

a.m., Corporal Johnson was murdered in cold blood at a traffic checkpoint at College Park Road near Goose Creek.

Mr. Johnson, a 12-year veteran of the highway patrol, leaves behind a wife, a 13-year-old son and a 7-year-old daughter.

Kenneth Johnson was one of our Nation's best, risking his life day in and day out to preserve the peace and freedom that we often take for granted. He was a true American hero who gave his life for his country.

Our prayers go out to his wife and children. They have lost a strong husband and father. In the last few days, the citizens of Moncks Corner have come together to take care of them in their time of greatest need, but they will need our help for longer than a few weeks.

We all need to reach out to Kenneth Johnson's fellow law enforcement officers. It has been a tough week for them as well. I hope we come away from this tragedy with a renewed sense of the debt we owe to our law enforcement officers and with a renewed intolerance for the cruelty of someone who would end a life for one of South Carolina's best citizens.

#### APPOINT WATCHDOG INSTEAD OF LAPDOG

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

Mr. Speaker, Members of the House, every day the people we represent receive devastating news from the results of the action of the Enrons, the Tycos, the Arthur Andersens, the WorldComs and the Merck Pharmaceuticals.

They receive devastating news as employees when they are laid off, as pensioners when they see that their retirement is no longer secure, and as shareholders as they see that their net worth has gone down. It has gone down because of slipshod accounting, illegal activities, bias portfolio management, hundreds of millions of dollars in insider unsecured loans and tens of millions of dollars in golden parachutes for the economic elite in the corner offices. Nothing for the employees, nothing for the pensioners, and nothing for the shareholders.

□ 1215

Mr. President, this is not going to be solved by having the markets voluntarily clean themselves up. You appointed Harvey Pitt. You appointed Harvey Pitt as the lapdog of the industry, as a defender of the industry. What America needs is a watchdog. You are not going to be able to take a lapdog and turn him into a watchdog.

Mr. Pitt should leave this office. You should appoint somebody who can get to the bottom of these scandals and protect America's shareholders, America's pensioners, and America's employees in the future from these kinds of scandals.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). The Chair would remind the Members that remarks in debate should be directed to the Chair and not to other individuals in the second person.

#### DO NOT TURN DEPARTMENT OF DEFENSE INTO THE WAR DEPARTMENT

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

Mr. DUNCAN. Mr. Speaker, national defense is one of the most important and one of the most legitimate functions of our national government. Serving in our Nation's Armed Forces is certainly one of the most honorable ways a person can serve this country. And because of our pride in being considered a peace-loving Nation, we changed the name of the War Department many years ago to the Department of Defense.

Now, however, most of our leaders in both parties, people for whom I have great respect, seem to be eager to go to war against Iraq. We should not be eager to go to war against any country, and especially against one that has not attacked us or even threatened to attack us. We cannot use the terrible tragedies of September 11 to justify it, because Saudi Arabia had much more to do with those events than Iraq did, and we still consider Saudi Arabia to be one of our allies.

We are already spending mega billions to increase our security. We do not need to go against our military traditions and spend billions more on an unnecessary war unless Iraq threatens to, or does, take some type of action against us. We do not need to turn the Department of Defense into the War Department once again.

#### SEC NEEDS FULL-TIME, NOT PART-TIME CHAIRMAN

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

Mr. INSLEE. Mr. Speaker, we appreciate the President's talking about this devastating loss to Americans' retirement incomes, but if he really wants to be a reformer with results, he has to get a new sheriff in town. He has to get a new chair of the Securities and Exchange Commission.

We know Mr. Pitt is a man of intelligence, but we cannot put up with an SEC Chair we have to drag kicking and screaming every time we want to have some modest, common-sense regulation of his former clients.

We need action and we need it now. The only way we are going to have it is if the President asks for Harvey Pitt's resignation so we can get someone un-

fettered by previous work for this industry that he attempts to regulate. Mr. Pitt has had to recuse himself, I think about 25 times, because people before him have been his former clients.

We need a full-time, not a part-time SEC director. We urge the President to take action rather than just give speeches and to get us a new sheriff in town at the SEC.

