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Senate

The Senate was not in session today. Its next meeting will be held on Thursday, January 9, 2003, at 9:30 a.m.

House of Representatives

WEDNESDAY, JANUARY 8, 2003

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 8, 2003.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

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

PRAYER

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

God of revelation and eternal guide, when Moses found Your presence and heard Your voice, he began to ask questions. When the disciples of Jesus began their journey, they asked questions of Him and themselves.

At the beginning of this 108th Congress here in the House of Representatives, we pray especially for all the new Members. May they be so welcomed that, with solid reflection and Your grace, they ask the right questions. May the freshness of their presence and the richness of their past experience bring to bear a new understanding of government and the freedom to search for deeper truth. As they learn the workings of Congress, may their questions find attentive listeners and never lead to embarrassment but only to new perspectives and creative methods to accomplish the work of the people's House.

May this time of adjustment for their families be fruitful and surrounded with joy and peace because of Your presence to them 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 10 one-minutes per side.

CONGRATULATING JAMES McDONOUGH, FLORIDA DRUG CONTROL DIRECTOR, FOR BEING NAMED A NATIONAL CHAMPION OF YOUTH

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate James McDonough, who is the director of the Florida Office of Drug Control, for being named a national champion of youth by the Youth Crime Watch of America. James has made incredible strides in protecting the dignity and the innocence of our youth in South Florida through several successful drug and alcohol prevention programs. Mr. McDonough's hard work and devotion have profoundly changed the lives of many of our young people. James has worked with Youth Crime Watch of America, which strives to create an environment free from crime and violence so that our children will be able to flourish.

Please join me in thanking James McDonough for his selfless dedication to the care of our community's children.

ON EXTENSION OF UNEMPLOYMENT BENEFITS

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Mr. Speaker, I say good morning to our fellow Americans and

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to the public who are watching us as we begin to draw our attention now to something that has been ailing our economy, and that is a discussion of unemployment. It is about time, Members, that we start addressing this issue. When we left this House almost a month ago, we forgot about the 800,000 workers that right after Christmas were given a Christmas gift: they were given no unemployment insurance. Their families are suffering. We are here today now to talk about what we can do to improve upon that.

In the State that I represent, one of the largest, California, we saw well over 1.3 million people out of work. This recession that hit our area began in March of 2001. We need to help all workers, especially families.

This past month, I had the opportunity to visit several of our shelters and food pantries and saw something that was very surprising, children now, small children, 3 and 2 years old and infants, women that just lost their jobs that have no place to go and no food. They are not asking for just a handout. They are asking for jobs. They are asking for also a replenishment of their unemployment insurance. We have a chance now to extend that to 26 weeks.

Let us support the Democratic alternative. I plan to do that today.

CALLING FOR PERMANENT REPEAL OF THE DEATH TAX

(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, our Nation's economy is lagging behind the needed economic recovery that we all seek. Just yesterday President Bush announced a sensible economic growth package that will grow our economy and create jobs for the American people. The President also again called upon Congress to permanently repeal the unfair death tax. As we all know, the 10-year sunset provision on the tax relief bill passed in 2001 has added a level of anxiety and uncertainty into our already complicated Tax Code. The current sunset has made estate planning as unpredictable as our own inevitable fate.

Also, Mr. Speaker, as unemployment levels continue to rise, it is important to note that, according to the Heritage Foundation, just the repeal of the death tax will help to create an additional 145,000 jobs. In turn, the U.S. economy could produce $11 billion per year in extra output. So not only is the elimination of the death tax fair, it just makes common economic sense.

Mr. Speaker, our President has again asked Congress to do the right thing, and I urge my colleagues to act now to permanently eliminate the death tax.

RECOGNIZING 50 YEARS OF TIRELESS WORK FOR WEST VIRGINIA BY SENATOR ROBERT C. BYRD

(Mr. RAHALL asked and was given permission to address the House for 1 minute.)

Mr. RAHALL. Mr. Speaker, this year marks the 50th anniversary of West Virginia's senior Senator's service to the people of West Virginia in the United States Congress. It was Winston Churchill who perhaps best foresaw the defining nature of the tenure of Senator ROBERT BYRD'S tireless work on behalf of the State of West Virginia, our Nation, the House and the Senate and, of course, our Federal Constitution. Churchill said, ''Success is not final. Failure is not fatal. It is the courage to continue that counts.''

Senator BYRD has seen success. He has never lost an election. But ROBERT C. BYRD does not measure success by personal standards, but by the public good. He does not seek success, only to serve. And through his service, West Virginians have prospered, America has been strengthened, the Congress has been ennobled, and the Constitution secured. Failure has been rare and momentary but always used as a catapult to advance the next charge for the cause of the day.

It is common to celebrate milestones in our Nation's capital, Mr. Speaker; but tenure no matter the length is temporary. What matters, what measures the man, Mr. Speaker, is not the number of terms but the depth of his determination, not the years but the heights of his horizons and not one more sunrise but the courage of his convictions.

By this measure, Mr. Speaker, ROBERT C. BYRD'S record can never be outdone.

PRAISING PRESIDENT BUSH'S INITIATIVES ON MISSILE DEFENSE

(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, President George W. Bush made history when he announced to the world on December 17, 2002, that America would deploy a national missile defense shield to protect our country. My friend and mentor, the late Congressman Floyd Spence, continually warned us about the urgency of having a missile defense system in place to protect the homeland. President Bush has demonstrated tremendous leadership by taking action to work with our allies to create such a system inspired by Ronald Reagan.

As my colleague and chairman of the Committee on Armed Services, the gentleman from California (Mr. HUNTER), recently stated, ''The case for deploying a national missile defense system has never been more clear. Today, the United States cannot stop a single ballistic missile headed for an American city.''

I wholeheartedly agree, and I believe Congress should work in a bipartisan fashion to successfully implement a missile defense shield that will protect the American people and our allies.

EXTENDING UNEMPLOYMENT BENEFITS SHOULD BE FIRST PRIORITY

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, last November, President Bush and the Republican leadership turned their backs on over 1 million Americans. Despite repeated efforts by Democrats, President Bush and the Republican leadership refused to pass legislation that would have prevented unemployment benefits from expiring on December 28. Due to their inaction, over 800,000 Americans faced a holiday season full of uncertainty. I repeat, President Bush and the Republican leadership allowed over 800,000 Americans to lose their unemployment benefits on December 28. Mr. Speaker, this is unacceptable. In my district of Santa Clara County alone, over 7,000 unemployed workers were cut off from their benefits, and an additional 13,000 unemployed workers will lose their benefits if Congress does not act now.

Mr. Speaker, 1.5 million Americans have lost their jobs since President Bush took office. Congress cannot continue to callously ignore their needs. I call on the Bush administration and the Republican leadership to make the extension of unemployment benefits the first priority of the 108th Congress.

EMERGENCY AGRICULTURAL DISASTER ASSISTANCE ACT OF 2003

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

Mr. BURNS. Mr. Speaker, farmers of the 12th District of Georgia, as well as those across the Nation, are hurting. Disastrous yields and poor crop quality are the result of the weather of 2002. To respond to these needs, to work for Georgia farmers and with the Georgia Farm Bureau and its president, Wayne Dollar, today I will introduce the Emergency Agricultural Disaster Assistance Act. I urge my colleagues to take steps toward aiding some of America's finest in these difficult times by cosponsoring and supporting this bill.

INVITING MEMBERS TO JOIN CAUCUS ON MISSING AND EXPLOITED CHILDREN

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

Mr. LAMPSON. Mr. Speaker, we are all too familiar with the names Elizabeth Smart and Danielle Van Damm.

As founder of the Congressional Caucus on Missing and Exploited Children, I invite all of our colleagues to join our caucus and help protect America's children.

During the 105th Congress, a family in the Ninth Congressional District of Texas experienced an unthinkable tragedy. Laura Kate Smither, a 12-year-old, was abducted and brutally murdered. In Laura's name, the Congressional Caucus on Missing and Exploited Children was founded. What Laura's dreadful tragedy has taught us is that we must do more to protect our children.

As a society, our efforts to prevent crimes against children have not kept pace with the increasing vulnerability of our young citizens. Please join this very important caucus, if you have not already, and all of our new Members, please do so quickly. You have a letter coming to you today or tomorrow. Our children, our grandchildren, our nieces and nephews are counting on you to give them a voice in Washington.

□ 1015

TAX RELIEF AND FRIVOLOUS LAWSUIT REFORM

(Mr. GRAVES asked and was given permission to address the House for 1 minute.)

Mr. GRAVES. Mr. Speaker, I want to urge my colleagues to focus on returning more Americans to work. Although our economy continues to grow, I believe we should accelerate the economic recovery to help get more Americans back to work as soon as possible by focusing on two priorities, tax relief designed to get Americans working again and frivolous lawsuit reform. High taxes continue to be a burden on American families. Now is the time to accelerate the tax relief we passed last Congress, provide incentives to businesses to invest in new workers, and provide fair investor tax relief to boost our economic recovery.

We also look for fairness in the legal system. Frivolous lawsuits not only clog our court systems, but they cause higher prices for consumers and threaten robust job creation. As a result, too many businesses, especially small businesses, are investing too much money and paying excessive and frivolous punitive damages and not enough money invested in health care benefits for workers and new job creation. We must protect the rights of individuals who have been wronged, but we should not permit frivolous lawsuits at the expense of the American worker and consumer.

Frivolous lawsuit reform and tax relief are the key to healthy economic recovery and job creation. The sooner we act, the faster we can begin to get Americans back to work.

A NEW VISION FOR THE ECONOMY

(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, like many people across eastern Indiana, I was shocked and dismayed yesterday to learn of the complete elimination of over 400 manufacturing jobs from Anderson, Indiana. It is therefore altogether fitting that we would as our first priority in Congress in this majority, Mr. Speaker, pass an extension of unemployment benefits to help Americans like those in Anderson who will be beset by these layoffs. I also applaud the President of the United States, who outlined a jobs package yesterday that I believe is a good start.

But it is written, Mr. Speaker, that without a vision the people perish, and I would paraphrase by saying that without a vision economies perish as well. I would challenge this Congress and leadership in my own party to not just be content, Mr. Speaker, with unemployment insurance extensions, helping those that are laid off, or passing legislation that simply alleviates a recession. We need a new vision for an economy that is abundant and growing at historic levels. We need to bring additional tax relief that will unleash the entrepreneurial energy of the American economy as never before, and part of that must be tax relief designed at encouraging and promoting capital formation.

CLONING BAN

(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, recently a religious group called the Raelians announced that they had cloned a human being, and despite all the press coverage they have received most observers are convinced this is a hoax. But true or not, this episode underscores the fact that human cloning is no longer limited to B movie science fiction. The technology exists. It may take hundreds of tries and it may result in dozens of horribly mutated human embryos and the violation of every standard of ethics and decency, but human cloning is very close to happening.

Congress must act before it is too late. We need to pass a comprehensive human cloning ban into law immediately. The House did its job last year, passed a bill that died in the Senate. Now both Houses of Congress need to pass a comprehensive cloning ban. We need to stop this horror before it happens.

The bill is being introduced today by the gentleman from Florida (Mr. WELDON). I urge my colleagues to cosponsor this important bill, and I urge the House to pass it as soon as possible. It is still not too late for us to act.

HONORING JOE FOSS

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

Mr. HAYWORTH. Mr. Speaker, tomorrow afternoon in Scottsdale, Arizona at 2 o'clock Mountain Standard Time, there will be a memorial service held for the man described as the ace of aces, a genuine hero, Congressional Medal of Honor recipient Joe Foss.

Joe Foss accomplished much in his life. Indeed Tom Brokaw in his book The Greatest Generation devoted an entire chapter to the life of Joe Foss. It was a remarkable life, not only in wartime but in winning the peace. A two-term governor of South Dakota, the first commissioner of the American Football League, president of the National Rifle Association, a television personality in his own right, and finally in retirement Joe Foss relocated to Arizona.

It was my privilege to know this great and good man, this genuine American hero who despite the reputation of fliers had none of the swagger but all of the humility and humble nature that a man could possess.

The story goes once a journalist asked Joe Foss about his many earthly accomplishments, and Joe said ''Yeah, I guess I have done a lot of things but nothing compares to the day when I met the Lord.'' Now Joe Foss is with the Lord, and I know the people of Arizona along with the gentleman from South Dakota (Mr. JANKLOW), the people of South Dakota, and all of America remember and revere this great American. At ease, Joe, rest in peace.

REMOVING THE TAX ON DIVIDENDS

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, President Bush this week announced plans to make sure that in the tax proposals that this Congress will address that as part of that tax package we will not tax dividends, and I want to stand up and say how proud I am of what the President is doing because it is furthering the commitment that I believe this House of Representatives should have as well as the President to where we do not tax savings or investment in America.

I believe as the vigorous debate takes place across this country and in this body we will find out that this will be good for people who will be able to save money, save money, and not have it taxed in between that period of time every year for tax purposes but will see their savings grow. I am proud of what this President is doing. I plan to support not only his tax bill but the things the President does, and I offer a hearty congratulations to the President of the United States, George W. Bush.

MERCURY IN VACCINATIONS

(Mr. BURTON of Indiana asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, everybody knows that mercury is a toxic substance. If it is spilled on the ground, they evacuate the area and they bring in the fire department and they clean it up with all kinds of paraphernalia to protect the citizens and the firemen that are working on it, and yet it is injected into our children's bodies in our vaccinations, and in the Homeland Security bill this year they eliminated the possibility of the families who have been damaged and the children who have been damaged by the mercury in these vaccines from having any chance to get restitution from the pharmaceutical companies or from the Vaccine Injury Compensation Fund. That is criminal. It needs to be changed.

We have the fastest growing epidemic in America and the parents have nowhere to go, and it is caused in large part by the mercury in the vaccines. This is just tragic. We need to correct that in the technical corrections bill very, very quickly so these parents have some recourse. They are mortgaging their homes. They are going bankrupt trying to take care of these children. One in 10,000 children used to be autistic. Now it is one in 180. It is an absolute epidemic and this government prohibited the families from finding a way to take care of their children, and these kids are going to grow up. These kids are going to grow up, and they are going to be a burden on society unless we do something about it now.

And in addition Mr. Speaker, I just found out that the vaccines that we are giving to our military personnel who are over in the Persian Gulf who may be going to war with Iraq, they are being vaccinated with vaccines that contain mercury as well.

We need to get mercury out of all vaccines and we need to make absolutely sure that the parents who have damaged children have some course to get restitution this government should not block. It is criminal.

PRESIDENT'S STIMULUS PACKAGE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I just want to say how disappointed I was with the President's so-called economic stimulus package that was announced yesterday. First of all, there is no immediate jumpstart to the economy, and this is just more of the same: Tax breaks essentially to the wealthy, to corporate interests, and very little that means anything for the average American.

Mr. Speaker, we have a tremendous problem with an economic downturn. We have more and more people who have lost their jobs. This is not the time to continue the same failed economic policies. The Democrats have talked about basically giving money back to consumers in the form of a rebate. We have talked about extending unemployment compensation for at least 26 weeks. In addition to that, our plan is a real economic stimulus. It gets the economy going again and does not basically put together long-term deficits.

If you listen to what the President and the Republicans have been proposing, it is just going to put the economy and the Federal Government into debt even greater, as much as $2 trillion perhaps over the next 10 years. Why do we continue with the same failed Republican policies? Let us do something that gets people back to work, that creates jobs, that gives some money back to the States because the States have so many problems now with their own deficits. The Federal Government has to do something now that is going to make a difference for the average American, and that is not what we are hearing from the Bush administration. We are just hearing the same thing about giving more tax breaks, eliminating dividends with regard to stocks. These things are not going to do anything in the next year to actually help the American people. In fact, I am very fearful that there is a potential that the economic situation even gets worse unless we get together on a bipartisan basis.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair has a statement about the length of electronic votes.

Clause 4 of rule XX says that Members shall have at least 15 minutes to respond on an ordinary recorded vote or quorum call. But with the cooperation of Members, it is possible to complete a vote in that time.

The Chair believes that closing votes as soon as possible after the guaranteed minimum time should be the regular practice. The Chair is certain that votes can be shortened if Members simply resolve to head to the Chamber as soon as they are notified by the bell and light signal. The Chair will remind Members when two minutes remain on the clock.

The goal of completing votes in as close to the minimum time as possible is even more reasonable in the case of a 5-minute vote because every 5-minute vote necessarily follows another electronic vote and it is always preceded by an announcement from the Chair and a distinctive bell and light signal.

Each occupant of the Chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber.

PROVIDING FOR CONSIDERATION OF S. 23, EXTENSION OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 14 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 14

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 23) to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002 and for a transition period for individuals receiving compensation when the program under such Act ends. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by Representative Thomas of California and Representative Rangel of New York; and (2) one motion to recommit.

SEC. 2. The allocations referred to in section 3(a)(4)(B)(i) of House Resolution 5 may be submitted by Representative Nussle of Iowa.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution all time yielded is for the purpose of debate only.

The rule provides for 1 hour of debate and waives all points of order against consideration of the bill. As we begin the 108th Congress I would like to point out that we intend to continue the courtesy that we began when the Republicans became the majority. This rule allows us to continue in the tradition of extending the minority party an opportunity to offer a motion to recommit.

Mr. Speaker, the resolution before us today allows us to debate and consider a most important measure, S–23, which provides for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002. Last Congress we passed the Job Creation and Worker Assistance Act of 2002, which became Public Law 107–147. This economic stimulus bill includes a temporary extension of unemployment compensation and provides for the temporary extended unemployment compensation program.

□ 1030

This program provided up to 13 additional weeks of federally funded benefits for unemployed workers in all States. Benefits were payable to qualified workers through December 28, 2002. Though several attempts were made, and language extending this program was passed by the House, the 107th Congress unfortunately adjourned without having passed an extension.

Today, we have the opportunity to consider legislation that would immediately provide for a 5-month extension of unemployed benefits, through May 2003, with a 3-month phaseout. This also allows for newly eligible workers by the end of May 2003 to receive extended unemployment benefits through August of this year.

Mr. Speaker, 1.9 million new recipients would be aided by this extension, as well as nearly 800,000 continuing recipients who have been affected by the December 28 ''cliff.'' This comes to a total of 2.7 million workers and their families who would benefit from the legislation that will hopefully pass today.

