.

From children to veterans, Unit 146 exemplifies the volunteer spirit, that call to help the community, to ease the pain of those less fortunate and to lift us all by their example of caring and compassion.

For "Make a Difference Day" this year, Unit 146 made yarn angels for every patient in local nursing homes and assisted living centers.

Last Christmas, they made and filled stockings, complete with an American flag, for veterans at the VA hospitals in Nashville and Murfreesboro.

Together with their local American Legion post, they host bingo games for veterans in VA hospitals.

Each year, Unit 146 remembers our veterans and the heroes who gave their life for their country by participating in Memorial Day ceremonies and Veterans Day parades.

In addition to supporting our veterans, the unit looks to the future by supporting important programs for children and youths. Throughout the year they pass out flags, Halloween safety brochures, pamphlets on how to say "No" to drugs and suicide prevention books.

Unit 146 provides their local sheriff, the Tennessee Highway Patrol and their hospital's emergency room with stuffed animals and coloring books to ease the pain for traumatized children.

American Legion Auxiliary Unit 146 truly represents the best of the volunteer spirit in the Volunteer State.

I commend them for the fine work they do throughout the year. Their acts of goodness are a common thread in our state running all the way back to 1812 when Tennessee first needed volunteers to come to the assistance of her people. Their acts of kindness touch all and spawn other acts that will keep that

thread strong for the next 200 years and well beyond.

### NATIONAL HOSPITAL WEEK

### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 14, 2002*

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of the "National Hospital Week" (NHW). This year, the theme is "Where Miracles Happen Every Day". That theme portrays the uniqueness and necessity of the field of healthcare. This period of time will recognize and honor health care professionals, volunteers, and other health professionals for their continued dedication to healing our communities. The celebration of National Hospital Week began in 1921. A magazine editor developed an idea to place more information about hospitals in communities to help erase public fears and uncertainties about healthcare at that time. Since NHW's origination, it has developed into the nation's largest health care event.

This prestigious event is sponsored by the American Hospital Association (AHA). The AHA has been in existence since 1899. It started as an association of Hospital superintendents with a mission to facilitate discussion among hospital administrators. Overtime, its members and mission has developed into a membership which embodies all health care workers and a mission that stresses leadership in public policy, representation and advocacy, and services. Today, the AHA focuses on enhancement of health status, health promotion, ongoing care and rehabilitation of patients, education, research, and that all these activities are conducted with an overriding concern for the values and dignity of patients.

As I stated earlier, I am an advocate of this celebration. This week will help us to focus on universal health coverage by allowing health care workers across our nation to share ideas and thoughts on the coverage issue and others. In a time of state budget cuts and Medicaid cuts, this week will display the need for appropriate funding of the health care system. In the past year in Illinois, hospitals grappled with Medicaid funding cuts of \$340 million. Nursing homes in Illinois dealt with Medicaid funding cuts of \$170 million.

Additionally, this week will help us attack the issue of health care access as grass roots discussions take place and solutions are developed from individuals at the fore front of health care.

In the 7th Congressional District, there are twenty-five community health centers, twenty-three hospitals, three veteran hospitals, and four medical schools. These institutions help sustain my district. I urge my colleagues and constituents to join me in this celebration which is vital to the health of our Nation.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4291–S4337*

**Measures Introduced:** Four bills and four resolutions were introduced, as follows: S. 2510–2513, S.J. Res. 37, and S. Res. 267–269. **Page S4330**

#### Measures Reported:

S. 1867, to establish the National Commission on Terrorist Attacks Upon the United States, with amendments. (S. Rept. No. 107–150) **Page S4330**

**Andean Trade Preference Expansion Act:** Senate continued consideration of H.R. 3009, to extend the Andean Trade Preference Act, and to grant additional trade benefits under that Act, taking action on the following amendments proposed thereto:

**Pages S4297–S4326**

#### Adopted:

By a unanimous vote of 98 yeas (Vote No. 109), Baucus Amendment No. 3405 (to Amendment No. 3401), to clarify the principal negotiating objectives of the United States with respect to foreign investment. **Pages S4297–99**

Dayton/Craig Amendment No. 3408 (to Amendment No. 3401), to limit the application of trade authorities procedures. (By 38 yeas to 61 nays (Vote No. 110), Senate failed to table the amendment.)