#### PRESIDENT SOUNDS CLARION, MORAL CALL FOR CORPORATE RESPONSIBILITY

(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, President Calvin Coolidge said the business of America is business. But Coolidge was a moralist, and he meant not that America is dependent on the almighty dollar but that the business of America is dependent on the integrity and the character of the people who lead our enterprise.

Today, our President sounded a clarion, moral call for corporate responsibility. Corporate and accounting malfeasance at companies like Enron, WorldCom, Merck, and Arthur Andersen all argue that this need for reform is urgent. As the President said, business leaders who defraud shareholders should go to jail. As the President said, business leaders must accept personal responsibility for financial statements and be barred from serving on corporate boards when they, even unintentionally, fail in that regard.

Mr. Speaker, the reality is, the 1990s was not a decade where people in power were held accountable for their self-serving decisions. Let us follow President George W. Bush's clarion call and make this decade a time again when we recognize in the law and in reform and in regulation that righteousness exalts a nation.

#### CORPORATE FRAUD

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

Mr. BROWN of Ohio. Mr. Speaker, today, President Bush gave a major speech on corporate responsibility. He tells us he is going to get tough on those who have misled and defrauded shareholders in violation of Federal law.

This could be a tough sell, considering the President's own record as a businessman. Yesterday, the President was still trying to explain why, in violation of Federal law, he failed to report his 1990 sale of \$850,000 worth of stock in a Texas-based energy company just weeks before its value plummeted. Earlier he said he thought the regulators lost the documents. Last week, the White House owned up and blamed it on Mr. Bush's lawyers. Yesterday,

President Bush gave maybe the most plausible explanation. He said, I still haven't figured it out completely. He hasn't figured out how he made \$850,000 in a probably illegal stock sale.

As the President spoke in New York today, I thought of the words of a civil rights leader who said, "Don't tell me what you believe. Show me what you do; I will tell you what you believe."

#### CORPORATE RESPONSIBILITY

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

Mr. UDALL of Colorado. Mr. Speaker, it seems that every week we hear another story of a corporation cooking the books, too often with the help of accountants who are supposed to be protecting investors and the public. And while they cook the books, they burn the American people and the economy suffers.

Some of those involved say, these are just technical details, or they act like the piano player in the bordello, saying they did not know what was going on upstairs. But it is becoming clear that many knew all about it and it is nothing but plain, old-fashioned fraud.

Congress needs to clean up this mess by passing stronger corporate accounting and pension protection legislation than the version the House passed this spring. Talk is cheap, but the cost to the public has been high, and will be higher yet if we do not act.

Corporate CEOs need to be accountable with criminal and financial penalties when they falsify financial reports or mislead the public about company stock. CEOs should not be allowed to sell company stock in an executive plan during a lockdown period when the employees are prohibited from doing so.

We need to set up a strong, independent watchdog over the accounting industry. For markets to work fairly, the American public needs the truth. Strong legislation is crucial to restoring the truth and trust in corporate America and faith in our markets.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record votes on postponed questions will be taken at the end of legislative business today.

#### AIRPORT STREAMLINING APPROVAL PROCESS ACT OF 2002

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 4481) to amend title 49, United States Code, relating to airport project streamlining, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4481

*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 "Airport Streamlining Approval Process Act of 2002".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) airports play a major role in interstate and foreign commerce;

(2) congestion and delays at our Nation's major airports have a significant negative impact on our Nation's economy;

(3) airport capacity enhancement projects at congested airports are a national priority and should be constructed on an expedited basis;

(4) airport capacity enhancement projects must include an environmental review process that provides local citizenry an opportunity for consideration of and appropriate action to address environmental concerns; and

(5) the Federal Aviation Administration, airport authorities, communities, and other Federal, State, and local government agencies must work together to develop a plan, set and honor milestones and deadlines, and work to protect the environment while sustaining the economic vitality that will result from the continued growth of aviation.