This measure is similar to the language that was championed by Senators CLINTON and NICKLES at the end of the last Congress. Yesterday, the Senate passed this legislation by unanimous consent. Today, the House has the opportunity to pass and to send this measure to President Bush for his signature. By moving expeditiously, we could ensure that unemployed workers do not suffer from a significant delay in the receipt of their checks. I hope that we can mirror the Senate's actions on this bill with a strong, bipartisan vote. I believe that it would be a strong indication of this new Congress's commitment to American workers and their families. Furthermore, extending unemployment benefits and providing unemployed workers with additional purchasing power would be yet another way to help stimulate the economy which, in turn, would help us to keep unemployment down.

Mr. Speaker, before I yield to the gentlewoman from New York, I would like to offer a brief explanation of the second part of this resolution. Section 2 of this resolution provides that allocations referred to in section 3(a) of House Resolution 5 may be submitted by the gentleman from Iowa (Mr. NUSSLE). This is merely a technical clarification of the rules package we adopted yesterday, which contained a provision to allow the chairman of the Committee on the Budget to have printed in the CONGRESSIONAL RECORD 302(a) allocations. This is necessary so that the House might complete its obligation to fund this through the current year FY 03 fiscal year.

As everyone knows, the Committee on Rules is currently the only committee up and running, so my good friend, the gentleman from Iowa (Mr. NUSSLE), has technically not been appointed the chairman of the Committee on the Budget yet. This provision merely lets him carry out his duties as if he already were the committee chairman.

Mr. Speaker, I urge my colleagues to join me in supporting this rule and the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I am going to read a letter from a constituent of mine in Rochester, New York, whom we will call Mary.

''Dear Louise: I am a 52-year-old mother with a handicapped child at home and a daughter in graduate school. I am writing because I am tired of freezing. Our thermostat is set at 55 and the electric company is still sending us threatening letters every month. We pay as much as we can, but without extended unemployment benefits, my son will have to go to an institution. I have 42 job rejections and I have a B.A. in sociology. It's very hard for me to worry about home security issues and terrorism when I am cold. Maybe I can make it through the winter with extended benefits.''

Another received over the holidays:

''Dear Louise: My husband was laid off in January. We have taken out two loans against our house in addition to our mortgage to survive and we have a 2-year-old child who is getting almost nothing under the Christmas tree.''

There are more where that came from, Mr. Speaker. Another wrote me, ''I am 34 years old. A year ago today I was making $76,000 a year as a software engineer at Xerox, and today I cannot find a job. I have a newborn baby girl, and I am going to run out of my benefits next week. I consistently made $60,000 a year for the past 5 years and paid taxes accordingly.''

None of these people will be helped by this legislation today. None of them.

Mr. Speaker, last month I asked some unemployed workers in my district to sign a petition that calls on Congress to make the extension of Federal unemployment benefits a priority. During the last 2 weeks alone, more than 300 constituents have signed on to the petition. They are losing their homes. They have sold their cars. They cannot support their families, their children; and these are not people who sit back and passively collect checks to avoid working. They have been pounding the pavement in an economy that is shutting them out. Indeed, Mr. Speaker, I have been told that it is almost impossible at this time to get even a part-time job or a temporary job in Rochester.

These are people who have worked all of their lives and paid into the unemployment insurance fund and now simply are asking to get some back. Through no fault of their own, they find themselves reeling in an economic slowdown.

While working, they did all of their part; and the cushion that they are given now is resonating like a hard thud. The money is sitting there, Mr. Speaker, in a trust fund that we are failing to fully utilize. That is bad stewardship. These constituents are not comforted by an abstract proposal to reduce the tax on corporate dividends or other so-called stimulus. A victory for them would be to keep their homes heated and a roof over their heads. To add insult to injury, my constituents were greeted with this headline 3 days after Christmas reading nationwide, ''800,000 lose jobless benefits,'' with the kicker that Congress went home and failed to okay funds.

All during the holidays, Mr. Speaker, we talked about getting back here and the first thing we wanted to do, there was this great sense that we would come back to help the people whose benefits expired on December 28. Unfortunately, that is not the case. If benefits expire later, this bill will do some help, but this is appalling. I have been at a loss to explain to my constituents why a majority in this House let them down. A recent report suggests that without an extension package, a projected 12,000 unemployed workers in Rochester, in the Buffalo-Niagra area are scheduled to lose their benefits between December 28 and March 31. But, as I said before, this measure before us today will be too little and too late for thousands in my region and perhaps in others.

The version we are considering today would only allow for a 13-week extension of benefits for those who are still eligible. It would not address the needs of the nearly 84,000 unemployed in the State of New York alone who have already exhausted their benefits.

Mr. Speaker, it seems almost superfluous to note that the 108th Congress kicks off its legislative program with a rule so closed and restricted that the minority party was prevented from offering even a single substitute. I remember the day that this institution was considered one of the great deliberative bodies, brimming with ideas and a host of viewpoints befitting a democracy, but no more, Mr. Speaker. Today, 205 Members of this body and their constituents have been disenfranchised and shut out. My colleagues, a cold wind is blowing in this institution, and the needs and voices of our most vulnerable constituents are feeling the chill.

Mr. Speaker, the Democratic substitute that was blocked by the Committee on Rules last night would have made a real difference to thousands. First and foremost, the measure would reestablish the Federal extended unemployment compensation program and guarantee all jobless workers at least 26 weeks of extended benefits. The program would be extended until June 30, 2003. Workers in every State would be eligible for 26 weeks of extended unemployment benefits after they exhaust their regular unemployment compensation. This provision would provide extended unemployment benefits to merely 2½ million workers over the first half of 2003, and the unemployment rate becomes more and more shocking every day.

Moreover, any workers who exhausted their initial 13 weeks of temporary extended unemployment compensation in 2002 would receive an additional 13 weeks. Any worker who was cut off on December 28 because of the termination of the current program would receive the remainder of their original 13 weeks on a retroactive basis, plus the additional 13 weeks. Finally, any worker who exhausted 26 weeks which they received because their State hit the requisite unemployment trigger would receive an additional 7 weeks if their State remained designated as having high unemployment.

Mr. Speaker, one of the things that literally broke my heart was when one Member of Congress was quoted as saying, ''We don't want to extend these benefits; they will not go out and look for work.'' We are talking about people who are having a very difficult time; in fact, probably will not be able to find the kind of work commensurate with their education and their skills. I am very much afraid that my district, like many others, will lose them to other parts of the country. It is a tragedy that is happening here today, Mr. Speaker. We could be doing something good for the unemployed of America; but instead, we are turning our back on them and saying, have a little dividend tax relief.

I do want to point out too on the stimulus package, because it is so important that most people who have stock in the United States have either a 401(k) program or a mutual fund, they will not see anything from any kind of tax relief.

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

Mr. SESSIONS. Mr. Speaker, last night the Committee on Rules had an opportunity to hold a hearing on this unemployment compensation bill. However, for months our chairman, the gentleman from California (Mr. DREIER), has been involved in the negotiations as a member of the leadership of the House and is a person who has taken a lead on this important issue. I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank the gentleman for yielding me this time, and I congratulate him on his fine management on this very important rule.

I will begin by saying that none of us is enthused by the prospect of having to extend unemployment benefits. Why? Because we want to focus on job creation and economic growth; and we know that the people who are out there who, unfortunately, are suffering, want to have opportunity, and that is why we are bound and determined to do everything possible to ensure that they have it. But I see what we are doing here today, Mr. Speaker, as really part of our national security responsibility. We all know that on September 11 of 2001 we had the worst attack and the loss of civilian life in our Nation's history. We know that the aftermath of that has cost us over $100 billion in direct appropriations. We also know, Mr. Speaker, that it has created a very, very large drain on our Nation's economy, and there are people out there who are hurting.

Last November 14, we passed out of the House of Representatives a bill to make sure that there would be no interruption in unemployment benefits that were provided. Unfortunately, the Senate did not bring that measure up. But they did, however, pass a bill that is identical to this. A bill that is identical to this measure passed the Democratic-controlled United States Senate. This is the measure which was known as the Clinton-Nichols bill. Senator CLINTON from New York who got her start in elective office thanks to my friend, the gentleman from New York (Mr. RANGEL), who encouraged her from the outset, as the author of this measure that we are going to be voting on today. I believe that this is a measure which will go a long way towards mitigating the pain which has come about because of the aftermath of September 11 and the economic downturn.

So that is why this measure should enjoy broad bipartisan support. As the gentleman from Texas (Mr. SESSIONS) pointed out, we do have, in fact, in the rules of the House, since this is the second day of the 108th Congress, I underscore again, we have guaranteed the minority the right to a motion to recommit, so they will have a chance to deal with this issue if they want to in a different way. But I underscore the fact that the measure we are going to be voting on today is a bipartisan measure. It passed unanimously, under unanimous consent in the Senate.

So in light of the fact that it has passed there and we have this measure here, we want to make sure that there is no interruption. One of the reasons that we need to make sure that this is done today is so that there is not an interruption. We want to pass this bill so that we can get it to the President's desk, so that he can sign the bill to ensure that we get this much-needed assistance to those who are hurting.

Now, a number of my colleagues have today gotten up and talked about the President's plan that he unveiled yesterday in Chicago to get the economy moving, and I heard criticism of the opportunity to eliminate double taxation of dividends. We know, Mr. Speaker, that more than half of the American people are members of the investor class.

□ 1045

They have over the past several years been involved in some kind of investment. Guess what? Most of us who are members of the investor class have suffered because of the economic downturn. We all know that.

One of the things we need to do is we need to encourage investment. I believe that the President's proposal that he unveiled yesterday will go a long way towards doing that. The by-product is that it will create jobs and opportunity out there for people who are hurting today, those people who we are going to be assisting with this plan that we have to extend unemployment benefits.

I yesterday introduced legislation which I believe can help make the President's plan even better. It gets back to an issue that my friend, the gentleman from New York (Mr. RANGEL), and I have worked on for years. That has to do with the capital gains tax.

A lot of people say, when we talk about a capital gains tax, they laughingly say, who has capital gains? We have had tremendous losses. Why would you think about cutting the capital gains tax?

H.R. 44, which I introduced yesterday, will bring about a halving of the top rate on capital gains from 20 percent to 10 percent, and from 10 percent to 5 percent for those in the 15 percent bracket for those who prospectively invest. We believe that having a 1-year holding period will guarantee that.

While some argue that it creates a loss in revenues to the Federal Treasury, it in fact will not do that. It will create, obviously, that 1-year holding period, so we are going to see revenues increase to the Treasury, but there would be absolutely no cost regardless of how we score it in the first year because of the fact that we would have had that 1-year holding period.

But it encourages people to get into the market, and allows them to have that top rate go from 20 percent down to 10 percent if they get in and realize some kind of capital gains during that period of time. It is during a 2-year window, and I think that is the kind of thing which, once again, can encourage savings, investment, and productivity.

These are the kinds of things we are working on. So while we are unfortunately, unfortunately in a position where we have no choice but to extend unemployment benefits, and we very much want to do that because we know people are suffering, the key thing for us to do as a Congress is to make sure that we create incentives for people to invest and save and produce.

So that is why this is a very fair rule. It is one which I believe will create a good opportunity for us to deal with the challenges that are out there. I urge my colleagues, Democrats and Republicans alike, to support it.

Ms. SLAUGHTER. Mr. Speaker, I yield 3¾ minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the Committee on Ways and Means.

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

Mr. RANGEL. Mr. Speaker, those of us that come from urban communities know of circumstances when someone is grabbed by the police and they are

interrogated, and they have what is called a ''good cop-bad cop'' rule. The good cop talks about compassion and sensitivity and why he is our friend, and why he wants to help us; but the bad cop is the one that is mean-spirited, the one that is in the back, and the one that ultimately is going to see that we get hurt.

Our beloved President is the good cop. He is the one that talks about conservatism, but with compassion. He is the one that says that he does not know why the Congress did not take care of the 800,000 people who lost their unemployment compensation after the Christmas holidays.

But, Mr. Speaker, someplace in the House of Representatives lurks the bad cop. He was the one that would not allow us to vote for workmen's compensation before we left here for the Christmas holidays. While the President talks about unemployment compensation and benefits, and while all of us will be voting for the President's package, the bad cop is there saying, yes, but do not give benefits to the 1 million people whose extended benefits have expired, that have worked every day, that have paid into the unemployment compensation, that are looking for jobs.

The bad cop says that we cannot afford to help those million people. Eighty-four thousand New Yorkers who took the hit for 9–11, not for our city, not for our State, but for the United States of America and for the free world, they are looking for work. They are looking to listen to the good cop. They are looking for compassion.

But the bad cop says, no, we will help you later, much later, because we have to cut taxes on dividends. And if you live long enough and survive long enough, you will be able to get a job. Where is the compassion?

But, Mr. Speaker, I am just as hard-nosed as any Republican that is in this House. I know when one wins the majority, he or she wins the votes and does what they want to do. The difference between me and the bad cop is that I thought we had the right to come here and at least debate our position. If Members do not want the substitute that really takes care, in a small part, of a million people who are seeking work, why do they not give us a chance to at least debate it? How does the bad cop just cut off debate, and then they tell us that we have a motion to recommit?

So all we are saying is, can we not lose with dignity? Can we not lose with compassion? Can they not give us a chance, as they have found $675 billion for the wealthy, to at least let us debate to provide unemployment compensation benefits for a million people? If they will not give us the substitute, could they not waive the point of order for at least the motion to recommit?

No, Mr. Speaker, the bad cop is in charge here, and the compassionate cop remains in the White House.

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

Mr. Speaker, what we are trying to work on today is a bill that was passed by the Senate last night. Last year, this House passed a bill very similar to this. We tried to do the very best we could. The process is that two bodies of Congress, the House and Senate, have to get together. That is what is happening today.

Yesterday, the Senate acted, or last night. Immediately last night the Committee on Rules had a meeting. We had a hearing where we talked directly about this bill. Today it is on the floor. I think we are doing the timely things. I think we are doing the right things. I do not think we are delaying this in any manner. It is process, and it is a process that we intend to follow.

I am proud that we had this on the floor today, and I am also proud that by presenting this rule and by having this debate perhaps as early as tonight or tomorrow the President of the United States, George W. Bush, will have the chance to sign this bill. That is what this is about. I am proud that we are able to do that today.

Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. NUSSLE), the gentleman who is to be chairman of the Committee on the Budget.

Mr. NUSSLE. Mr. Speaker, I thank my distinguished friend and colleague for yielding time to me.

I rise in support of S. 23, which will provide a 5-month extension of the Federal emergency unemployment insurance benefits. I do so both as a member of the Committee on the Budget with an interest in the enforcement of the budget resolution deemed in effect for fiscal year 2003, and as a member of the Committee on Ways and Means, under whose jurisdiction this legislation has been prepared.

This measure is not inexpensive. The bill carries a $7.25 billion price tag for fiscal year 2003, and moreover, that price tag fails to take into account an additional $650 billion in costs that the Congressional Budget Office will recognize for this bill when it adjusts its budget projections at the end of this month.

However, for those among the Nation's unemployed, they will find this to be a lifeline. They will find a lifeline in this legislation that will help them pay their bills, help them pay their family's bills, while they continue to look for work.

As the incoming chairman of the committee charged with enforcing the budget resolution, I must, however, point out that S. 23 will exceed the budget resolution which the House adopted for fiscal year 2003 in March of last year. It would specifically exceed the allocation for the Committee on Ways and Means by $5.69 billion in budget authority for 2003, and by $1.9 billion in budget authority during the period 2003–2007.

I, however, like the President and most in Congress, recognize the seriousness of the Nation's continuing challenge regarding the unemployment rate. We must take into consideration and we must take that action now to ensure economic security for families of those who have been unemployed as a result of the continuing economic trauma our Nation has suffered since the September 11 terrorist attacks.

It is with understandable reluctance that I would ever support bringing a bill to the floor that exceeds the budget resolution, but I believe that it may be warranted during periods of economic instability and insecurity. This is one of them.

As of December 28, 2002, more than 800,000 American workers have had their eligibility for unemployment insurance benefits terminated. Although they have not yet found new jobs, S. 23 will prevent these workers and others who exhaust the benefits prior to May of this year from having their benefits terminated.

In summary, I support this bill despite its cost because of my concern for Iowa workers and American workers who may have a hard time finding jobs during this period of instability and challenging unemployment rate. More important, I commit to drafting a budget again this year which will support and help strengthen the economic recovery and encourage long-term economic growth.

Mr. Speaker, I urge support of S. 23, and I urge support of this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN), a member of the Committee on Rules.

Mr. MCGOVERN. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I am fascinated by the comments of my colleagues on the other side of the aisle who have this new-found compassion for the plight of the unemployed in our country. There is nothing like spending a couple of weeks at home with constituents to open one's eyes.

After months of callously ignoring the unemployed American workers, the Republican majority turned tail and adjourned the 107th Congress without providing any unemployment compensation for people out of work, providing nothing. Now, after almost 800,000 Americans lost their unemployment benefits on December 28, the majority acts like they have seen the light and that they are fully supportive of helping the unemployed.

But while we consider a bill to help these 800,000 Americans, there are 1 million American workers who have already exhausted their benefits who will not be covered by the bill that we are considering today. This is wrong. The selective assistance the majority is attempting to provide does not come soon enough, does not go far enough, and will not help enough. Congress should provide unemployment assistance to every worker who needs it. The bill that we are considering today does not do that.

The gentleman from New York (Mr. RANGEL), on behalf of the minority, offered a substitute in the Committee on Rules last night, but the majority, in the now-traditional House spirit of nonbipartisanship, denied us the opportunity to even consider the substitute. Our substitute would extend unemployment benefits by 26 weeks instead of 13 weeks for people losing their unemployment compensation during the first half of this year, and it would provide an additional 13 weeks to the 1 million jobless Americans who exhausted their benefits last year. There is no question we need to help the unemployed, but we should not be providing selective assistance. Unemployed Americans deserve better than this.

I would say to my colleagues on the other side of the aisle, if they do not want to help these people, it is their right to do nothing. They could vote against the Rangel substitute. But they should not deny us the opportunity to try to bring this substitute to the floor and debate our position and have an up-or-down vote. They can vote no if they want to, but we should all have that opportunity to vote up or down.

They give speeches about democracy in all these countries all around the world. We need a little democracy here in the United States House of Representatives. We should not be denied the opportunity to bring this substitute to the floor. This is supposed to be the people's House. The people should work their will. We should not be denied this opportunity. It is outrageous that they are not giving us the opportunity to help these 1 million workers who have exhausted their benefits.