**Pages S4299, S4309, S4320–22**

Kennedy Amendment No. 3411 (to Amendment No. 3401), to include the Declaration on the TRIPS Agreement and Public Health as a principal negotiating objective of the United States.

**Pages S4319, S4322–24**

#### Withdrawn:

Grassley Amendment No. 3409 (to Amendment No. 3408), to make preserving the ability of the United States to enforce rigorously its trade laws a principal trade negotiating objective.

**Pages S4299–S4309**

#### Pending:

Baucus/Grassley Amendment No. 3401, in the nature of a substitute. **Pages S4297–S4326**

A unanimous-consent agreement was reached providing for further consideration of the bill, at 10:30 a.m., on Wednesday, May 15, 2002, where Senator Wellstone will be recognized to offer an amendment regarding labor impact. **Page S4336**

**Nominations Confirmed:** Senate confirmed the following nomination:

1 Air Force nomination in the rank of general.

**Pages S4336, S4337**

**Messages From the House:** **Page S4328**

**Executive Communications:** **Pages S4328–30**

**Additional Cosponsors:** **Pages S4330–31**

**Statements on Introduced Bills/Resolutions:** **Page S4331**

**Additional Statements:** **Pages S4328–34**

**Amendments Submitted:** **Pages S4334–36**

**Authority for Committees to Meet:** **Page S4336**

**Record Votes:** Two record votes were taken today. (Total—110) **Pages S4298–99, S4309**

**Recess:** Senate met at 9:30 a.m., and recessed at 5:42 p.m., until 9:30 a.m., on Wednesday, May 15, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S4336–37).

### Committee Meetings

*(Committees not listed did not meet)*

#### NATIONAL EXPORT STRATEGY

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded oversight hearings to examine the Annual National Export Strategy Report of the Trade Promotion Coordinating Committee, focusing on the ability to foster development in, and trade with, South- and South-East Asia and Africa, in order to promote international stability, after receiving testimony from Donald L. Evans, Secretary of Commerce, Eduardo Aguirre, Vice Chairman and First Vice President, Export-Import Bank of the United States, Hector V. Barreto, Administrator, Small Business Administration, Thelma J. Askey, Director, U.S. Trade and Development Agency, and Ross J. Connelly, Executive Vice President and Chief Operating Officer, Overseas Private Investment Corporation, all on behalf of the Trade Promotion Coordinating Committee.

## TRIBAL TELECOMMUNICATIONS

*Committee on Commerce, Science, and Transportation/Committee on Indian Affairs:* Committees concluded joint oversight hearings to examine telecommunications issues in Indian country, focusing on telecom carriers, tribal governments, and the siting of communications towers, after receiving testimony from K. Dane Snowden, Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission; Susan Masten, Yurok Tribe, Eureka, California; Marcia Warren Edelman, S. M. E. LLC, Arlington, Virginia, former Senior Policy Advisor for Native American Affairs, Department of Commerce; Michael Strand, Montana Independent Telecommunications Systems, Helena; John Stanton, Western Wireless Corporation, Bellevue, Washington; and William Day, United South and Eastern Tribes, Inc., Pineville, Louisiana.