#### SEC. 3. PROMOTION OF NEW RUNWAYS.

Section 40104 of title 49, United States Code, is amended by adding at the end the following:

"(c) AIRPORT CAPACITY ENHANCEMENT PROJECTS AT CONGESTED AIRPORTS.—In carrying out subsection (a), the Administrator shall take action to encourage the construction of airport capacity enhancement projects at congested airports as those terms are defined in section 47179."

#### SEC. 4. AIRPORT PROJECT STREAMLINING.

(a) IN GENERAL.—Chapter 471 of title 49, United States Code, is amended by inserting after section 47153 the following:

##### "SUBCHAPTER III—AIRPORT PROJECT STREAMLINING

#### "§ 47171. DOT as lead agency

"(a) AIRPORT PROJECT REVIEW PROCESS.—The Secretary of Transportation shall develop and implement a coordinated review process for airport capacity enhancement projects at congested airports.

"(b) COORDINATED REVIEWS.—The coordinated review process under this section shall provide that all environmental reviews, analyses, opinions, permits, licenses, and approvals that must be issued or made by a Federal agency or airport sponsor for an airport capacity enhancement project at a congested airport will be conducted concurrently, to the maximum extent practicable, and completed within a time period established by the Secretary, in cooperation with the agencies identified under subsection (c) with respect to the project.

"(c) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to each airport capacity enhancement project at a congested airport, the Secretary shall identify, as soon as practicable, all Federal and State agencies that may have jurisdiction over environmental-related matters that may be affected by the project or may be required by law to conduct an environmental-related review or analysis of the project or determine whether to issue an environmental-related permit, license, or approval for the project.

"(d) STATE AUTHORITY.—If a coordinated review process is being implemented under this section by the Secretary with respect to a project at an airport within the boundaries of a State, the State, consistent with State law, may choose to participate in such process and provide that all State agencies that have jurisdiction over environmental-related matters that may be affected by the project or may be required by law to conduct an environmental-related review or analysis of the project or determine whether to issue an environmental-related permit, license, or approval for the project, be subject to the process.

"(e) MEMORANDUM OF UNDERSTANDING.—The coordinated review process developed under this section may be incorporated into a memorandum of understanding for a project between the Secretary and the heads of other Federal and State agencies identified under subsection (c) with respect to the project and the airport sponsor.

"(f) EFFECT OF FAILURE TO MEET DEADLINE.—

"(1) NOTIFICATION OF CONGRESS AND CEQ.—If the Secretary determines that a Federal agency, State agency, or airport sponsor that is participating in a coordinated review process under this section with respect to a project has not met a deadline established under subsection (b) for the project, the Secretary shall notify, within 30 days of the date of such determination, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Council on Environmental Quality, and the agency or sponsor involved about the failure to meet the deadline.

"(2) AGENCY REPORT.—Not later than 30 days after date of receipt of a notice under paragraph (1), the agency or sponsor involved shall submit a report to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Council on Environmental Quality explaining why the agency or sponsor did not meet the deadline and what actions it intends to take to complete or issue the required review, analysis, opinion, license, or approval.

"(g) PURPOSE AND NEED.—For any environmental review, analysis, opinion, permit, license, or approval that must be issued or made by a Federal or State agency that is participating in a coordinated review process under this section with respect to an airport capacity enhancement project at a congested airport and that requires an analysis of purpose and need for the project, the agency, notwithstanding any other provision of law, shall be bound by the project purpose and need as defined by the Secretary.

"(h) ALTERNATIVES ANALYSIS.—The Secretary shall determine the reasonable alternatives to an airport capacity enhancement project at a congested airport. Any other Federal or State agency that is participating in a coordinated review process under this section with respect to the project shall consider only those alternatives to the project that the Secretary has determined are reasonable.

"(i) SOLICITATION AND CONSIDERATION OF COMMENTS.—In applying subsections (g) and (h), the Secretary shall solicit and consider comments from interested persons and governmental entities.

#### "§ 47172. Categorical exclusions

"Not later than 120 days after the date of enactment of this section, the Secretary of Transportation shall develop and publish a list of categorical exclusions from the requirement that an environmental assessment or an environmental impact statement