I would urge Members to vote no on this rule as a protest to the fact that we are being denied the right to offer a substitute to help these people.

□ 1100

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

Mr. Speaker, speech after speech we hear about how we have been delayed in this process. I agree. Part of the process is, however, that the two bodies, the House and the Senate, have a process. What we are doing today is taking a Senate bill that is even more generous than the one which the Senate passed last year. We are accepting this because we believe it is the right thing to do.

Our President, George W. Bush, spoke very clearly and very passionately about his belief that when the House of Representatives and the Senate would come back, this was several weeks ago when he spoke, that he was asking us to make sure that we held the necessary meetings and committee mark-ups to make sure that this bill did come to the floor. That is what we are doing today. I am proud of what we are doing. I offer no apologies for what our party stands for.

We are here on the floor of the House of Representatives as a majority party with a great bill. It happens to be a better bill now than what was marked up last year and passed by the United States Senate. But it is one that we agree on, and it is one that we should be proud of.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, it has been said here that unfortunately the 107th adjourned without passage of a bill like this. I was here with the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Maryland (Mr. HOYER) that day of sine die adjournment. We tried to bring up this issue. We were thwarted by the Republican majority. We asked that we bring up the Senate bill. Unanimous consent is all that was needed.

The gentleman from Texas (Mr. SESSIONS) says the President has spoken passionately. On that day the President was silent. Now there has been political pressure. Now some of the faces of the unemployed have appeared in the newspapers and on television. And so now you are ready to act. The Senate has acted. But, look, I think we can do better and there is time for us to do even better.

One of my colleagues on the Republican side said there should be no interruptions to those who are hurting, if I got the words down correctly. What about the million who have exhausted their extended benefits and who are hurting? To the gentleman from Texas (Mr. SESSIONS), 56,000 from your State. The gentleman from Iowa talked about the unemployed in his State. How about the 8,500-plus who have exhausted their benefits and who are looking for work who are hurting. Why do we not act?

Well, the gentleman from Iowa (Mr. NUSSLE) talks about the budget process. You are waiving it today up to a point. There is an unwillingness to waive it to let us bring up coverage of those who have exhausted their benefits. There is $25 billion in the trust fund for this purpose. And our proposal would include enough people so that everybody would be covered within the $25 billion.

Look, I remember so vividly on that day when we adjourned sine die, we held a press conference, and distributed by the Republicans on the Committee on Ways and Means "Debunking Liberal Myths on the Unemployment Picture." That was distributed as we came out of the press conference. "Debunking liberal Myths on the Unemployment Picture."

Look, I suggest to people who think unemployment is a liberal myth, talk to the unemployed when you go home tomorrow. Talk to their families. Find out the trials and the tribulations. I think if you will do that, you will agree today we could have done even better. We could have done better.

Mr. SESSIONS. Mr. Speaker, at this time I have no further speakers. I would like to inquire from the gentlewoman from New York (Ms. SLAUGHTER) as to how many speakers and the time remaining on both sides.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas (Mr. SESSIONS) has 13½ minutes remaining. The gentlewoman from New York (Ms. SLAUGHTER) has 13¾ minutes remaining.

Ms. SLAUGHTER. I do have three or four more speakers, Mr. Speaker.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise to oppose, and strenuously oppose, this bill. It is fundamentally unfair. We talk in this body about the need for open and fair debate, but the Republicans have shut off the Democrats' ideas on this very important subject, how we can help those people who are unemployed.

Years ago the legendary singer Marvin Gaye had a song out called "What's Going On." Let me talk about what is going on. September 11 and its aftermath are going on, mergers, bankruptcy, failed dot-coms, closed plants, airline restructuring, corporate downsizing. That is what is going on in America. And the bottom line is people are unemployed.

Now, today we could have a debate about two opposing views, the Democrats and the Republicans. Let us talk about what Democrats would do versus the Republicans' approach to Americans who are unemployed.

First, those people we call exhaustees, those who have exhausted their benefits. There are 1 million Americans who have exhausted their benefits. The Democrats would give them 13 weeks of additional benefits. The Republican plan before us today gives them zero. That is unfair.

Let us talk about what we call new entries, that is, the 93,000 people each week who become unemployed, exhaust all of their benefits at the State level. The Democrats would give them 26 weeks, roughly 6½ months. The Republicans would only give them 3½ months, 13 weeks. The Democrat plan is clearly fair. And critically the people who have been cut off, 800,000 workers were cut off on December 28. The Democrats would give them a total of 26 weeks. The Republicans say, well, whatever is left, that is what you get. If you only have 2 weeks of benefits left, you only get 2 weeks of unemployment benefits. That is not fair.

Now the Republicans say we do not want to talk about unemployment. We want to talk about growth and that is why we are proposing to give a big tax

break to the wealthy in the form of eliminating the tax on dividends and that will spur growth in jobs. Sounds good, does it not?

The problem is that conservative compassion or compassionate conservatism is out of sync because their job creation comes sometimes years after these people are unemployed. They need benefits and help now. Then if the jobs come, fine. But we ought to be helping Americans now and the Republicans do not do it. That is tragedy. I will vote down this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me time.

The President is intent on going to war. He continues to take us down a path to war. The papers carry today the story that the stimulus package is going to be eaten up by the war. You can pour that $700 billion into the economy, and it will not do any good because nobody is going to invest, which means we are going to continue to have long-term unemployment.

My State has the highest rate of unemployment. The distinguished gentleman from California says, well, they are going to get some money from the stimulus package when they get their capital gains excuse there.

I am going to tell the 30,000 people in my State that are not covered by this bill that we will try to get an address where they can go and get their money for their non-existent tax benefits.

This is a travesty, and what you are doing is you are putting a little Band-Aid on it today because you have got public pressure. You will be back. I guarantee you will be back in March. You will be out here saying, well, amazingly, the economy has not picked up. We do not know what to do, so we have to give a few more benefits, a few more nickels and dimes out the door.

If you continue down this path to war and spend the money out of the Treasury of the United States in a stupid tax giveaway to the wealthy, 70 percent of the people in this country will not get more than a $100 out of it. If you think that is a stimulus to the economy, you do not understand ordinary people.

So you are wasting $700 billion. You are taking us into a senseless war, and you will not take care of people who are sitting in your own districts. And you will not let us debate it. You say, well, we have the budget, we have the budget, you know, we have to keep the budget in balance. You gave that up and you are going to give it up.

The President says we are having a wartime budget. So in a wartime budget you do not have to worry about what is going on. You can just spend money on all kinds of things but not on the unemployed, even though the $25 billion is sitting right in the account right now, and they will not acquire a damn dime.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members that remarks in debate should avoid profanity.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we live in a cold world, and we are in a cold and somewhat impassioned Chamber.

Mr. Speaker, I thank the distinguished gentlewoman from New York (Ms. SLAUGHTER) for yielding me time.

Mr. Speaker, we live in a world that does not seem to care that people who deserve or get unemployment insurance are, in fact, the workers of America who have built this Nation. Now we have a bill given by now the singular government of the United States, Republican Presidency, Republican Senate, Republican House. There is no two-party system in this Nation, which means that the railroad train, the train of no return, will be the legislative call of the day.

How in the world can you argue that we live in a democracy when you are denying the opposition the right to present their proposal that will, in fact, save families and save lives?

The Democrats realize that people are unemployed because there is no work. And the Bill Clinton administration, in the first term he created 11 million jobs in America. Right now the Bush administration has seen 2 million jobs go down the drain. So are you telling me that the 56,000 people in the State of Texas are ne're-do-wells who do not want to work? No.

They have fallen upon hard times. They are trying to work. Their mortgage payments are coming. The college tuition payments are coming. The car payments are coming. And we are leaving them to fall on their spears.

We have got a war that we do not need that is costing us a trillion dollars, but yet a lousy $7.2 billion is all we are going to give. We cannot afford to give 26 full weeks and pay for the million people that are about to lose their homes right now because they are not included in this bill that we have to vote for. I never knew or thought as a child growing up in America that had unemployed parents, saw the hardship of trying to make ends meet, borrowing from relatives to stay alive, that we would have a government that would be so uncaring, that we would stand here and force down this legislative initiative because we do not like the opposition, because we are in control now.

The only thing I can say is that this is an abomination and Lord have mercy on all of us as we try to be compassionate for those who are in need.

Ms. SLAUGHTER. Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, it is somewhat painful to say that we begin the 108th Congress today with new Members, a new majority in the Senate under Republican control, a Republican-controlled House, a Republican in the White House, and the first order of legislative business in the 108th Congress in the year 2003 is a plan which gags the minority party in the greatest democracy in the world to discuss something very important to millions of Americans who are working and about to lose their jobs or who are trying to work but cannot find a job. It is difficult to believe that today, January 8 of 2003, that in the House of Representatives, the people's House, we will not have an opportunity to discuss how we can provide unemployment benefits, emergency unemployment benefits to a million Americans who are struggling to find work.

In my State of California, over 100,000 Americans are out of a job and are trying to find ways to put food on the table. But in this House of Representatives, I cannot put a proposal before my colleagues for a vote, whether it wins or loses, up or down, to decide whether or not those 1 million Americans, and more than 100,000 of them in my State of California, cannot see unemployment benefits extended for them as this proposal would do for some other Americans.

□ 1115

Why Peter gets it and Paul does not, I do not understand, but that is the case, and when we look at the sad history of this, we see that a year ago, less than a year ago, a few months ago, Democrats put a proposal to do exactly what is on the table now, to extend benefits.

At the end of last year, when we knew that people were losing work, when we knew that on December 28, close to a million people would run out of benefits and that we knew more than 80,000 people a week were becoming unemployed and without unemployment benefits, this Congress did try to do something, at least the Democratic side of the Congress.

We had a proposal under the leadership of the gentleman from New York (Mr. RANGEL) to provide those extended benefits, but we could not get it heard in this House for the same reason we cannot have the proposal heard today. We were gagged. It was bad then but it is shameful today that we begin a new session on what should be a bipartisan note for Americans who are looking for work, and we cannot do it.

Yet just yesterday the President proposed close to $700 billion worth of tax cuts to help mostly wealthy investors, not folks who are out there working with their hands, but folks who invested money and can make money because the company happens to earn a little bit more on their stock. The folks who are willing to use their legs,

their hands, their minds, who are right now out of work, will not get any assistance, not just one American, not just 1,000 Americans, but about a million Americans.

I am going to go back to California. If we pass something I will be able to tell some of my Californians and colleagues there we got them that extended benefit that they needed to put food on the table, but I am going, in the same moment, to turn over to the next American in California and say, sorry, I could not even take a vote to see if I could extend their benefits. That is not the note we should start on, but that is the note that this Congress and the House of Representatives starts on.

I believe we have an opportunity today to change that. We should not for us, not for politicians but for hardworking Americans who probably will not even listen to this debate, but this is still their House, this is the people's House, and we should do the people's work, and to leave today or tomorrow or this week, as we did back in December, without concluding the work for our working Americans who are seeking jobs is unfair, too little too late. Let us do something right. Let us do it for all Americans, not just for some.

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

Mr. SESSIONS. Mr. Speaker, I yield myself the remaining time.

Today, we have had a fabulous debate, an opportunity to have people from both parties, both sides of the aisle to be able to talk about this bill that is before us, S. 23. It is a Senate bill. It is an agreement that was reached in the other body just last night.

Last night, this body, through the leadership of the gentleman from Illinois (Mr. HASTERT) had the Committee on Rules come into order. We had a hearing last night. We talked about this important issue. We deliberated. We heard from both sides. We followed the process. That process that the Committee on Rules went through is one that this body has gone through for many years, and we came up with a product.

The product that we chose was exactly the same bill that the Senate had approved last year but made better, and was done all last night.

Ms. SLAUGHTER. Mr. Speaker, I would ask the gentleman from Texas to yield for a unanimous consent.

Mr. SESSIONS. Mr. Speaker, it is my time and I do not choose to yield at this time. I am offering to close as is provided for by the rules, and I will allow the gentlewoman to insert something into the RECORD if that is a request.

The SPEAKER pro tempore (Mr. SIMPSON). Does the gentlewoman have a request?

Ms. SLAUGHTER. Mr. Speaker, I meant to say at the end of my time that we will call for a vote on the previous question. If it is defeated, we have an amendment to the rule, that we would like to offer the Rangel substitute for 26 weeks of extended benefits. We are concerned that we were denied an opportunity to put that on the floor, and by voting no on the previous question we will be able to substitute.

AMENDMENT TO H. RES. 14 OFFERED BY MS. SLAUGHTER

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 23) to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002 and for a transition period for individuals receiving compensation when the program under such Act ends. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by Representative Thomas of California and Representative Rangel of New York; (2) the amendment specified in section 2, if offered by Representative Rangel of New York or his designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

Sec. 2. The amendment referred to in the first section of this resolution is as follows:

H.R.—

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Emergency Unemployment Compensation Act of 2003''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Extension of the Temporary Extended Unemployment Compensation Act of 2002.
Sec. 3. Entitlement to additional weeks of temporary extended unemployment compensation.
Sec. 4. Application of revised rate of insured unemployment.
Sec. 5. Additional TEUC extended benefit period trigger.
Sec. 6. Additional weeks of benefits for workers in high unemployment States.
Sec. 7. Effective date.

SEC. 2. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) SIX-MONTH EXTENSION OF PROGRAM.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended to read as follows:

''SEC. 208. APPLICABILITY.

''(a) IN GENERAL.—Subject to subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

''(1) beginning after the date on which such agreement is entered into; and

''(2) ending before July 1, 2003.

''(b) TRANSITION.—In the case of an individual who is receiving temporary extended unemployment compensation for the week which immediately precedes July 1, 2003, temporary extended unemployment compensation shall continue to be payable to such individual for any week thereafter from the account from which such individual received compensation for the week immediately preceding that termination date. No compensation shall be payable by reason of the preceding sentence for any week beginning after December 31, 2003.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21).

SEC. 3. ENTITLEMENT TO ADDITIONAL WEEKS OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION.

Paragraph (1) of section 203(b) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended to read as follows:

''(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to 26 times the individual's weekly benefit amount for the benefit year.''.

SEC. 4. APPLICATION OF REVISED RATE OF INSURED UNEMPLOYMENT.

Section 207 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended—

(1) by striking ''In'' and inserting ''(a) GENERAL DEFINITIONS.—In''; and

(2) by adding at the end the following new paragraph:

''(b) ADJUSTED INSURED UNEMPLOYMENT RATE.—For purposes of carrying out section 203(c) with respect to weeks of unemployment beginning on or after the date of enactment of the Emergency Unemployment Compensation Act of 2003, the term 'rate of insured unemployment', as used in section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), has the meaning given such term under section 203(e)(1) of such Act, except that individuals exhausting their right to regular compensation during the most recent 3 calendar months for which data are available before the close of the period for which such rate is being determined shall be taken into account as if they were individuals filing claims for regular compensation for each week during the period for which such rate is being determined.''.

SEC. 5. ADDITIONAL TEUC EXTENDED BENEFIT PERIOD TRIGGER.

(a) IN GENERAL.—Section 203(c) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL EXTENDED BENEFIT PERIOD TRIGGER.—

''(A) IN GENERAL.—Effective with respect to compensation for weeks of unemployment beginning on or after the date of enactment of the Emergency Unemployment Compensation Act of 2003, an agreement under this title shall provide that, in addition to any other extended benefit period trigger, for purposes of beginning or ending any extended benefit period under this section—

''(i) there is a State 'on' indicator for a week if—

''(I) the average rate of total unemployment in such State (seasonally adjusted) for the period consisting of the most recent 3 months for which data for all States are published before the close of such week equals or exceeds 6 percent; and

''(II) the average rate of total unemployment in such State (seasonally adjusted) for the 3-month period referred to in clause (i) equals or exceeds 110 percent of such average rate for either (or both) of the corresponding 3-month periods ending in the 2 preceding calendar years; and

''(ii) there is a State 'off' indicator for a week if either the requirements of subclause (I) or (II) of clause (i) are not satisfied.

''(B) NO EFFECT ON OTHER DETERMINATIONS.—Notwithstanding the provisions of any agreement described in subparagraph (A), any week for which there would otherwise be a State 'on' indicator shall continue to be such a week and shall not be determined to be a week for which there is a State 'off' indicator.

''(C) DETERMINATIONS MADE BY THE SECRETARY.—For purposes of this subsection, determinations of the rate of total unemployment in any State for any period (and of any seasonal adjustment) shall be made by the Secretary.''.

(b) CONFORMING AMENDMENT.—Section 203(c)(1) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended by inserting ''or (3)'' after ''paragraph (2)''.

SEC. 6. ADDITIONAL WEEKS OF BENEFITS FOR WORKERS IN HIGH UNEMPLOYMENT STATES.

Section 203(c)(1) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended by striking ''an amount equal to the amount originally established in such account (as determined under subsection (b)(1))'' and inserting ''7 times the individual's weekly benefit amount for the benefit year''.

SEC. 7. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, the amendments made by this Act shall apply with respect to weeks of unemployment beginning on or after the date of enactment this Act.

(b) RESUMPTION OF BENEFITS.—

(1) RULE APPLICABLE TO EXHAUSTEES.—In the case of any individual—

(A) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003, and

(B) who exhausted such individual's rights to such compensation (by reason of the payment of all amounts in such individual's temporary extended unemployment compensation account) before January 1, 2003,

such individual's eligibility for any additional weeks of temporary extended unemployment compensation by reason of the amendments made by this Act shall apply with respect to weeks of unemployment beginning on or after the date of enactment of this Act.

(2) RULE APPLICABLE TO NON-EXHAUSTEES.—In the case of any individual—

(A) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003, and

(B) as to whom the condition described in paragraph (1)(B) does not apply,

such individual shall, upon appropriate application, be eligible for temporary extended unemployment compensation (in accordance with the provisions of the Temporary Extended Unemployment Compensation Act of 2002, as amended by this Act) with respect to any weeks of unemployment beginning on or after December 29, 2002.

(c) DATE FOR DETERMINING ELIGIBILITY OF EXHAUSTEES FOR AUGMENTED BENEFITS.—In the case of any individual described in subsection (b)(1), the determination under section 203(c) as to whether such individual's State is in an extended benefit period (for purposes of determining eligibility for augmented benefits under the Temporary Extended Unemployment Compensation Act of 2002, as amended by this Act) shall be made—

(1) as of the date of enactment of this Act, and

(2) without regard to whether or not such a determination was made under the Temporary Extended Unemployment Compensation Act of 2002, as in effect before the amendments made by this Act.