## PACIFIC SALMON MANAGEMENT AND RECOVERY

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, and Fisheries concluded hearings on S. 1825, to authorize the Secretary of Commerce to provide financial assistance to the States of Alaska, Washington, Oregon, California, and Idaho and tribes in the region for salmon habitat restoration projects in coastal waters and upland drainages, and related Pacific salmon management issues, after receiving testimony from Senators Crapo and Thompson; Donald R. Knowles, Director, Office of Protected Resources, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Dirk Brazil, California Department of Fish and Game, Sacramento; Geoffrey M. Huntington, Oregon Watershed Enhancement Board, Salem; Laura E. Johnson, Washington State Salmon Recovery Funding Board/Interagency Committee for Outdoor Recreation, Olympia; James L. Caswell, Idaho Governor's Office of Species Conservation, Boise; Robert Thorstenson, United Fishermen of Alaska, Juneau; Glen Spain, Pacific Coast Federation of Fishermen's Associations, Eugene, Oregon; and Harold Blackwolf, Sr., Confederated Tribes of Warm Springs Reservation of Oregon Fish and Wildlife Committee, Madras, on behalf of the Columbia River Inter-Tribal Fish Commission.

## PERSISTENT ORGANIC POLLUTANTS IMPLEMENTATION

*Committee on Environment and Public Works:* Committee concluded hearings on S. 2118, to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act to implement the Stockholm Convention on Persistent Organic

Pollutants and the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and S. 2507, to amend the Toxic Substances Control Act and the Federal Insecticide, Fungicide, and Rodenticide Act to implement the Stockholm Convention on Persistent Organic Pollutants, the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, after receiving testimony from Jeffrey M. Burnam, Deputy Assistant Secretary of State for Environment, Bureau of Oceans and International Environmental and Scientific Affairs; Stephen L. Johnson, Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency; Warren Muir, National Academy of Sciences National Research Council, Brooks B. Yeager, World Wildlife Fund, and Karen L. Perry, Physicians for Social Responsibility, all of Washington, D.C.; John Buccini, United Nations Environment Programme Intergovernmental Negotiating Committee, Ontario, Canada; and Michael Walls, American Chemistry Council, Arlington, Virginia.

## TOBACCO MARKETING ON WOMEN

*Committee on Governmental Affairs:* Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia concluded hearings to examine the impact of tobacco marketing on women and girls, focusing on promotional targeting techniques and women's health, after receiving testimony from Cristina Beato, Deputy Assistant Secretary of Health and Human Services for Health; Elizabeth M. Whelan, American Council on Science and Health, and Diane E. Stover, Memorial Sloan-Kettering Cancer Center, on behalf of the American College of Chest Physicians and the CHEST Foundation, both of New York, New York; Charles King III, Harvard Business School, Boston, Massachusetts; Matthew L. Myers, Campaign for Tobacco-Free Kids, Washington, D.C.; and Cassandra Coleman, Chicago, Illinois.

## DNA EVIDENCE

*Committee on the Judiciary:* Subcommittee on Crime and Drugs concluded hearings to examine seeking justice for sexual assault victims, focusing on Department of Justice efforts to promote the use of DNA evidence to combat crime and impact of the Debbie Smith Act on crime laboratories throughout the United States, after receiving testimony from Sarah V. Hart, Director, National Institute of Justice, and Dwight E. Adams, Assistant Director, Laboratory Division, Federal Bureau of Investigation, both of

the Department of Justice; Linda A. Fairstein, former Chief of the New York County District Attorney's Office Sex Crimes Prosecution Unit, New York, New York; Debra S. Holbrook, Nanticoke Memorial Hospital, Seaford, Delaware; Susan Narveson, Phoenix Police Department Laboratory Services Bureau,

Phoenix, Arizona, on behalf of the American Society of Crime Laboratory Directors; J. Tom Morgan, Stone Mountain Judicial District Attorney, De Kalb County, Georgia, on behalf of the National District Attorneys Association; and Debbie Smith, Williamsburg, Virginia.