Mr. SESSIONS. Mr. Speaker, I yielded to the gentlewoman for the purpose of allowing something to be placed into the RECORD. It is my time and I wish to gain that time back.

The SPEAKER pro tempore. Without objection, the gentlewoman may insert her comments into the RECORD.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas.

Mr. SESSIONS. Mr. Speaker, I thank the Speaker for allowing the gentlewoman to insert that into the RECORD.

So now we are at the point where we have completed part of the process where we are going to vote on the rule, and in a few minutes, I assume after a vote on that, then we will have a debate where we will talk about the substance further of the bill. This has allowed both parties the time to place forward their ideas, and for anyone to think that we have not allowed free time or gagged someone to tell them what they can or cannot discuss is simply ludicrous. That is why we allow the time on the floor.

I am proud of what the Committee on Rules has done. I am proud of the debate that we have had today, and I look forward to the President of the United States having an opportunity, perhaps as early as this afternoon or tomorrow, to sign this bill to get these benefits to the people that need it the most. I am proud of what we are doing.

Mr. Speaker, once again, I urge my colleagues to join me in supporting this rule and the underlying legislation which is so critical.

Ms. LEE. Mr. Speaker, I rise in opposition to this closed rule and to speak about the need for extending unemployment benefits. I'm happy to see that our Republican colleagues have finally gotten around to agreeing with us that the working people of this country need help in the economic downturn that is plaguing our country. Democrats tried to pass emergency extensions for unemployed workers across the country during our November session, but the Republican leadership only wanted to extend benefits for unemployed workers in Alaska, Oregon, and Washington.

What did this legislative delay mean for my 9th California district? It meant that three days after Christmas almost 7,500 in the Oakland metropolitan area lost their federal extended unemployment benefits. It meant that these people, who are already struggling in an environment of high housing costs, are struggling to survive. It meant that in an economy that is already miserable we had fewer spending consumers.

I applaud the fact that the Republicans have agreed to extend unemployment benefits, and I will vote for this legislation. But I also want to insist that we do more. For those people who have exhausted their benefits, for instance, the President's plan provides no more help. On the other hand, the Democratic legislation would provide 13 weeks more of benefits for those who have already exhausted their extended federal benefits, perhaps the people with the greatest need.

President Bush's so-called economic stimulus package spends billions to fatten the wallets of the wealthy, but our plan focuses aid on lower- and middle-class workers who need that help immediately.

That's why I urge a ''no'' vote on this closed rule.

Mr. SESSIONS, Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Before placing the question, the Chair has a statement about the length of electronic votes.

Clause 4 of rule XX says that Members shall have at least 15 minutes to respond on an ordinary record vote or quorum call, but with cooperation among Members, it is possible to complete a vote in that time.

The Chair believes that closing votes as soon as possible after the guaranteed minimum time should be the regular practice. The Chair is certain that votes can be shortened if Members simply resolve to head to the chamber as soon as they are notified by the bell and light signal. The Chair will remind Members when 2 minutes remain on the clock.

The goal of completing votes in as close to the minimum time as possible is even more reasonable in the case of 5-minute votes because every 5-minute vote necessarily follows another electronic vote and is always preceded by an announcement from the Chair and a distinctive bell and light signal.

No occupant of the chair would prevent a Member who is in the well of the Chamber before a result is announced from casting his or her vote, but each occupant of the chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber.

The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for an electronic vote, if ordered, on the question of adopting the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 196, not voting 13, as follows:

[Roll No. 5]

YEAS—224

Aderholt	Bachus	Ballenger
Akin	Baker	Barrett (SC)

Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Combest
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—196

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Cardin
Conyers
Delahunt
Diaz-Balart, M.
Kilpatrick
Kind
Majette
Miller, George
Myrick
Nethercutt
Stenholm
Towns
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). The Chair advises Members that approximately 2 minutes remain on the 15-minute clock.

□ 1144

Mr. STARK changed his vote from ''yea'' to ''nay.''

Mr. STEARNS and Mrs. JOHNSON of Connecticut changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

As stated for:

Mr. WELLER. Mr. Speaker, on rollcall No. 5 I was unavoidably detained. Had I been present, I would have voted ''yea.''

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, on rollcall No. 5 I was inadvertently detained. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES

Mr. NUSSLE. Mr. Speaker, pursuant to House Resolutions 5 and 14, I am submitting for printing in the CONGRESSIONAL RECORD the committees' spending allocations contemplated by section 302(a) of the Congressional Budget Act.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 8, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, Office of the Speaker, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Section 2 of House Resolution 14 provides that I may submit the 302(a) allocations contemplated by House Concurrent Resolution 353 of the One Hundred Seventh Congress, as adopted by the House.

The attached tables, which I submit for printing in the CONGRESSIONAL RECORD, provide that information.

Sincerely,

JIM NUSSLE.

Attachments.

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES [1]—APPROPRIATIONS COMMITTEE

[In millions of dollars]

		2003
General Purpose *	BA	747,174
	OT	748,528
Highways *	BA	.....
	OT	28,761
Mass Transit *	BA	.....
	OT	6,030
Conservation *	BA	1,922
	OT	1,872
Total Discretionary Action	BA	749,096
	OT	785,191
	BA	350,316
Current Law Mandatory	OT	353,319

* Shown for display purposes only.
[1] Reflecting allocation adjustments through the end of the 107th Congress.

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES [1]—COMMITTEES OTHER THAN APPROPRIATIONS

[By fiscal year in millions of dollars]

		2003	2004	2005	2006	2007	Total 200–2007	Total 203–2012
Agriculture Committee:								
Current Law Base	BA	36,573	35,545	34,841	34,241	34,889	176,089	n.a.
	OT	33,247	33,726	32,788	32,283	32,885	164,929	n.a.
Discretionary Action	BA	7,825	7,604	7,198	7,249	7,141	37,017	n.a.
	OT	7,271	7,019	6,688	6,727	6,774	34,479	n.a.
Total	BA	44,398	43,149	42,039	41,490	42,030	213,106	n.a.
	OT	40,518	40,745	39,746	39,010	39,659	199,408	n.a.
Armed Services Committee:								
Current Law Base	BA	76,090	78,358	80,609	83,134	85,779	403,970	n.a.
	OT	75,258	77,722	80,228	82,780	85,466	401,454	n.a.

ALLOCATIONS OF SPENDING AUTHORITY TO HOUSE COMMITTEES [1]—COMMITTEES OTHER THAN APPROPRIATIONS—Continued

[By fiscal year in millions of dollars]

		2003	2004	2005	2006	2007	Total 200–2007	Total 203–2012
Discretionary Action	BA	516	652	1,025	1,605	2,006	5,804	n.a.
	OT	516	652	1,025	1,605	2,006	5,804	n.a.
Total	BA	76,606	79,010	81,634	84,739	87,785	409,774	n.a.
	OT	75,774	78,374	81,253	84,385	87,472	407,258	n.a.
Committee on Education and the Workforce:								
Current Law Base	BA	4,633	4,325	4,709	4,885	5,066	23,618	n.a.
	OT	3,264	3,172	3,475	3,604	3,744	17,259	n.a.
Energy and Commerce Committee:								
Current Law Base	BA	10,248	10,017	11,164	11,498	12,503	55,430	n.a.
	OT	11,401	11,496	11,562	11,871	11,881	58,211	n.a.
Discretionary Action	BA	95	285	606	801	922	2,709	n.a.
	OT	59	272	598	798	922	2,649	n.a.
Total	BA	10,343	10,302	11,770	12,299	13,425	58,139	n.a.
	OT	11,460	11,768	12,160	12,669	12,803	60,860	n.a.
Financial Services Committee:								
Current Law Base	BA	7,985	8,428	8,249	8,053	8,574	41,289	n.a.
	OT	2,696	1,578	541	−165	−344	4,306	n.a.
Government Reform Committee:								
Current Law Base	BA	66,536	69,943	73,568	76,706	79,236	365,989	n.a.
	OT	65,527	68,971	72,573	75,514	78,253	361,038	n.a.
Committee on House Administration:								
Current Law Base	BA	82	85	85	82	81	415	n.a.
	OT	37	161	18	14	14	244	n.a.
International Relations Committee:								
Current Law Base	BA	10,069	10,390	10,705	10,952	11,287	53,403	n.a.
	OT	10,075	10,127	10,364	10,591	10,864	52,021	n.a.
Judiciary Committee:								
Current Law Base	BA	6,404	5,133	5,116	5,092	5,112	26,857	n.a.
	OT	5,763	5,613	5,281	5,148	5,180	26,985	n.a.
Resources Committee:								
Current Law Base	BA	2,537	2,430	2,371	2,394	2,392	12,124	n.a.
	OT	2,471	2,313	2,052	2,297	2,154	11,287	n.a.
Discretionary Action	BA	0	113	498	89	0	700	n.a.
	BA	0	113	498	89	0	700	n.a.
Total	BA	2,537	2,543	2,869	2,483	2,392	12,824	n.a.
	OT	2,471	2,426	2,550	2,386	2,154	11,987	n.a.
Science Committee:								
Current Law Base	BA	143	20	17	17	18	215	n.a.
	OT	147	102	56	29	24	358	n.a.
Small Business Committee:								
Current Law Base	BA	3	2	1	1	1	8	n.a.
	OT	−238	−88	−32	−30	−28	−416	n.a.
Transportation and Infrastructure Committee:								
Current Law Base	BA	54,029	51,640	50,234	50,657	50,932	257,492	n.a.
	OT	14,910	12,014	10,429	10,651	10,774	58,778	n.a.
Discretionary Action	BA	0	4,369	4,369	4,369	4,369	17,476	n.a.
	OT	0	0	0	0	0	0	n.a.
Total	BA	54,029	56,009	54,603	55,026	55,301	274,968	n.a.
	OT	14,910	12,014	10,429	10,651	10,774	58,778	n.a.
Veterans' Affairs Committee:								
Current Law Base	BA	1,629	2,055	2,543	3,082	3,633	12,942	n.a.
	OT	1,570	1,999	2,590	3,065	3,431	12,655	n.a.
Ways and Means Committee:								
Current Law Base	BA	643,804	661,849	684,591	701,838	727,703	3,419,785	n.a.
	OT	645,017	661,964	684,461	701,118	727,005	3,419,565	n.a.
Discretionary Action	BA	2,203	858	1,280	1,639	1,875	7,855	n.a.
	OT	174	853	1,231	1,660	1,943	5,861	n.a.
Total	BA	646,007	662,707	685,871	703,477	729,578	3,427,640	n.a.
	OT	645,191	662,817	685,692	702,778	728,948	3,425,426	n.a.
Current Law Base, Medicare	BA	174,977	180,768	193,068	197,062	211,086	n.a.	2,224,058
	OT	174,843	181,045	192,994	196,851	211,379	n.a.	2,223,844
Discretionary Action	BA	4,650	n.a.	n.a.	n.a.	n.a.	n.a.	347,270
	OT	4,575	n.a.	n.a.	n.a.	n.a.	n.a.	347,270
Total	BA	174,977	180,768	193,068	197,062	211,086	n.a.	2,224,058
	OT	174,843	181,045	192,994	196,851	211,379	n.a.	2,223,844

n.a.=not applicable.
[1] Reflecting allocation adjustments through the end of the 107th Congress.

□ 1145

EXTENSION OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 14, I call up the Senate bill (S. 23) to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002 and for a transition period for individuals receiving compensation when the program under such Act ends, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to House Resolution 14, the Senate bill is considered read for amendment.

The text of S. 23 is as follows:

S. 23

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

SECTION 1. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) IN GENERAL.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended to read as follows:

"SEC. 208. APPLICABILITY.

''(a) IN GENERAL.—Except as provided in subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

''(1) beginning after the date on which such agreement is entered into; and

''(2) ending before June 1, 2003.

''(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), in the case of an individual who has amounts remaining in an account established under section 203 as of May 31, 2003, temporary extended unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such date for which the individual meets the eligibility requirements of this title.

''(2) NO AUGMENTATION AFTER MAY 31, 2003.—If the account of an individual is exhausted after May 31, 2003, then section 203(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

''(3) LIMITATION.—No compensation shall be payable by reason of paragraph (1) for any week beginning after August 30, 2003.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21).

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. THOMAS).

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

Mr. Speaker, I want to remind Members why we are here today. We are here today to vote on an unemployment assistance bill because the House, in trying to respond to the needs of the

unemployed, passed legislation last December. The Senate, in attempting to respond to the needs of the unemployed, passed legislation last December. As we all know, constitutionally for it to go to the President, if the Senate passes legislation different than the House, and similarly if the House passes legislation different than the Senate, the differences in those bills need to be reconciled. They were not reconciled.

The last Congress adjourned without addressing unemployment needs with the understanding that some individuals, through no fault of their own, notwithstanding the fact that they had not received the full benefits entitled to them, would lose unemployment benefits on December 28. That is still technically the case. They have not yet lost those benefits, but if the President does not have a bill to sign by tomorrow, that technicality will in fact be a reality.

We are here today because the Senate modified the proposal that they had passed in the last Congress and they sent it to us yesterday by unanimous consent.

Mr. Speaker, I imagine there are as many different ways to structure unemployment benefits as there are Members of the House; and if we are to debate the different ways in which it can be constructed and if we are to offer votes to try to produce a different result than the Senate, then it is inevitable that what we are trying to avoid will in fact occur.

I, as a Member of this body, do not like being put in the position of making a statement of this type. We are compelled to pass the unemployment provision as it was structured by the Senate because if we do not the President will not have a bill tomorrow.

I had visited with the leadership of the Senate and talked to them about offering amendments so we could really target unemployment to where it is most needed, give those most in need more benefits. They indicated while they may be sympathetic with that view, there was no way given the structure of the Senate's membership and the rules of Senate that that could be done in a day.

What we were able to do was to extend the period that the Senate had passed so instead of getting into this discussion in March, once again we are extending for 5 months the unemployment benefits to May with a phase-out through August. That means that we are going to see a continuation of assistance to the unemployed. It means that the President's commitment to make sure that those who would have lost their benefits on December 28 does not happen, and it means that there are going to be 1.9 million new recipients and 800,000 current recipients that will receive unemployment benefits at a cost of up to $7.2 billion when the House votes on this measure.

We are going to hear people say we could have, would have, should have, and the argument is that they are being denied rights because they cannot offer alternatives. If we do not pass this measure, people will lose their unemployment benefits. That should not happen.

Mr. Speaker, I hope I do not take the floor again in this session of the 108th Congress and say we have to do what the Senate has given us. I only hope we do that because we want to do it. I believe this is the right thing to do. More importantly, it is absolutely essential that we do it and that we do it today rather than argue that somebody is trying to withhold these unemployment benefits from these individuals. All we have to do is say yes, the President will sign, and the unemployment benefits will be available.

Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentlewoman from Washington (Ms. DUNN) to control the time.

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

There was no objection.

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

Mr. Speaker, news release, news release, news release. The chairman of the Committee on Ways and Means has said that the Republican-controlled Senate and the Republican-controlled House cannot legislate, that they cannot provide for the one million Americans who are seeking jobs but whose unemployment compensation has expired. Who is going to deliver this message to the empowered Republican President who has now told the American people that he controls the agenda? And now we find out that the chairman of the awesome and powerful and influential Committee on Ways and Means cannot legislate in the people's House.

Well, I do not believe it. My colleagues do not believe it, and the only reason I am commenting on it is because I do not want the American people to believe it. We have a million people out there. They do not have dividends or savings; all they have is heart and are looking for work. They are Americans that will be called on to fight the wars. They have lost their jobs, lost health benefits, but they have not lost their dignity.

But we will have people to believe that somewhere down the line they will not have to pay taxes on their dividends and jobs will be created for them. The other side of the aisle says we would like to help them because of compassionate conservatism, but we just cannot do it.

We have majorities in the House and the Senate, but the House has to do what the Senate did; the Senate has to do what the House would do. Do not do this to these people. They should just say they do not want to do it because they do not believe in it. They did not do it before the Christmas holidays, and they are just giving a little interest today.

Mr. Speaker, so I do not know how the other side of the aisle is going to explain it back home, but I know one thing, and that is we have 84,000 New Yorkers. They took the hit for this Nation. They are looking for work. I will go back and tell them that we discussed it with the Republicans, and they said that Democrats and Republicans will not be able even to debate coverage for the 84,000 people who are without work who paid into the fund. I will tell them that we cannot even vote on it because we do not want to complicate it for the Republican-controlled Senate.

Mr. Speaker, I ask unanimous consent to yield the balance of my time to the gentleman from Washington (Mr. MCDERMOTT) for the purposes of control.

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

There was no objection.

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

Mr. Speaker, I would like to respond to the million worker comment made by the gentleman from New York (Mr. RANGEL). I think it is very important for us to know the history of what has already happened in the area of unemployment compensation and why we are going to add some additional assistance for people who come from States like mine.

The Democrats make it sound like we have not helped at all the unemployed, whom we already have helped. We have helped those million unemployed workers. We have helped them consistently through this last year. They make that assertion about the million people being let down, but already we have helped one million people under the Federal expanded benefits that we put into effect last year in March of 2002. They have all already received Federal unemployment benefits that averaged $250 a week generally for 13 weeks. On top of that, generally 26 weeks of regular State benefits which they had received previously, and I think that is very important. In States like Washington State, my State, there have been additional expanded benefits.

So to talk about not helping one million folks who have been unemployed is to move from the truth, Mr. Speaker, and I think it is important to clear that up.

My second point is in addition to the one million folks, we are going to help two million additional people. Plus, we will be extending benefits that ran out on December 28 for 800,000 additional people. Let us not get mixed up in the rhetoric of partisanship here and let us talk about what we can do to help unemployed people who very much want to hold jobs.

Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Speaker, I thank the gentlewoman from Washington

(Ms. DUNN) for all of her work on the issue of unemployment benefits because I know this has been a big focus of her efforts in this body for the last few months.

Mr. Speaker, last year Republican leadership in the House advanced a program of extended unemployment insurance which has assisted some four million Americans. Today we will be extending that critical program to help the millions of Americans who continue to face unemployment through no fault of their own.

□ 1200

These working families have borne the brunt of hard economic times and will continue to do so until our economy gets back on a growth path and begins to generate new jobs. We in Congress have a fundamental responsibility to help cushion the effects of economic displacement by providing a set of extended unemployment benefits for those who exhaust their regular State compensation. Under today's legislation, these workers who exhaust their 26 weeks of State benefits will be able to collect up to 13 more weeks of benefits; and in a couple of other States with very high unemployment, 13 more on top of that.

This program not only benefits working families but it also acts as an economic stabilizer for communities like the many that we have in western Pennsylvania that have been particularly hard hit by this downturn and its effect on the manufacturing sector, places like Erie, Warren, Meadville. These are communities where this program is going to be enormously beneficial to those who depend on jobs that are tied to the local economy.

Nonetheless, many Americans will continue to face difficulties as this economy recovers. For this reason I will be introducing legislation that reforms the trigger mechanism on extended benefits and that allows unemployed workers to receive up to 26 weeks of additional assistance. State unemployment numbers can mask big regional differences. I believe that a change in the trigger mechanism will allow us to more effectively respond to uneven economic recovery across the country within States.

I support the legislation before us. I believe that we need to continue to work to provide more relief for the unemployed where and when it is needed; and above all since these are workers who want a job, not just unemployment insurance, we need to pass a stimulus package that gets the economy back on a growth path.

Mr. MCDERMOTT. Mr. Speaker, my heart goes out to the gentleman from Pennsylvania who is not allowed to put up an amendment. He is the only one I have ever heard of talk about exhaustees on the other side.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, I just want to speak further to clarify this issue that the gentlewoman from Washington has spoken about. There are a million people who exhausted their 13 weeks of extended benefits. There are 31,500 of them in your State. To the gentleman from Pennsylvania, 44,000 are in your State. In 1991, we provided 26 weeks of extended benefits. We did not need to change the trigger to do that.

We Democrats here today wanted to provide to those people an additional 13 weeks if they were still out of work. You keep talking about those who are out of work, who are hurting, who are looking for work. How about the million who have been out of work beyond the 39 weeks who are looking for work? Why do we not act today as we did 10 years ago? Why not? What is the obstacle? Is it because the Senate would have to act? All right. They would have to act. They are going to be in session. The Republicans control both Houses and the White House. This is a vivid example of those who have control not being willing to exercise it.

I understand covering one's tracks politically. We should have acted in December, and you failed to do it. But for the unemployed, it is not a question of covering tracks politically. It is covering the expenses day to day for food, for housing, and for health care if possible. There is no excuse for the refusal of the Republicans to let us bring extended benefits for the million of exhaustees up today. Zero excuse.

Ms. DUNN. Mr. Speaker, I would comment to the gentleman from Michigan that this assistance which we are providing in today's legislation will assist 86,000 new individuals from his State of Michigan.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, the issue is to get people back to work and for those that cannot find work, it is to help them out. The other side of the aisle opposed that.

One of the problems we have had in the past, in the Senate, we have had gridlock. James Carville wrote in a memo to the then-leader DASCHLE that he recommended two things: one, that the Senate not have a budget; two, that they gridlock all House bills.

The House passed an unemployment bill. It takes 60 votes in the Senate, unlike the House with a simple majority. Yes, we control the House and the Senate. We could pass the bill right here today. But in the Senate, the same Senate Democrats gridlock legislation, that would go forward in a bipartisan way.

We need to pull together on both sides of the aisle to make sure that the people that do not have work, work. But even more important, instead of handing out dollars to individuals, we need to create the jobs, whether it is tax relief which the President has offered. Not only long-term, instead of just handing out money and having Davis-Bacon and unions reap the benefits of it, it creates jobs across the board and allows those same people, instead of having to receive benefits, will have a good job.

The gentlewoman from Washington has stated clearly that they have received both State and Federal moneys. That runs out, and we have got to come together today to make sure that that happens. Put aside the partisanship, and let us pass this bill.

Mr. MCDERMOTT. Mr. Speaker, I would remind the gentleman from California that under the Republican bill, that if you had exhausted your benefits under your bill, you would have gotten absolutely nothing.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. There has been talk in recent months that if there is to be an economic recovery in our future, it will be a so-called ''jobless recovery.'' I would submit that for the 8.5 million Americans who are currently unemployed, an economic recovery that does not provide jobs is no recovery at all. The Economic Policy Institute has reported that using even optimistic projections of the gross domestic product, the unemployment rate is expected to remain at 6 percent for all of 2003. An analysis projecting less optimistic growth numbers suggests the unemployment rate will climb to 6.4 percent by the last quarter of this year.

However, there is one factor that impacts the severity of the current downturn for American workers more than any other. That is, significantly more workers have exhausted their Federal benefits since the Federal extension of benefit program began in March than ran out of Federal benefits over a comparable number of months in the recession of the early nineties. Under the Federal extension program of the early nineties, each worker was eligible for 20 to 26 weeks of benefits some 10 months after the program was enacted. Under the program which just expired at the end of December, most workers were eligible for a maximum of 13 weeks of benefits. As a result, by the end of December, an estimated 2.2 million workers had exhausted all of their Federal benefits. And without congressional assistance, the new year brings these 2.2 million unemployed a job market that is stripped bare. It is a job market with 1.5 million fewer jobs than in March of 2001.

It is for this reason that it is critical that the Federal unemployment insurance system be extended now. However, the majority plan and the Democratic proposal, which was disallowed, offer two very different levels of compensation to American families. The majority plan would provide for 13 weeks of extended benefits over the next 5 months to the estimated 90,000 workers a week who will exhaust their State benefits without finding work. The Democratic plan would have offered 26 weeks.

I want to say that there is a difference in the economic benefit to families. We need to make sure that families have some of this uncertainty lifted from them. It is not enough to just say, well, another 13 weeks. This country has the money for a longer extension. Families should not have to wonder if they are going to have the ability to pay their mortgage or to buy clothes or to put food on the table. We have an obligation to the unemployed, and that is why I am supporting our Democratic proposal.

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

I would remind the gentleman from Ohio that our unemployment compensation assistance provided last year, from his State we assisted 123,000 individuals. And with the passage of today's bill, which is very important to be passed on the floor today, signed by the President tomorrow so there is no gap in assistance from December 28, we will be assisting an additional 61,600 folks from the State of Ohio.

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

Mr. McDERMOTT. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. FATTAH).

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

Mr. FATTAH. Mr. Speaker, I rise to make the point that it is not the assistance that we are providing, that this is assistance that the American public has paid for through their unemployment contributions to the fund. I just share the concerns of the gentleman from New York (Mr. RANGEL), the ranking member.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, the principal thing that people are talking about, particularly the President of this country, is a $600 billion economic stimulus plan. Yet here we are at the same time debating whether we should help a million families whose breadwinner has been out of work, who has been searching for work, whether we should provide them 38 percent of the income that they had been getting from their job to put food on the table for their families.

And if we do not extend this, what happens to those families? Think about the faces behind the statistics. They stop payment on their mortgage. They have to pull their kids out of college. All kinds of suffering we cannot imagine. Yet we can put up $600 billion in tax cuts instead of providing five percent of that amount for people who would spend that money immediately.

Any economic stimulus needs to be fast acting, it needs to be fiscally responsible, and it needs to be fair. What could be fairer than providing the unemployment insurance for those people who have exhausted their benefits? All we asked for was an opportunity to vote on whether or not we could and should do that. We were denied that opportunity to vote.

We are going to vote for extending unemployment insurance for the part of the people who will be helped by this, but it is not the population that needs it the most. That is what we should be doing today, providing economic stimulus to the people who need it the most, who have been hard working, who are suffering because we have the highest unemployment rate we have had for 9 years, who cannot find a job. So let us let them keep being able to feed their families, keep their homes until they find that job, until the economy recovers.

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

It is very important for us, Mr. Speaker, to debate, and we will debate over the ensuing months, an economic growth plan that will stimulate the economy and create more jobs. Everybody right now on unemployment wishes that he or she had a job. We are going to have that debate. It is vitally important. Today we are debating what we can do in the interim to assist people who, not by their own choice, are out of a job.

We are talking about a $7 billion piece of legislation today that will assist a huge number of folks who were not covered before by unemployment compensation. We have already spent $19 billion with assistance last year. I think it is vitally important that we continue the debate on this bill so we can get passage of it on the floor today, combined with the piece of legislation passed by the Senate yesterday, and get it to the President tomorrow so we can begin to help people whose unemployment benefits ended on December 28; and we can do this without disruption in the dollars they will receive so they can have some peace of mind as they move through this very, very tough time in their lives.

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

Mr. McDERMOTT. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

□ 1215

Mr. SCOTT of Georgia. Mr. Speaker, there is nothing more critical right now than responding to the very critical needs of our unemployed. We have almost a million people in this country who are unemployed, and for us to sit here and dally and not move forthright and push for the strongest measure we can, the people of this country are crying out for help. There are families to feed, there are bills to be paid, and we know we were derelict in our responsibilities not to do this last year, and it will be a shame if we do not move forcefully. Not just 13 weeks, we need 26 weeks of help at least, mainly because every economic adviser, every economic indicator, points out clearly that this economic downturn is going to last well into the next year.

Thirteen weeks is not enough. Furthermore, if we do it for 26 weeks, it will pump an immediate $18 billion into the economy where people would be able to spend it, where the need is greatest, and not only will it do the good of helping those with their unemployment benefits, but by doing this, pumping the $18 billion in, it will create badly needed jobs. The greatest need right now is not to dally, and with all due respect to the present administration, I say 13 weeks is not enough. We need 26 weeks. The people of this country are crying out for help, and they are looking to us in the Congress to speak with a loud voice for them.

I urge this House to move forthrightly, do the right thing. Let us not go home this week without passing the most significant resourceful bill we can that will help those in the greatest need.

Ms. DUNN. Mr. Speaker, I retain the balance of my time.

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

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. McDERMOTT. Mr. Speaker, I listened to my distinguished colleague from the State of Washington, and she had this list, and she said that the Republican bill helped 134,000 members or something in the State. I have my list here, which is the list of all those people we do not help, and the question is why can we not do that? I mean the gentlewoman from Washington (Ms. DUNN) and I have 31,500 people that this bill does nothing for. They are the people who exhausted their benefits. I know she cares about them. I am absolutely sure she does, and I care about them, but we are told that we cannot do anything about it because the Senate has acted unanimously.

I am sorry, but I have been in legislatures, State legislatures, the House and Senate, and I have been here in the House, and I have been doing this for 30 years, and I have seen things go through legislatures in an hour through both houses, no problem, if you want to do something. Of course if you do not want to do something, then you say, oh, the heavy burdens of the legislative process, the Senate has acted, the House has acted, oh, we cannot get it done, the President must have it on his desk tomorrow at 11 o'clock, that is the time his press conference is, I think, so he can sign it at the press conference tomorrow to put it out.

Now for those 31,000 people in the State of Washington that the gentlewoman from Washington (Ms. DUNN) and I care about, we are just saying to them we do not have time because the press release is already printed. I am sorry, folks. It might take an extra 3 or 4 hours to get the House and Senate to get it done, but have no fear, 31,000 people, the President has you on his mind,

deeply on his mind. He went to Chicago to make the speech about how big and how heavy his heart was about your problems. He is proposing to put $674 billion into the economy, not to you of course, no, unless you have capital gains that you might benefit a little bit from his bill, but it is really for the rich people on the top. They are going to get 75 percent of it, and then they will think up some way to put you to work. So hold on and we will pass this tax bill and then in April of 2004 when they got this money back, then they are going to invest it and make you a job. So if you can hold your breath for a year for that tax break to take hold, why, things are going to be all right.

And the worst thing about this whole process, why it is an empty promise the President is making, is that in today's newspaper there is an article entitled War's Cost May Dwarf Stimulus Effect, from the Washington Post, January 8. This article says that as long as this country is threatening the whole world with the war in the Middle East that what is going to happen is that we are going to suck all the juice out of the stimulus package by the war.

The gentlewoman from Washington (Ms. DUNN) and I represent an air company that makes airplanes. Last year they made 400 and some odd planes. Do my colleagues know what their orders are for this year? Two hundred twenty-one. Now, why are airlines not buying airplanes? Well, it probably has something to do with the fact that people are not flying. They are not getting on planes and flying all over the world like they used to. So this war on terrorism that is scaring the living daylights out of the travelers is knocking the jobs out. We have lost 30,000 jobs at Boeing this last couple of years. And the President says, yes, but we are going to Iraq and we are going to have a war there and that is going to fix it all, and then after that Iraq war everybody will feel comfortable again and we will go back to living the way we have always lived.

Nonsense. The gentleman from Georgia (Mr. SCOTT) was right. We are going to be back here in 3 months with this very same bill or something just like it because you are not going to get a stimulus in 90 days and you certainly would not want to have this linger on into the next election period. You had better have something on the table for them. Maybe you will wait until this time next year to put a little something more on the table, but by then there will be a million more. The long-term unemployment in the State of Washington has risen by 35 percent in the last 2 years, 35 percent. I admit we are the point persons, Washington and Oregon, for the unemployment problem in this country; so we have got it a little worse than the rest of you, but if you think it is not going to affect you, that somehow you are going to slide by this thing, you are wrong, and to say here today that we have not got an extra hour to add an amendment to take care of a million people and then ship it back over to the Senate and say would they please accept the House amendment, I have done it. I am sure I have done it 500 times in the last 30 years, to send an amendment over and it gets accepted and that is the end of it. You know you could do it. You do not want to do it. You do not want to do it. You do not care about those million people. No matter what you say or how you wave your arms and whatever you want to say, the Republican Party does not care about those million unemployed because you have the Presidency, you have the Senate, and you have the House, and if you cannot do it, you have two choices, I guess. You could be stupid and not know how to do it. That is one possibility. I do not think that is true. The alternative is you do not want to do it. You ought to be ashamed of yourself.

[From the Washington Post, Jan. 8, 2003]

WAR'S COST MAY DWARF STIMULUS EFFECT

(By Jonathan Weisman)

Mindful of his pending reelection bid and his father's political mistakes, President Bush is plowing ahead with an ambitious 10-year, $674 billion economic stimulus plan even as U.S. troops pour into the Persian Gulf region preparing for war.

The president's determination to push more tax cuts as the nation prepares for war has struck some economists as folly, since the economic shock of war would likely dwarf the impact of Bush's stimulus plan. Moreover, no tax policy at the moment could actually address what many economists believe to be the greatest drag on the nation's economy: the uncertainty of war.

''Clearing away the clouds over Iraq would open the paths for expansion, regardless of what the Bush administration is proposing,'' said Robert DiClemente, a managing director at Salomon Smith Barney who has studied the potential impact of an Iraq war on the U.S. economy.'' That is undoubtedly the biggest obstacle to expansion right now.''

Bush was explicit about his two-track policymaking yesterday, beginning his speech in Chicago by addressing the threats of terrorism, Iraq and North Korea. He then added, ''Even as we confront these dangers, you need to know I know we have needs here at home, especially the need for a vigorous and growing economy.''

But it is becoming increasingly difficult to address those domestic needs without first confronting the problems abroad, economists said. The goal of the president's plan is to inject $102 billion into the economy this year, by accelerating planned income tax cuts, excluding investment dividends from taxation, boosting the child tax credit and speeding tax relief to married couples. The elimination of dividend taxes alone could boost the stock market by 10 percent, according to White House allies.

But all of that could be undone by a war in the oil-rich Persian Gulf region, especially if the war were protracted and led to terrorist attacks and the use of weapons of mass destruction. Last month, Yale University economist William D. Nordhaus published an analysis that dramatized the uncertainties the United States faces. The cost to the Treasury of a war with Iraq could be as low as $100 billion over the next decade or as high as $1.6 trillion, he concluded. Most likely, the economy would take a $391 billion hit in the next two years, Nordhaus predicted, which would dwarf the cash infusion the president is offering.

''If energy prices spike up, it wouldn't take much to offset all of this stimulus,'' said William G. Gale, a tax economist at the Brookings Institution.

A recent analysis by experts convened by the Center for Strategic and International Studies predicted that any war would knock down stock prices by as much as 25 percent, more than undoing the anticipated benefit of the dividend tax elimination.

Recovery would depend on how a war with Iraq unfolded. If the war ended swiftly, stocks and the economy as a whole would recover quickly and grow at a rate faster than they would if there were no war, thanks to the lifting of uncertainty, falling oil prices, higher government spending and rising consumer confidence. In that event, the Bush plan could end up harming the economy by fueling inflation or pushing interest rates higher, said Laurence Meyer, a former Federal Reserve Board governor who convened the CSIS conference.

But if the war lasted six to 12 weeks, stock prices would continue to fall, interest rates would rise and economic growth would slow by 1¾ percent, the CSIS analysis said. A worst-case scenario—in which the war dragged on for 90 to 180 days, oil supplies were significantly disrupted, and serious terrorists attacks ensued—would push the economy back into recession, regardless of economic policymaking.

In that case, the economic response would probably be far different from the one Bush is proposing now, Meyer said. That range of potential outcomes makes policymaking at this point ''treacherous,'' he said.

''The best policy right now is to wait, to see what happens ahead, and to plan in the background some contingency plans, just in case we have an adverse outcome,'' Meyer said.

Not everyone is so cautious. DiClemente said the Bush proposal could provide a buffer for the shocks that would come from a war. Bruce Bartlett, a conservative economist with the National Center for Policy Analysis, noted that a war with Iraq could be long over by the time Congress passed a stimulus plan. In that case, he said, Bush might as well get the ball rolling now.

But, for the president's critics, the timing and boldness of the Bush plan present an irresistible target.

''Whenever the president talks about war, he talks about a spirit of shared sacrifice,'' Gale said. ''But for rich people, shared sacrifice appears to be accepting tax cuts, and for the poor, it seems to be accepting cuts in social spending. There seems to be a disconnect bordering on the dishonest.''

Fumed Rep. Charles B. Rangel (N.Y.), the ranking Democrat on the tax-writing House Ways and Means Committee, ''Never in a time of war have we reduced the tax burden on the most privileged.''

Even some of Bush's allies in past tax fights expressed exasperation yesterday, given the gathering clouds of war.

''I understand you can't just put everything on the back burner and ignore it,'' said Sen. John Breaux (D–La.), a key ally in the battle over the president's 2001 tax cut. ''But what you can do is take modest steps, and $670 billion is more than modest.''