## House of Representatives

### *Chamber Action*

**Measures Introduced:** No bills were introduced.

**Reports Filed:** Reports were filed today as follows:

Justice Undone: Clemency Decisions in the Clinton White House (H. Rept. 107-454);

H.R. 1370, to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities, amended (H. Rept. 107-455);

H.R. 2643, to authorize the acquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, amended (H. Rept. 107-456);

H.R. 4626, to amend the Internal Revenue Code of 1986 to accelerate the marriage penalty relief in the standard deduction and to modify the work opportunity credit and the welfare-to-work credit, amended (H. Rept. 107-457);

H.R. 2624, to authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers (H. Rept. 107-458);

H.R. 3892, to amend title 28, United States Code, to make certain modifications in the judicial discipline procedures, amended (H. Rept. 107-459);

H.R. 4090, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, amended (H. Rept. 107-460, Pt. 1);

H.R. 4584, to amend title XIX of the Social Security Act to extend the authorization of transitional medical assistance for 1 year (H. Rept. 107-461); and

H.R. 4585, to amend title V of the Social Security Act to extend abstinence education funding under maternal and child health program through fiscal year 2007 (H. Rept. 107-462). **Pages H2465-66**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today.

**Page H2391**

**Journal:** Agreed to the Speaker's approval of the Journal of Monday, May 13 by a recorded vote of 371 ayes to 40 noes with 1 voting "present," Roll No. 161.

**Pages H2392, H2428-29**

**Recess:** The House recessed at 12:43 p.m. and reconvened at 2 p.m.

**Page H2392**

**Recess:** The House recessed at 5:29 p.m. and reconvened at 6:32 p.m.

**Page H2427**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

***National Wildlife Refuge System Maintenance and Repair:*** H.R. 1370, amended, to amend the National Wildlife Refuge System Administration Act of 1966 to authorize the Secretary of the Interior to provide for maintenance and repair of buildings and properties located on lands in the National Wildlife Refuge System by lessees of such facilities. Agreed to amend the title so as to read: "A bill to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties, and for other purposes.";

**Pages H2394-96**

***Nutria Eradication and Marshland Restoration:*** H.R. 4044, amended, to authorize the Secretary of the Interior to provide assistance to the State of Maryland for implementation of a program to eradicate nutria and restore marshland damaged by nutria. Agreed to amend the title so as to read: "A bill to authorize the Secretary of the Interior to provide assistance to the State of Maryland and the State of Louisiana for implementation of a program to eradicate or control nutria and restore marshland damaged by nutria.";

**Pages H2396-98**

**Waco Mammoth Site Area Interior Study Act:** H.R. 1925, amended, to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System;

Pages H2398–99

**Regional Plant Genome and Gene Expression Research Act:** H.R. 2051, to provide for the establishment of regional plant genome and gene expression research and development centers. Agreed to amend the title so as to read: “A bill to authorize the National Science Foundation to establish regional centers for the purpose of plant genome and gene expression research and development and international research partnerships for the advancement of plant biotechnology in the developing world.”;

Pages H2399–H2404

**Recognizing the 150th Anniversary of the American Society of Civil Engineers:** H. Con. Res. 387, recognizing the American Society of Civil Engineers for reaching its 150th Anniversary and for the many vital contributions of civil engineers to the quality of life of our Nation’s people including the research and development projects that have led to the physical infrastructure of modern America; Pages H2404–06

**Highway Funding Restoration Act:** H.R. 3694, amended, to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century (agreed to by a 2/3 yea-and-nay vote of 410 yeas to 5 nays, Roll No. 159); Pages H2406–13, H2427

**Social Security Benefit Enhancements for Women Act:** H.R. 4069, to amend title II of the Social Security Act to provide for miscellaneous enhancements in Social Security benefits, and for other purposes (agreed to by a 2/3 yea-and-nay vote of 418 yeas with none voting “nay,” Roll No. 160). Agreed to amend the title so as to read: “To amend title II of the Social Security Act to provide for miscellaneous enhancements in Social Security benefits, and for other purposes.”; and Pages H2413–22, H2427–28

**Prohibiting the Involuntary Wearing of the Abaya Garment by Members of the Armed Forces:** H.R. 4714, to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment.

Pages H2422–27

**Recess:** At 11:22 p.m. the House recessed subject to the call of the Chair.

Page H2453

**Senate Messages:** Messages received from the Senate today appear on page H2394.

**Quorum Calls—Votes:** Two yea-and-nay votes and one recorded vote developed during the proceedings

of the House today and appear on pages H2427, H2428, and H2428–29. There were no quorum calls.