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

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

Mr. Speaker, I am going to remind the gentleman from Washington of what the situation was last fall when we began to debate the extension of unemployment compensation. The leading plan was one that was proposed by

his party on the Senate side. It was a $5 billion plan. It called for a 3-month extension of unemployment benefits. It called for an additional 3-month phaseout. What we have done in the interim, led by people who are from States like Alaska and Oregon and Washington, States where we are very, very concerned about our extremely high level of unemployment, not led by people from Virginia, where the unemployment rate is something like 3.8 percent over the last 3 months, or Georgia, where the unemployment rate is 4.6 percent, low unemployment rates never thought to be even possible to achieve by economists in years past, but we have put together a piece of legislation which considering the state of our economy is a generous piece of legislation. It takes care of an additional 2 million people who were not helped before. It extends benefits for some 800,000 folks nationwide whose benefits were interrupted on December 28, and this is specifically Federal dollars I am talking about. I am not including the State unemployment programs.

We are at the point where we have a 5-month extension that we are providing of unemployment benefits to folks who have been put out of their jobs through no choice of their own plus a 3-month phaseout of these benefits, plus we are helping an additional 800,000 whose benefits are interrupted. So this is a bill that is almost twice as much, certainly almost twice as much as what we were talking about last fall. It is generous, and I think it is a very good bill, and I think the fact that as we pass it today, as it is signed into law by the President tomorrow, that will allow for no interruption in the receipt of Federal unemployment benefits by people in the States. We are also assisting States so that they can use their funds later, not at the beginning.

Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Speaker, I want to commend the gentlewoman from Washington (Ms. DUNN) for her leadership on this issue.

The recovery is not as strong as any of us would like, and there are people who are out of jobs through no fault of their own. While our first priority has to be to get this economy back on a strong positive note, get the recovery to be stronger so that people have jobs and have paychecks, all of us know that we need to help people over the hump from their last job to their next job because they are desperate and because they do not have the kinds of options that they may have had in better economic times. That is why we are here. That is why we are doing this. All of us have constituents who ran out of benefits on December 28, and we need to act quickly so that those benefits will not be interrupted and they will be able to make the payments on their house, pay the rent, put food on the table.

The gentleman from the State of Washington (Mr. MCDERMOTT) said what this really means, this vote really means, is that we just do not care. And he said it is a shame we do not care. I think it is a shame that a Member of this body would make that kind of accusation. We are here because we care and because we understand that there are real people and real lives at stake. This Congress will pass today, with the unanimous support of the United States Senate and I think with a broad bipartisan support here in the House, benefits extensions that will take us through June so that we can work on recovering this economy and get people back to paychecks but in the meantime make sure they can pay for the food to put on their table and take care of their families.

Mr. MCDERMOTT. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time.

I guess if we look at what was proposed by the Republican majority today versus what was proposed last year, this is generous because this proposal that we have before us provides 13 weeks of unemployment compensation for about a million Americans. Last year the Republicans proposed a 5-week extension not for every American in every State but in only three States. Three States last year would have received unemployment benefit compensation for some of its workers.

□ 1230

Today, we are hearing more. That is absolutely correct.

What has changed between that proposal, which was puny, to today's, which is a more realistic proposal? Well, we had 800,000 Americans cut off from all of their benefits on December 28; and every week since then about 90,000 Americans, in addition, have been losing their unemployment benefits. And between now and June, we are going to see about another 2.5 million Americans run out of unemployment benefits.

So yes, it is more generous; but it does not take into account all of the millions of Americans who are going to be left out. And that is why we are saying, if nothing else, let us just have an up-or-down vote.

Why is it that Americans who probably will never get a chance to see this debate will not know that the Republican majority of this House used the rules of the House to deny just a vote on whether we could extend the benefits to those other Americans who are going to be left out by this bill? If we lose, we lose. But give Americans a chance to know that we tried to help them as well. If we lose, so be it. Let us go back home and tell them that we could not get a majority of Members of Congress to support extending benefits to more than a million Americans who have run out of their benefits, who are seeking work and trying to put food on the table for their kids. Why can we not do this? We do this all the time. We put together amendments, as the gentleman from Washington said, in minutes. It would not even take that, because we have the language before us that we would need to extend those benefits to the more than 1 million Americans.

I have to go home now to California and tell more than 109,000 Americans that we did not extend benefits to them, while some of their coworkers who are out of work did get it. It makes no sense. What can I tell them? Well, you lost your job a little earlier than did your colleague who is getting benefits. That makes no sense. Everyone is working hard.

By the way, if we are talking about stimulus, instead of the President spending $700 billion-or-so over 15 years to give investors money to try to stimulate the economy, give it to those who are out of work who otherwise would be spending their money if they were working to put food on the table, buy the necessities, pay the rent, pay the mortgage. That would stimulate the economy instead of having them run out of those things that are essential to the economy. We can do it, there is no reason why we cannot, and the American public should know that we can.

Ms. DUNN. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Speaker, I want to commend my colleagues for their diligent work in bringing this piece of legislation to the floor. It is certainly an admirable goal that we seek to achieve here today, trying to bring some relief to the people who find themselves unemployed in this economy, and I intend to support the legislation.

I must, however, say that there is a bit of irony here that I wanted to bring to the attention of the body, and that is that we are debating what we should do to help people who are unemployed. Again, appropriate. But we have steadfastly refused as a body and, as a matter of fact, as a government, to debate one other aspect of this, and that is the fact that many people are unemployed today in the United States because there are people here from other countries, here illegally, I should say, who have taken jobs. It is not just those jobs that we hear about all the time from people who say, well, there are jobs Americans will not take. I assure my colleagues, we can go to any factory town in America, we can go to any of the States that are identified in this bill that have significant unemployment, and we can find out whether or not people are willing to accept jobs that ''others will not take.''

I assure my colleagues, American citizens are willing to do so, citizens who are willing to take jobs that are being taken by people with H1B visas, people who are willing to take jobs from people who are here, as I say, illegally, and are working in menial jobs

with low wages. There are still many American citizens willing to take jobs that are being taken by between 8 million and 13 million people who are here illegally; and we refuse to debate that point while we come here today, of course, to do again, what I say is the right thing to do, and I will support it. But it is just an irony that I wanted to bring to the attention of the body. There is an aspect of this that we steadfastly, both sides, both parties, refuse to debate, and that is a shame.

Mr. McDERMOTT. Mr. Speaker, I would remind the gentleman from Colorado that according to the U.S. Department of Labor, for every job opening, there are 2.7 applicants. So if the problem is immigration, I do not know quite how we are going to fix this. We already have too many people looking for jobs.

Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, it was bad enough when the Republicans adjourned Congress and went home for the holidays without doing the work of taking care of those who were unemployed through no fault of their own, hard-working Americans; but it is worse, it is a darker dereliction of duty to today bring a bill to the floor and refuse to allow an honest debate by America's representatives to truly cover the unemployed. That is a darker dereliction of duty, and it is darker because while the Republican Party says that there is no money in the Treasury to cover $2 billion to $4 billion to take care of people who are out of work, the day before that, the President said, but we have $400 billion to give out to the wealthiest Americans. It is a dark day for democracy.

Mr. Speaker, yesterday we had all of these new Members of Congress who came here and they stood right here and they looked right up at their grandparents and their kids and they waved and they were really proud, rightfully so, to be Members of the people's House, because they knew that they were in a place that the entire world looks to for the practice of democracy. But on the first day of business, they are here for the shutdown of democracy. They are here where the Republican Party is basically saying to Americans, you poor peasants, take it or leave it. We are putting a bill out here, and you can take it or leave it. We are not going to allow an improved bill even to be voted on. That is a callous dereliction of the oath of office to democracy.

Now, I rarely get exercised about procedural issues. I do not think Americans could give two hoots normally about what happens procedurally here in the House and we spend too much time arguing about it is. But when we bring a substantive bill to the floor and tell people who are out of work who cannot make their house payments, who cannot make their kids' tuition payments, that you are going to give them a take-it-or-leave-it proposal and if they do not like it, they can just walk out of here and sulk, that is simply wrong. It is wrong for democracy. I am not going to go down without raising my voice.

Mr. Speaker, up here we have Hamarabi, a bust of him for creating a great legal code, and now his country is ruled by a tyrant, Saddam Hussein.

Things can go backwards in democracy. This is a step backwards in the democratic process.

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

I would remind the gentleman from Washington State that just late last fall, I think in December, senior Members of his own party leadership were talking about what a wonderful bill the unemployment bill was that then was far less generous than what we would like to do today. The gentlewoman from California (Ms. PELOSI), for example, last fall said, ''Tomorrow the House will meet one more time before adjourning for the year. We could simply take up the bipartisan Senate bill which has the 3-month extension and agree to it unanimously. That action would send a positive signal about our willingness to work together to solve our economic problems.''

I submit that this additional 2-month extension, our bill is 5 months, plus a 3-month phaseout that assists 2 million additional people, is far more generous. So I think a dark day is perhaps not the right characterization for what we are doing today.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Mr. Speaker, I stand before my colleagues today supportive, clearly, of extending unemployment benefits. I represent parts of six counties in western Pennsylvania; and we have seen the unemployment rate rise, as others have in this body. But to call what we are doing today a dereliction of duty seems to me to be silly and extreme, and completely inaccurate.

A dereliction of duty would be to today avoid passing what the Senate has passed unanimously to extend unemployment benefits to those who are in danger of losing them. If, in fact, we pass this bill today, it will go directly to the President, the President can sign the bill, and that will prevent the interruption of benefits for those who will have those benefits interrupted if we are derelict in our duty.

Being derelict in our duty would be to not pass this bill today to fight what the Senate has unanimously approved, the Senators, who were elected as we were, by the people of the 50 States, sent here to do the best we can for them. This House has agreed that we should, without hesitation, pass an unemployment extension for those who are still in need.

It only makes sense for us today to unanimously, as a body, support those who right now cannot support their families. It is our duty to do so.

My colleagues who have spoken prior to me have explained the generous benefit that is available in this bill. Clearly, the Senators debated it yesterday, with our families here, on the day of swearing in. All I heard yesterday from the folks who came here from my district was, that is a great thing for you to do. Please do it and do it forthwith. Get it done. The people need the help.

Mr. Speaker, a unanimous approval by the House today will show the American people that we are here to do business together, Republicans and Democrats, to make sure that we will not be derelict in the duty of making sure the American people get the benefits they need, and then continue working on the economy to make sure that those people will have a job once these benefits expire in several months.

Mr. McDERMOTT. Mr. Speaker, I am glad to hear the gentlewoman from Pennsylvania tell those 44,000 people in Pennsylvania to hold on, hold on.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, as I look at this bill, it is too little and, for many, almost too late. Almost too late for them to avoid absolute disaster. As a matter of fact, I pulled out one of my old records the other day and was listening to it, and it said, every morning about this time, when I get to the breakfast table, my wife is there crying, get a job, get a job, that I could not find. Then the other part says, I read the paper through and through trying to see if there is any work for me to do; and, of course, in many instances, the individuals come up short.

The real deal is that if one represents a district like mine, over the last 30 years, we have lost more than 120,000 good-paying manufacturing jobs that are gone, that do not exist. Unemployment in many of the communities that I represent is 20 to 25 percent. So if we want to stimulate the economy, what do we do? Put some money in the pockets of those individuals so that they can go to the grocery store and buy a loaf of bread, so that they can get a gallon of milk, so that they can have something to plow back into the economy, to keep it moving, to keep it turning. Do not go to the top; stimulate the bottom. Then we can really stimulate the economy.

I would hope that 27 weeks would be the very minimum that we could do for some of the people who have been out of work even for 26 months. I am not sure that some have not been out for 26 years. We can do better than what we are proposing.

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

Mr. McDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I rise in support of extending the Federal unemployment benefits. Everyone has heard

about the impact of the current recession on all of our constituents. The country, and especially my City of New York, continues to suffer from recession in part due to the terrorist attacks of 9–11 on our fair city, but in greater part, I believe, due to the economic policies of this White House, highlighted by the President's so-called economic stimulus plan.

The effects of this Bush recession have been devastating for far too many once-hard-working men and women, effects such as an economy that has shed 69,000 jobs a month and 2,000 jobs a day. New York State alone has lost over 502,000 jobs and workers. New York City has lost 281,000 jobs. New Yorkers want to work and provide for their families with good-paying jobs, but until America adopts responsible economic policies, these jobs will not be forthcoming.

For an economy to lose 69,000 jobs a month and 2,000 jobs a day since Mr. Bush has become President, the only answer is a jobs package and not a gift to the wealthy. This economy needs a shot in the arm and not a kick in the pants, which the Bush White House has given to the American people.

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

□ 1245

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. Mr. Speaker, I sat here and listened in amazement as my Republican colleagues came crying crocodile tears for the poor unemployed who lost their benefits as of December 28. As I recall, back before we adjourned in November the Senate sent an identical bill over here, but the Republican House leadership chose not to take it up and instead went home; so the House Republicans created this situation which now they decry as the poor unemployed workers, something that they actually caused.

But the problem even after we pass this bill is that they are forgetting about in excess of 1 million people whose benefits have expired that we could extend for another 13 weeks, knowing full well that the money is there. If this country has $674 billion in additional tax cuts for people other than these unemployed, surely we have a couple of billion for the million unemployed workers and their families who get no money today.

So we are saying that the bill before us is incomplete. Add the rest of the people who are hurting and we have done a better job. Yes, we can do that in 2 seconds. The Senate will adopt it unanimously, and the President can sign it tomorrow.

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

Mr. Speaker, I will remind the gentleman from Wisconsin that 37,000 people would likely be helped by this additional bill; and also remind him that that piece of legislation we looked at very late and very briefly last fall was a provision that was far less expansive than this one. In the time that we have had in order to put together legislation on which the Senate and the House together would agree and the President would sign, we have come up with a larger program that extends unemployment benefits for 5 months with a phaseout of 3 months, and I think a far better piece of legislation, I am sure the gentleman from Wisconsin would agree.

Mr. MCDERMOTT. Mr. Speaker, I yield 15 seconds to the gentleman from Wisconsin (Mr. KLECZKA).

Mr. KLECZKA. The gentlewoman from Washington is correct, Mr. Speaker, 37,000 people from Wisconsin will benefit under the bill, 37,000 that they cut off because we went home. However, let us worry about the other 22,000 who have been let go. I represent the City of Milwaukee, and I bet the bulk of those people come from the City of Milwaukee and have no income today.

So yes, I am with them on the 37,000, but why are they shafting the 22,000 who get nothing under this bill?

Mr. MCDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I would like to respond to something my friend, the gentlewoman from Washington (Ms. DUNN), said about the basic improvement in this bill, or improvement in the Republicans' position since last year.

I think she is correct in what happened, that when the Republicans had a penurious proposal last year and then went home without adopting one, and caught heck when they went home, they improved their position. This is a better bill, I want to agree with her on that.

But there is another group that is being abused by this failure today, not just the unemployed. It is the unrepresented. Because when we bring a bill to the floor where two or three people get into a room and decide what the bill is going to be, and bring it out to this floor and tell the American people that that is their only solution, that is a form of tyranny. It is a step down the road to a government that does not respect democracy.

Unfortunately, it is the first time it is happening, and it is going to happen over and over and over again during this Congress. That is why I am here today raising my voice against it, saying that we cannot have a democracy if we bring a bill to the floor and do not have an alternative for the American people to consider. It is the wrong thing to do.

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

Mr. Speaker, in closing, the unemployment rate in my State is 6.6 percent. That is a hugely, incredibly large number of folks who, through no fault of their own, have found themselves without jobs. This is occurring in many States around the Nation.

The attempt we are making today, which is a huge assistance to folks who are out of jobs, a bill that totals $7 billion, that includes 2 million additional people who will be assisted, 2 million people who will be assisted through additional help over the 4 million who we have already helped through our legislation that provided benefits last year, is hugely important.

In my own State, Washington State, many layoffs have been due to the aerospace industry. The adverse impact of the economy on our aerospace industry concerns me, because I have thousands of aerospace workers who live in my district. I do not want to see them without jobs. If they are without jobs, I want to help to stimulate the economy so they will not much longer be without jobs. But the fact is, they are now.

I am very pleased that we are beginning this new session of Congress by heading in the right direction by providing much needed benefits to all Americans who are out of jobs. Under this legislation, unemployed workers who had Federal unemployment benefits that remained after December 28, when, by the way, we had put into place on the floor of the House a 5-week extension which would overlap into this session, so we could take a look and see what additional work we needed to do, which is what we are doing today, these folks will now receive the balance of their benefits. It is very important to those whose benefits were interrupted.

Further, workers who exhaust the regular State unemployment benefits in the coming months will become eligible for up to 13 weeks of Federal benefits in all States and up to 26 weeks in States like mine that have high unemployment, as we do in Washington State. In my State, this will help 56,000 additional people. That is 2.7 million people all over the country who are recipients of unemployment benefits who need help. These are folks who are still looking for jobs.

I think we need to put ourselves in their place. I think we need to feel how they feel when they need to meet a mortgage, to pay for the costs of food and heat in their homes. This is a vitally important piece of legislation that we are discussing today.

Mr. Speaker, I urge my colleagues to support this vitally important bill. I know there is debate on what additions we could make to this, but this is a generous bill and it is going to help a lot of people in my State and other States around the Nation. It is going to assist almost 2 million additional people today, in addition to the 4 million we have assisted in the past through other provisions that were passed last year.

I think it is a generous piece of legislation, and I think it is an imperative

as we begin the debate to stimulate this economy and create those jobs that folks right now would like to be holding.

I have great faith in this body. I know that we will do the right thing: that we will pass this piece of legislation today so in coordination with the Senate we may send this to the President, so by tomorrow he can sign this bill, and create no interruption in the Federal benefits received by folks whose benefits were stopped on December 28.

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

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

Mr. Speaker, I think all that needs to be said has been said already, but I would only emphasize the fact that what we are hearing today is what we heard from the Supreme Court of the United States at the time of the election of the President. The Supreme Court said, we do not have time to count the votes. We have to declare a winner here.

In this instance, we are telling a million people out there that we do not have time to do anything about extending their benefits. If they happened to run out of them last year, well, that is just tough luck. I guess they can wait for the economy to pick up, and we wish them well.

Mr. Speaker, I yield such time as he may consume the gentleman from Massachusetts (Mr. NEAL).

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today in opposition to this ''day late and dollar short'' Republican bill.

I fear that a lot of desperate families back in Springfield, North Hampton, and Milford, MA, are watching this debate today with confusion and anxiety. Well over 2,000 families of displaced workers in my district lost their unemployment compensation on December 28. Those desperate families,who thought losing their job in an economic slump was plenty to deal with, encountered even more pain with the loss of their financial life-line during the holidays.

Almost a million families around the country today, who are struggling to get back into the workplace, will not see their benefits resume if this bill is enacted.

In a successful effort to provide fewer benefits to fewer workers, the leaders of this House scuttled any chances for meaningful relief back in December when we knew this crisis was upon us.

What we are asking for in our substitute is not unusual. Congress has previously acted to temporarily extend unemployment benefits during periods of economic recession of high employment. And, unfortunately, the Nation reached an 8-year high for unemployment in November, 2002.

While the majority has recently decided that extending these benefits is the right thing to do, this bill is literally too little and too late. I urge my colleagues to support the substitute providing more financial security to more displaced workers. Every penny we provide to the families of laid-off workers goes right back into the economy. Support this economic stimulus proposal.

Ms. KILPATRICK. Mr. Speaker, I regret that Congress did not pass an extension of unemployment benefits last year. Last November, the other body passed a bill that cost $5 billion and would have provided 13 weeks of additional UI benefits to jobless Americans. The House passed a paltry bill that cost $900 million that would have extended benefits only through the end of January.

I'm delighted that this bill is closer to the one that was proposed by the Democrats in the other body last year. The bill we are considering today costs $7.6 billion and it extends unemployment benefits through the end of May. It gives an additional 13 weeks of unemployment benefits to jobless Americans who have exhausted their 26 weeks of unemployment benefits. I am pleased that the bill is retroactive to December 28, so that those who had their benefits cut off on this date would receive the remainder of the 13 weeks owed to them.

Even though the bill is an improvement over last year's attempt, it is not enough. The bill excludes from coverage one million Americans who have exhausted their unemployment benefits and who have not found a job. These people will not be eligible for the extended benefits proposed under this bill, and they need our help. But this bill slams the door shut on their need for extended benefits.

This action should come as no surprise. The majority has consistently voted to exclude segments of the unemployed from receiving jobless benefits. Although the majority has changed the scope of coverage of the bill, it has not had a change of heart. At a time when we need national unity, the majority party continues to pit Americans against their fellow Americans. The economic policies of this Administration and the majority party of this chamber pits the well-off against the not-so-well off, working Americans against the jobless, and the jobless with benefits against those without.

While I support the passage of S. 23, I encourage my colleagues to support the motion to instruct offered by the gentleman from Washington, Mr. McDERMOTT. We can do more to assist those 1 million unemployed Americans who need our help, and we should take this opportunity to do so.

Mr. CASE. Mr. Speaker, I reluctantly rise today in support of S. 23, a bill to extend unemployment benefits for thousands of Americans.

Every day, too many American workers are exhausting their unemployment benefits and must use their retirement savings or make other sacrifices just to cover basic living expenses. More than 800,000 people have already exhausted their 13 weeks of extended unemployment insurance benefits that were provided in the economic stimulus legislation enacted in March, which means they have no federal assistance as they search for new jobs.

In my home State of Hawaii, over 23,540 workers are currently unemployed, and 3,100 workers who have exhausted their extended unemployment benefits in 2002 remain unemployed. Over 1,800 workers in Hawaii could lose their benefits because the State of Hawaii must cut off extended unemployment benefits unless we continue the Temporary Extended Unemployment Compensation (TEUC) program.

I am pleased that the 108th Congress is passing legislation to retroactively extend unemployment compensation to laid-off workers who have exhausted their normal benefits. Congress has an obligation to make sure individuals who believed they would receive 13 weeks of extended benefits are not arbitrarily denied these benefits because the TEUC program expired on December 28.

When I was elected by the people of Hawaii, I quickly committed myself to helping working family struggling to survive this recession. I decided to join with my Democratic colleagues to introduce legislation to extend unemployment benefits for those who were going to lose their benefits because Congress failed to extend the TEUC program.

I wish the House could pass the Democratic proposal because it would give every worker 26 weeks of extended unemployment benefits, up from 13 weeks under the current program. During the last recession in the early 1990s, Congress provided 26 weeks of extended benefits, and struggling families need this type of temporary assistance once again. The Democratic proposal would help the 1 million American workers who have already exhausted their extended unemployment benefits.

Nevertheless, I reluctantly support S. 23. Unemployed American workers need our help. We must immediately pass this legislation and then develop a comprehensive economic program to help unemployed workers and stimulate our struggling economy.

Mr. UDALL of New Mexico. Mr. Speaker, although with great hesitancy, I rise today in support of this overdue legislation to extend unemployment benefits. I had greatly hoped that Congress would have passed this extension prior to adjournment of the 107th Congress. I also am very disappointed that the bill before us today does not extend 26 weeks of extended benefits to all unemployed workers. However, I will vote in favor of S. 23 because we must expedite the extension of unemployment benefits.

As we all well know, and as I hope the American people are aware, last year, before the 107th Congress adjourned, and fully cognizant that the expiration deadline of the Temporary Extended Unemployment Compensation, TEUC, program was fast approaching, the majority refused to act on a good compromise bill that the Senate had passed unanimously. As a result, the TEUC program expired on December 28, 2002, and with it so did federal unemployment benefits for more than 800,000 jobless Americans. In New Mexico, that delay meant 2,200 families lost their benefits.

S. 23 is certainly a step in the right direction. It is imperative that we extend these benefits as the sluggish economy struggles to regain the vibrancy and growth it experienced under the previous administration. The unemployment rate has climbed from 4.2 percent when President Bush was inaugurated to 6.0 percent today. Additionally, there are now 8 million unemployed Americans.

However, while the bill before us is a good start, I vow to continue fighting for passage of the comprehensive unemployment Federal benefits bill offered by Representatives RANGEL, CARDIN, and LEVIN, that would guarantee at least 26 weeks of extended benefits and

would expand access to unemployment benefits for workers who are low-wage earners or work part time. I am greatly disappointed that the rule stipulating the guidelines for debate over this legislation precluded us from debating Mr. RANGEL's substitute.

It is worth noting, that during the recession of the early 1990s the first President Bush signed into law the unemployment benefit extensions. It is estimated, however, that 800,000 more workers than during the 90s are expecting to exhaust their benefits this year. As such, it is clear to me that there is a need to extend the benefits beyond the 13 weeks provided by this bill.

Nevertheless, I will vote in support of S. 23, but do so with the hope that the leadership of the House and Senate will take up additional legislation to further extend unemployment benefits during this slow economic growth period.

Ms. DELAURO. Mr. Speaker, I rise to reluctantly support this bill. Today the House must once again come together to provide relief to America's unemployed. The president says that the economy is improving, but those words are cold comfort to those who have not only lost their jobs but also their unemployment benefits in recent weeks. These folks have been left with no job or assistance and are struggling to provide for their families this winter.

Unfortunately, this bill only extends unemployment benefits for workers who had not yet exhausted their 13 weeks before the program expired in December, doing nothing for those who exhausted their benefits yet still have not been able to find work.

But Mr. Speaker, the inability to find work is hardly due to a lack of trying. According to the Center on Budget and Policy Priorities, there are approximately 1½ million fewer jobs today than there were in March of 2001. And roughly 1 million workers have used up their unemployment insurance without finding a new job—more than 15,000 in Connecticut alone.

That is why, with America experiencing the lowest job growth in 58 years, we should not only be extending unemployment insurance, but also giving the unemployed opportunities to purchase health insurance. And we should guarantee an additional 26 weeks of benefits for everyone—whether they have exhausted their previous benefits or not.

Mr. Speaker, this bill is the least we can do. Too many families were left out in the cold this holiday season due to the Republican's refusal to address this issue and a president who only voiced his support for an extension of benefits well after Congress had left town. Mr. Speaker, this bill is not enough, but it is better than nothing, which until now is all this majority has supported.

Mr. MEEK of Florida. Mr. Speaker, I rise in strong support of S. 23, which will finally provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002.

I say ''finally'' because this legislation is long overdue. We all knew for months that on December 28th, in the middle of the holiday season, an estimated one million people out of work would be cut off from receiving unemployment benefits. Yet neither House Republicans nor the President took action to help suffering Americans provide for themselves or for their families.

Mr. Speaker, our economy continues to weaken. The latest figures show that unemployment claims in my district, which includes part of Miami-Dade County, reached a record high of 80,554 during October 2002. In only one year, unemployment claims were up an overwhelming 30%.

The unemployment rate in Miami-Dade County, a major international trading and tourist hub of the Americas, has climbed to an outrageous 8.0%, considerably higher than the national average. In Broward County, which is also a part of my district, the unemployment rate has reached a national rate of 6.0%.

Last week alone, there were more than 13,000 new jobless applicants filing for unemployment benefits. It is no wonder that Americans are enraged. The House has waited until today, 11 days after the expiration, to provide benefits to jobless Americans.

When a building is on fire, does a fire rescue team wait 11 days to put the fire out? When a patient is seriously ill, does a hospital wait 11 days to attend to this patient? In a crisis situation, we act immediately. The House has waited too long, putting Americans in fear.

My district and the country are in an unemployment crisis. Everyday, more and more of my constituents join the hundreds of thousands of Americans in my colleagues' districts in the unemployment line.

Mr. Speaker, it is important that we help displaced American workers today. It is terrible that we have waited so long to do so.

Mr. TIAHRT. Mr. Speaker, I rise in support of the bill before us today which will provide as much as 26 weeks of additional unemployment benefits to laid off workers across America in ''high unemployment states'' and will ensure that those workers who still had benefits remaining on the December 28 cutoff date will receive all of their 13 weeks.

The Unemployment Insurance Benefits Extension Act, much like the provisions in the American Worker Temporary Relief Act that I introduced yesterday, will allow approximately 800,000 Americans, including nearly 6,000 workers in my state of Kansas, to once again begin receiving benefits. Like my bill, it also allows workers who may in the months ahead exhaust their regular 26 weeks of State unemployment benefits to become eligible for up to 13 weeks of extended benefits.

Unfortunately, this bill does nothing for those in my state and other states who have exhausted their 13 week extension and do not live in a state meeting the definition of a ''high unemployment state.''

This legislation is an important step in helping our workers through these tough economic times. Many have suffered from the lingering effects of a recession and the economic impact of the September 11th attacks.

Mr. Speaker, we must remember, however, that this is short term aid. The best and most responsible approach Congress can take is to adopt policies designed to get our economy growing again. We can all agree that America's workers would rather earn a paycheck than receive an unemployment benefit.

I urge my colleagues to support this bill and approve this new extension in order to avoid a disruption in benefits to our nation's unemployed workers.

Mr. RUSH. Mr. Speaker, today, we are considering one of the most important legislative initiatives that we, as members of the House of Representatives, can enact this year the extension of unemployment benefits for the millions of this nation's workers who have lost their jobs in the current economic downturn. I am pleased to join with the overwhelming majority of my colleagues in the House in approving this bill, which will extend unemployment benefits for the more than 800,000 American workers lost their benefits on December 28, 2002 for an additional 13 weeks.

As the economy has stagnated and the job growth that characterized the economic boom of the 1990s has dissipated, the American economy has lost nearly one and one-half million jobs. In November of last year, the national unemployment rate reached an eight-year high of 6 percent.

Mr. Speaker, last month, the Democratic staff of the House Government Reform Committee, completed a study of the current state of unemployment in Chicago, Illinois. The study verified what we who live in Chicago already know—that unemployment in the Chicago metropolitan area, at 6.3 percent, is higher than both the statewide and national average. The Committee's study illustrated that of the 377,000 unemployed workers identified by the Bureau of Labor Statistics in Illinois, the vast majority of those individuals—263,000—are in the Chicago metropolitan area.

Many of these workers have exhausted their basic unemployment benefits in their search for new employment and were relying on the extended benefits provided under the law that expired on December 28, 2002. Without the passage of this most critical legislation, more than 65,000 workers in the Chicago area would have lost an estimated $236 million in unemployment benefits.

Mr. Speaker, I am pleased that the Congress has adopted this extension of unemployment benefits, but much more needs to be done. Unemployment nationwide is higher now than it was when Congress first passed the extended unemployment benefits in March of last year; the economic and fiscal condition of the nation is weaker. We need a strong, sound and fiscally responsible economic stimulus package that will create real jobs to support real families and provide real permanent relief to laid off workers and states.

Mr. GREEN of Texas. Mr. Speaker, I rise in support of S. 23, legislation to extend Temporary Unemployment Benefits. Millions of American workers are in trouble today, including many of my constituents, and it is high time we did something about it.

Back in March 2002, Congress created the Temporary Emergency Unemployment Benefits Compensation (TEUC) program to provide 13 weeks of federally funded unemployment insurance to qualified workers who had exhausted their state unemployment benefits, and an additional 13 weeks to some in ''high unemployment'' states. The TEUC program was a great idea, but we underestimated the economic trouble that we were in. At that time, the unemployment rate in my home state of Texas was 5.6% and that quickly rose to 6.9% by June of 2002. By November 2002, the latest month for which the Texas Workforce Commission has data, the official unemployment rate still stood at 6.0%, meaning that over 640,000 Texas workers are out of work.

So, we can see that the problem is not over. The need for an unemployment compensation extension is still very urgent. However, the TEUC program expired, three days after Christmas, on December 28, 2002. Congress was fully aware of the unemployment problem

when we were here in November and December, but the House leadership would not agree to the Senate compromise legislation, which was partly the work of the Republican Whip in the Senate. So, it is with great relief that I have the opportunity to vote in favor of the Senate compromise today.

While I am relieved that we are delivering relief to the people that need it most—those who are out of work and are trying their best to find it—I do not believe that we are doing enough. The legislation before us today only restores TEUC benefits for those who lost their eligibility on or after December 28, 2002. I am an original cosponsor of the Rangel-Cardin alternative, H.R. 17, which would restore these unemployed workers' benefits while they continue to look for work. H.R. 17 should be under consideration today by the House of Representatives, but the Republican leadership has denied us the opportunity to even let it come to vote.

Now I agree that partisan conflicts over how much unemployment assistance to provide during one of the longest economic slowdowns in recent history should not prevent us from doing something, today. So I strongly urge my colleagues, on both sides of the aisle, to support this legislation and send it to the president so that some unemployed workers can get something soon. After that, I also urge all of my colleagues to look at what we have done today and compare that to H.R. 17. If you do that, I think you will realize how much more needs to be done. Let us pass S. 23 today, and pass more relief as soon as possible.

Mr. BLUMENAUER. Mr. Speaker, I am saddened that the first major action of Congress will begin with a flawed process. One can only hope that this is not a sign of things to come with the Republican leadership at the helm of both chambers. Over 20,000 workers in Oregon alone were affected by the failure of Congress to pass this extension last session. These people deserve our best, not the lowest common denominator of benefits that the Republican leadership has decided it has to offer. Furthermore, the Republican leadership is not even allowing debate to occur on more reasonable options, instead choosing to limit the democratic process. The Democratic alternative provides for 26 weeks of extended unemployment benefits, helping nearly 2.5 million Americans over the next six months, while the Republican proposal only offers 13 weeks. While I am grateful for my jobless constituents that an extension will now be implemented, it is too little and too late.

Extending unemployment insurance is the fastest way to help the people that need it most, since it provides targeted and effective economic stimulus. These critical benefits increase consumer spending in the hardest-hit areas and sustain and strengthen economic recovery. It makes more sense to invest in expanded unemployment benefits now to help millions of Americans, than exploding the budget deficit with President Bush's economic stimulus plan which will cost almost $850 billion, including debt service, and whose own economists say will create less than 200,000 jobs.

Mr. LANGEVIN. Mr. Speaker, I rise in support of the measure passed by the Senate yesterday that would provide an extension of federal unemployment insurance benefits to jobless workers.

I am pleased that Congress is finally extending unemployment benefits to the 800,000 Americans and 2,800 Rhode Islanders whose federal benefits were cut off on December 28, 2002. However, I would be remiss if I did not remind the House Republican Leadership that even with passage of this legislation, Congress would still leave out over 1 million workers nationwide, including thousands of Rhode Islanders, who have already exhausted their benefits and are still unable to find a job.

Many Rhode Islanders, and Americans across the nation, are still struggling to find employment. The national unemployment rate reached 6 percent in November last year, its highest point in eight years, and Rhode Island's unemployment rate currently stands above 5 percent. Congress must provide all unemployed workers the resources they need to put food on the table and pay the bills while they weather this economic downturn.

While I intend to support the underlying legislation, I would point out that passage of this bill, as important as it is, will leave too many people without any means of support, and I would strongly urge my colleagues to turn their attention to the unemployed workers who have already exhausted their extended benefits. In addition, I am very disappointed that the Republican Leadership has denied our colleagues the opportunity to debate and vote on a Democratic alternative, which would provide 26 weeks of additional benefits to struggling workers. We must not turn our backs on those who are most vulnerable during these trying times.

Ms. BALDWIN. Mr. Speaker, the House is finally acting to provide relief to some of the unemployed. This bill will be retroactive to December 28th, so those who had their benefits cut off will receive the remainder of the 13 weeks of benefits that is due to them. The relief will continue until June. It will also allow those who begin to receive their benefits to receive the full 13 weeks in the event that they are unable to find a job. That is good. However, this bill is not complete. This legislation fails to provide benefits to those who have already exhausted their benefits and are still unable to find a job. Why is the leadership forgetting those that need the benefits the most?

In Wisconsin, 22,200 people exhausted their unemployment benefits and remained unemployed at the end of December. This bill leaves these people and their families without help. Over one million people across our country have absolutely no recourse and have no assistance whatsoever because their benefits have expired. We are leaving them out in the cold when they need help the most.

These unemployment benefits don't just help the unemployed; they also help our economy as recipients will pay for immediate needs such as housing, utilities and food. Economists have said that every dollar spent on unemployment generates $2.15 in economic stimulus. Offering assistance to those whose benefits have already expired would help these families and our economy. They are paying for basic necessities with their benefits. They are trying to keep their heads above water. Unfortunately, this bill is offering to help some of the unemployed, but not the thousands of Wisconsin families who have been without a paycheck for ten months or more.

I am glad we are providing the relief included in this bill, but we have to do more. We must help those who continue to look for work in our weak economy. And we should do it today.

Mr. KUCINICH. Mr. Speaker, there has been talk in recent months that if there is to be an economic recovery in our future, it will be a so-called ''jobless recovery''. I would submit that for the 8.5 million Americans who are currently unemployed, an economic recovery that does not provide jobs is no recovery at all.