**Adjournment:** The House met at 12:30 p.m. and stands in recess subject to the call of the Chair.

## Committee Meetings

### SUPPLEMENTAL APPROPRIATIONS

**Committee on Appropriations:** Continued markup of the supplemental appropriations for fiscal year 2002.

Will continue tomorrow.

### LABOR, HHS, AND EDUCATION APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

### CORPORATE ACCOUNTING PRACTICES

**Committee on Financial Services:** Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises continued hearings entitled “Corporate Accounting Practices: Is There a Credibility GAAP?” Testimony was heard from Robert K. Herdman, Chief Accountant, SEC; Edmund L. Jenkins, Chairman, Financial Accounting Standards Board; and public witnesses.

### ACCOUNTABILITY OF TAX DOLLARS ACT

**Committee on Government Reform:** Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations held a hearing on H.R. 4685, Accountability of Tax Dollars Act of 2002. Testimony was heard from Representative Toomey; Gary T. Engel, Director, Financial Management and Assurance, GAO; Mark Reger, Chief Financial Officer, FCC; Alison L. Doone, Deputy Staff Director, Management, FEC; Frederick J. Zirkel, Inspector General, FTC; and Paul Brachfeld, Inspector General, National Archives and Records Administration.

### VA HEALTH CARE

**Committee on Government Reform:** Subcommittee on National Security, Veterans’ Affairs, and International Relations held a hearing on “VA Health Care: Structural Problems, Superficial Solutions?” Testimony was heard from Robert Roswell, Under Secretary, Health, Department of Veterans Affairs; Cynthia Bascetta, Director, Health Care-Veterans’ Health and Benefits Issues, GAO; Edmund Burke, Coordinator, Veterans Services, Department of Mental Health and Addiction Services, State of Connecticut; and public witnesses.

**FAIRNESS IN SENTENCING ACT**

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 4689, Fairness in Sentencing Act of 2002.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from Charles R. Tetzlaff, General Counsel, U.S. Sentencing Commission; John Roth, Section Chief, Department of Justice; James M. Rosenbaum, Chief Judge, U.S. District Court, Minneapolis, Minnesota; and William G. Otis, former Assistant U.S. Attorney General, District of Virginia.

**AFGHANISTAN FREEDOM SUPPORT ACT**

*Committee on Rules:* Granted, by voice vote, an open rule on H.R. 3994, Afghanistan Freedom Support Act of 2002, providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill. The rule provides that the committee amendment in the nature of a substitute shall be considered by title rather than by section. The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to those Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hyde and Representative Lantos.

**ENCOURAGING WORK AND SUPPORTING MARRIAGE ACT**

*Committee on Rules:* Heard testimony from Chairman Thomas and Representative Rangel on H.R. 4626, Encouraging Work and Supporting Marriage Act of 2002.

**PERSONAL RESPONSIBILITY, WORK AND FAMILY PROMOTION ACT**

*Committee on Rules:* Heard testimony from Chairman Thomas and Representatives Heger, Boehner, McKeon, Tauzin, Levin, Cardin, Becerra, Mink of Hawaii, Owens, Scott, Woolsey, Tierney, Kind, Wu, Solis, Clayton, Carson of Indiana, Jackson-Lee of Texas, and Udall of New Mexico on H.R. 4700, Personal Responsibility, Work and Family Promotion Act of 2002.

**IRC—REQUIREMENTS FOR RELIGIOUS ORGANIZATIONS**

*Committee on Ways and Means:* Subcommittee on Oversight held a hearing on the Review of Internal Revenue Code, Section 501(c)(3) requirements for religious organizations. Testimony was heard from Steven T. Miller, Director, Exempt Organizations Division, IRS, Department of the Treasury; and public witnesses.

**Joint Meetings****IRS BUDGET REVIEW**

*Joint Committee on Taxation:* Committee concluded hearings to review the strategic plans and budget of the Internal Revenue Service, as annually required by the Internal Revenue Service Restructuring and Reform Act of 1998, after receiving testimony from Charles O. Rossotti, Commissioner, and Larry Levitan, Chairman of the Oversight Board, both of the Internal Revenue Service, and David C. Williams, Inspector General for Tax Administration, all of the Department of the Treasury; and James R. White, Director, Tax Issues, General Accounting Office.

**COMMITTEE MEETINGS FOR WEDNESDAY,  
MAY 15, 2002**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

*Committee on Appropriations:* Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 2003 for the National Science Foundation and the Office of Science and Technology Policy, 9:30 a.m., SD-138.

Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 2003 for the Air Force, 10 a.m., SD-192.

Subcommittee on Treasury and General Government, to hold hearings on proposed budget estimates for fiscal year 2003 for the Internal Revenue Service, Department of the Treasury, 2 p.m., SD-192.

Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2003 for the U.S. Forest Service, Department of Agriculture, 2 p.m., SD-124.

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Housing and Transportation, to hold hearings to examine affordable housing production and working families, 2:30 p.m., SD-538.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Consumer Affairs, Foreign Commerce, and Tourism, to hold hearings to examine the Enron Corporation, focusing on developments regarding electricity price manipulation in California, 9:30 a.m., SR-253.

*Committee on Energy and Natural Resources*: business meeting to consider pending calendar business, 9:30 a.m., SD-366.

Full Committee, to hold hearings to examine manipulation in Western energy markets during 2000–2001, 2:30 p.m., SH-216.

*Committee on Environment and Public Works*: to hold hearings to examine transportation planning issues, 10 a.m., SD-406.

*Committee on Governmental Affairs*: to hold hearings to examine the binge epidemic on college campuses, 9:30 a.m., SD-342.

*Committee on the Judiciary*: to hold hearings to examine copyright royalties, focusing on webcasting, 9:30 a.m., SD-226.

### House

*Committee on Appropriations*, to continue markup of the supplemental appropriations for fiscal year 2002, 1:30 p.m., 2359 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, on Congressional Witnesses, 10:15 a.m., Rayburn.

*Committee on Education and the Workforce*, Subcommittee on Workforce Protections, hearing on “Flexibility in the Workplace: Options for Public Sector Employees,” 11:30 a.m., 2175 Rayburn.

*Committee on Government Reform*, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing on “Medical Science and Bioethics: Attack of the Clones?” 1 p.m., 2154 Rayburn.

*Committee on International Relations*, hearing on the Administration’s National Export Strategy: Promoting Trade and Development in Key Emerging Markets, 12 p.m., 2172 Rayburn.

*Committee on Resources*, Subcommittee on Water and Power, to mark up H.R. 2301, to authorize the Secretary of the Interior to construct a bridge on Federal land west of and adjacent to Folsom Dam in California, 3 p.m., 1334 Longworth.

*Committee on Small Business*, hearing on the Pentagon’s procurement policies and programs with respect to small businesses, 2 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment and the Subcommittee on Coast Guard and Maritime Transportation, joint oversight hearing on Implementation of the “National Invasive Species Act of 1996,” 9:30 a.m., 2167 Rayburn.

*Permanent Select Committee on Intelligence*, executive, briefing on Global Hot Spots, 1:30 p.m., and, executive, to mark up H.R. 4628, Intelligence Authorization Act for Fiscal Year 2003, 3:30 p.m., H-405 Capitol.

*Next Meeting of the SENATE*

9:30 a.m., Wednesday, May 15

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, May 15

Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of H.R. 3009, Andean Trade Preference Expansion Act.

House Chamber

**Program for Wednesday:** Consideration of the H.R. 3994, Afghanistan Freedom Support Act of 2002 (rule only); and  
Consideration of H.R. 4700, Personal Responsibility, Work, and Family Promotion Act (subject to a rule).

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*(House proceedings for today will be continued in the next issue of the Record.)*



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