The Economic Policy (EPI) has reported that using even optimistic projections of GDP growth, the unemployment rate is expected to remain at 6 percent for all of 2003. An analysis projecting less optimistic growth numbers suggest the unemployment rate will climb to 6.4 percent by the last quarter of this year. However, there is one factor that impacts the severity of the current downturn for American workers more than any other. That is, significantly more workers have exhausted their federal benefits since the federal extension of benefit program began in March than ran out of federal benefits over a comparable number of months in the recession of the early nineties.

Under the federal extension program of the early 90s, each worker was eligible for 20 to 26 weeks of benefits some ten months after the program was enacted. Under the program which just expired at the end of last December, most workers were eligible for a maximum of 13 weeks of benefits. As a result, by the end of December, an estimated 2.2 million workers had exhausted all of their federal benefits. And without Congressional assistance, the New year brings these 2.2 million unemployed a job market that is stripped bare. It is a job market with 1.5 million fewer jobs today than in March of 2001.

For this reason it is critical that the federal unemployment insurance system be extended now. However, the Republican plan, and Democratic proposal which was disallowed, offer two very different levels of compensation to American families.

The Republican plan would provide 13 weeks of extended benefits over the next five months to the estimated 90,000 workers a week who will exhaust their state benefits without finding work. The Democratic plan would have offered 26 weeks. The Republican plan will also provide the remainder of 13 weeks of benefits to the nearly 800,000 workers who were cut off from federal unemployment benefits on December 28th when the program was allowed to expire. The Democratic plan offered workers those 13 weeks and adds 13 more for a total of 26 weeks.

In an even starker comparison, even in the face of economic data suggesting the current economic conditions are no better, and maybe even worse than when the current program began in March, The Republican proposal mysteriously provides no extension of benefits to the 1 million workers who exhausted their federal benefits by December and remain jobless.

The Democratic proposal gave those workers an extra 13 weeks of job-hunting cushioned by unemployment insurance. Indeed, the Democratic plan did not selectively pick and choose which group of unemployed workers id deemed worthy of coverage. For in a so-called ''jobless recovery'' millions of Americans will remain jobless. But under the Republican's so-called unemployment plan, 1 million

Americans will also be without unemployment insurance.

In covering these 1 million Americans, the Democratic proposal did not ignore the over $24 million sitting unused in the Federal Unemployment Trust Fund. Instead it honors the basic purpose of the trust funds: to build large resources when work is plentiful in order to provide relief to the unemployed when they need it most. The Republican proposal ''writes off'' 1 million people. Contrary to the thinking behind the Republican proposal, there is no reason 1 million unemployed workers should be denied unemployment compensation when they need it the most. The Democratic plan suggest the time for them to receive it is now. So do I. Vote for the Motion to Recommit.

Ms. JACKSON-LEE of Texas. Mr. Speaker, each day Americans are losing their jobs across the country and in all sectors of the economy. My state of Texas and city of Houston have suffered job losses. I have heard from many constituents whose have been laid off and from those whose unemployment benefits expired shortly after Christmas on December 28.

The Republican plan passed by the Senate yesterday does not go far enough. The Republican plan does not help those workers who have already exhausted their benefits. I am appalled. I support the Democratic alternative plan offered by Congressman CHARLES RANGEL.

The Rangel/Cardin bill would extend unemployment insurance benefits an additional 13 weeks to those in need. The Republican plan does not; these workers would not receive any additional assistance. About one million workers have exhausted their 13 weeks of extended benefits under the Temporary Extended Unemployment Compensation (TEUC) program and still remain unemployed.

Every week about 90,000 workers run out of regular, state provided unemployment benefits before finding a job. During the last recession, Congress initially provided these workers with 26 weeks of extended benefits. The Democratic plan would provide these workers with at least 26 weeks of extended benefits, which would help nearly 2.5 million Americans over the next six months. The Republican plan would generally provide 13 weeks of extended benefits over the next five months (only three states currently qualify under a trigger to provide 26 weeks).

The Republican proposal would allow these workers to receive the remainder of their initial 13 weeks of extended benefits (not clear if benefits are retroactive). The Democratic bill would provide these workers with the remainder of their first 13 weeks (retroactively), and an additional 13 weeks, for a total 26 weeks of extended benefits.

We need to help those people whose unemployment benefits expired on December 28. I have heard from many of my constituents in the 18th Congressional District in Houston who have exhausted their unemployment benefits. I agree with one of my constituents who said that we should ''Leave no jobless worker behind.''

Mr. DICKS. Mr. Speaker, I rise today in support of this legislation to reinstate the extended unemployment benefits program. These are bad economic times we are living in and few places have it tougher than my home state of Washington which had a 6.6 percent unemployment rate in November. I know from my constituents that these extra weeks of benefits are a vital lifeline which I wish we had extended back in December. While I am relieved that we finally are passing this bill, I wish that we had the chance to vote on an unemployment package that more fully meets the needs of those Americans who are out of work.

While I am grateful that this bill contains a provision that provides an additional 13 weeks of extended benefits for states with exceptionally high jobless rates—which includes Washington State and two others—it is a mistake that the eligibility requirements are so stringent that the jobless in 47 states cannot receive them. These additional benefits will result in 26 weeks of extended benefits for those of my constituents who have been unable to find new employment. But I do not understand why those unfortunate people living in other states who find themselves in a similar dire situation are limited to only 13 weeks of extended benefits because the unemployment rate is lower in their home state. Being out of work is devastating for people and their families wherever they live and Congress should pass a bill reflecting that reality.

The extended benefits authorized by this legislation expire at the end of May. It is doubtful that the economy will have improved significantly by then. Therefore, we will need to re-visit this issue before these benefits expire. I hope at that time we will pass legislation that better meets the tremendous needs of those Americans who are having a hard time finding new jobs. Compassion demands that action.

Mr. DEFAZIO. Mr. Speaker, I don't have to lecture my colleagues on the difficult economic problems facing the country, state and local governments, and far too many of our constituents who have lost jobs or are losing benefits and support services due to budget pressures. We're all much too familiar with those facts.

But, I was elected to be a voice for those who need help. And, Mr. Speaker, there are 18,000 Oregonians who need help and this bill isn't going to provide it. I'm grateful that this bill will provide extended benefits for some 20,000 unemployed Oregonians who were at some stage of the Temporary Emergency Unemployment Compensation (TEUC) program that expired on December 28, 2002, and the 35,000 Oregonians that are expected to lose work between now and the end of May when this extension expires. However, the bill turns a cold shoulder on the 18,000 long-term unemployed Oregonians who have already exhausted 26 weeks of TEUC.

The unemployment rate in Oregon has hovered between 7 and 8 percent for more than a year. Several counties have double digit unemployment rates, and new layoff are announced weekly. The workers of the Pacific Northwest need help. And we should give it to them.

The Congressional Budget Office projects the national unemployment rate will remain at about six percent until the second half of 2003. The Oregon rate is expected to be higher than the national average.

Unemployment insurance provides targeted and effective economic stimulus. These critical benefits increase consumer spending in the hardest hit areas and sustain and strengthen economic recovery. Fortunately, the federal unemployment insurance trust funds contain large reserves that can be used to strengthen TEUC without additional unemployment insurance taxes.

I sat here today and listened to the debate on this legislation and heard member after member on the other side of the aisle say how important this legislation is and how much workers need this assistance, but we just can't afford to provide additional benefits for the long-term unemployed. That's not true, and it's unconscionable that we're not providing additional benefits for those who, through no fault of their own, have found themselves on the wrong side of this ''economic recovery,'' and haven't been able to find work.

Somehow, we could afford to give members of Congress a generous 3.4 percent cost-of-living adjustment, but could only give senior citizens a paltry 1.4 percent increase. Somehow, there was money to throw all sorts of favors to corporate special interests at the end of the session, and there's money for more tax breaks for those earning more than $373,000 a year. Somehow, there was money to give President Bush's political appointee's bonuses at the end of the year, but we can't use the huge surpluses in the unemployment trust funds to give a hand to the 800,000 long-term unemployed who are trying to hang on to their homes, pay the heating bill, keep food on the table, and keep their families together. There's something very wrong with the priorities here.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 14, the Senate bill is considered as read for amendment and the previous question is ordered.

The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

MOTION TO COMMIT OFFERED BY MR. MCDERMOTT

Mr. MCDERMOTT. Mr. Speaker, I offer a motion to commit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCDERMOTT. Yes, Mr. Speaker, I am.

The SPEAKER pro tempore. The Clerk will report the motion.

The clerk read as follows:

Mr. MCDERMOTT moves to commit the bill S. 23 to the Committee on Ways and Means with instructions that the Committee report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Emergency Unemployment Compensation Act of 2003''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Extension of the Temporary Extended Unemployment Compensation Act of 2002.
Sec. 3. Entitlement to additional weeks of temporary extended unemployment compensation.
Sec. 4. Application of revised rate of insured unemployment.
Sec. 5. Additional TEUC extended benefit period trigger.

Sec. 6. Additional weeks of benefits for workers in high unemployment States.
Sec. 7. Effective date.

SEC. 2. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) SIX-MONTH EXTENSION OF PROGRAM.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended to read as follows:

"SEC. 208. APPLICABILITY.

''(a) IN GENERAL.—Subject to subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

''(1) beginning after the date on which such agreement is entered into; and

''(2) ending before July 1, 2003.

''(b) TRANSITION.—In the case of an individual who is receiving temporary extended unemployment compensation for the week which immediately precedes July 1, 2003, temporary extended unemployment compensation shall continue to be payable to such individual for any week thereafter from the account from which such individual received compensation for the week immediately preceding that termination date. No compensation shall be payable by reason of the preceding sentence for any week beginning after December 31, 2003.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21).

SEC. 3. ENTITLEMENT TO ADDITIONAL WEEKS OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION.

Paragraph (1) of section 203(b) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended to read as follows:

''(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to 26 times the individual's weekly benefit amount for the benefit year.''.

SEC. 4. APPLICATION OF REVISED RATE OF INSURED UNEMPLOYMENT.

Section 207 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended—

(1) by striking ''In'' and inserting ''(a) GENERAL DEFINITIONS.—In''; and

(2) by adding at the end the following new paragraph:

''(b) ADJUSTED INSURED UNEMPLOYMENT RATE.—For purposes of carrying out section 203(c) with respect to weeks of unemployment beginning on or after the date of enactment of the Emergency Unemployment Compensation Act of 2003, the term 'rate of insured unemployment', as used in section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), has the meaning given such term under section 203(e)(1) of such Act, except that individuals exhausting their right to regular compensation during the most recent 3 calendar months for which data are available before the close of the period for which such rate is being determined shall be taken into account as if they were individuals filing claims for regular compensation for each week during the period for which such rate is being determined.''.

SEC. 5. ADDITIONAL TEUC EXTENDED BENEFIT PERIOD TRIGGER.

(a) IN GENERAL.—Section 203(c) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL EXTENDED BENEFIT PERIOD TRIGGER.—

''(A) IN GENERAL.—Effective with respect to compensation for weeks of unemployment beginning on or after the date of enactment of the Emergency Unemployment Compensation Act of 2003, an agreement under this title shall provide that, in addition to any other extended benefit period trigger, for purposes of beginning or ending any extended benefit period under this section—

''(i) there is a State 'on' indicator for a week if—

''(I) the average rate of total unemployment in such State (seasonally adjusted) for the period consisting of the most recent 3 months for which data for all States are published before the close of such week equals or exceeds 6 percent; and

''(II) the average rate of total unemployment in such State (seasonally adjusted) for the 3-month period referred to in clause (i) equals or exceeds 110 percent of such average rate for either (or both) of the corresponding 3-month periods ending in the 2 preceding calendar years; and

''(ii) there is a State 'off' indicator for a week if either the requirements of subclause (I) or (II) of clause (i) are not satisfied.

''(B) NO EFFECT ON OTHER DETERMINATIONS.—Notwithstanding the provisions of any agreement described in subparagraph (A), any week for which there would otherwise be a State 'on' indicator shall continue to be such a week and shall not be determined to be a week for which there is a State 'off' indicator.

''(C) DETERMINATIONS MADE BY THE SECRETARY.—For purposes of this subsection, determinations of the rate of total unemployment in any State for any period (and of any seasonal adjustment) shall be made by the Secretary.''.

(b) CONFORMING AMENDMENT.—Section 203(c)(1) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended by inserting ''or (3)'' after ''paragraph (2)''.

SEC. 6. ADDITIONAL WEEKS OF BENEFITS FOR WORKERS IN HIGH UNEMPLOYMENT STATES.

Section 203(c)(1) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended by striking ''an amount equal to the amount originally established in such account (as determined under subsection (b)(1))'' and inserting ''7 times the individual's weekly benefit amount for the benefit year''.

SEC. 7. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, the amendments made by this Act shall apply with respect to weeks of unemployment beginning on or after the date of enactment this Act.

(b) RESUMPTION OF BENEFITS.—

(1) RULE APPLICABLE TO EXHAUSTEES.—In the case of any individual—

(A) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003, and

(B) who exhausted such individual's rights to such compensation (by reason of the payment of all amounts in such individual's temporary extended unemployment compensation account) before January 1, 2003,

such individual's eligibility for any additional weeks of temporary extended unemployment compensation by reason of the amendments made by this Act shall apply with respect to weeks of unemployment beginning on or after the date of enactment of this Act.

(2) RULE APPLICABLE TO NON-EXHAUSTEES.—In the case of any individual—

(A) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003, and

(B) as to whom the condition described in paragraph (1)(B) does not apply,

such individual shall, upon appropriate application, be eligible for temporary extended unemployment compensation (in accordance with the provisions of the Temporary Extended Unemployment Compensation Act of 2002, as amended by this Act) with respect to any weeks of unemployment beginning on or after December 29, 2002.

(c) DATE FOR DETERMINING ELIGIBILITY OF EXHAUSTEES FOR AUGMENTED BENEFITS.—In the case of any individual described in subsection (b)(1), the determination under section 203(c) as to whether such individual's State is in an extended benefit period (for purposes of determining eligibility for augmented benefits under the Temporary Extended Unemployment Compensation Act of 2002, as amended by this Act) shall be made—

(1) as of the date of enactment of this Act, and

(2) without regard to whether or not such a determination was made under the Temporary Extended Unemployment Compensation Act of 2002, as in effect before the amendments made by this Act.

Mr. McDERMOTT (during the reading). Mr. Speaker, I ask unanimous consent that the motion to commit be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I have no objection to considering the motion as having been read, but I object to the motion to commit on the basis of its violation of the Budget Act.

The SPEAKER pro tempore. Does the gentleman make a point of order?

Mr. THOMAS. Yes, Mr. Speaker, I wish to make a point of order.

The SPEAKER pro tempore. The gentleman may state his point of order.

Mr. THOMAS. Mr. Speaker, I object and make the point of order because this motion, if passed, would cause the allocation to the Committee on Ways and Means to be further exceeded in the first year and over the 5-year period governed by the budget resolution currently deemed in force. The motion therefore violates section 302(f) of the Congressional Budget Act, and I make a point of order that it violates section 302(f) of the Budget Act.

The SPEAKER pro tempore. Is there any other Member who wishes to be heard on the point of order?

Mr. CARDIN. Mr. Speaker, on the point of order, if I understand the objection, it is based upon the fact that, as I understand it, the bill before us has a waiver on the Budget Act from the Committee on Rules, but that because there is no waiver of the Budget Act provided in the rules, the minority will not have a chance to offer a similar type of a motion to recommit.

I would ask the chairman, is that the basis that we were not protected in the rule, whereas the underlying bill did not get a waiver in the rule?

Mr. THOMAS. Mr. Speaker, I would tell the gentleman that that is the

technical effect. However, had the minority offered an amendment which was in the——

The SPEAKER pro tempore. Will the gentleman suspend? Members will not engage in colloquy on a point of order. The Chair will hear argument on the point of order from each Member in turn.

Mr. THOMAS. Might I make an argument on the point of order, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Maryland (Mr. CARDIN) may complete his argument first.

Mr. CARDIN. Mr. Speaker, may I yield on my reservation or argument?

The SPEAKER pro tempore. There is no yielding on a point of order.

Mr. CARDIN. Let me just complete my argument, and then I would welcome the chairman's response.

Mr. Speaker, I think that there needs to be some discretion here as far as fairness in the rules. I know that yesterday we adopted the rules of the House. It seems to me that the minority needs to be protected to be able to offer a motion to recommit.

I understand the chairman's point, but it would seem to me that the rules should permit the minority to offer a motion to recommit if we are going to have an open and full debate in the House.

The SPEAKER pro tempore. Are there other Members who wish to be heard on the point of order?

Mr. THOMAS. Yes, sir.

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) is recognized.

Mr. THOMAS. Further on my point of order, Mr. Speaker, the reason I believe a 302(f) budget point of order lies against this measure is that it significantly exceeds in its amount the underlying bill.

The legislation before us was not reported by any committee of the House; rather, it was passed by the Senate, and the Committee on Rules has presented it to us.

So my point of order is not based on the fact that the underlying measure has a waiver from the Committee on Rules; it is that if the minority had offered an amendment equal to or less than the Senate position, it would have been in order and not subject to a point of order. Since it is significantly in excess of the Senate measure, it does in fact violate 302(f) of the Budget Act.

□ 1300

The SPEAKER pro tempore (Mr. SIMPSON). Are there other Members who wish to be heard on the point of order?

The Chair is prepared to rule.

The gentleman from California (Mr. THOMAS) makes a point of order that the amendment proposed by the instructions in the motion to commit offered by the gentleman from Washington (Mr. MCDERMOTT) violates section 302(f) of the Congressional Budget Act of 1974.

Section 302(f) of the Budget Act precludes consideration of an amendment providing new budget authority if the adoption of the amendment and enactment of the bill, as amended, would cause the pertinent allocation of new budget authority under section 302(a) of the act to be exceeded.

The Chair is persuasively guided by an estimate of the gentleman from Iowa (Mr. NUSSLE) that an amendment providing any net increase in new budget authority for fiscal year 2003, or the period of fiscal years 2003 through 2007, over that provided by the bill would exacerbate the breach of the applicable section 302(a) allocations of the Committee on Ways and Means.

As such, the motion to commit violates section 302(f) of the Budget Act. The point of order is sustained, and the motion is not in order.

MOTION TO COMMIT OFFERED BY MR. MCDERMOTT

Mr. MCDERMOTT. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCDERMOTT. Yes, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to commit.

The Clerk read as follows:

Mr. MCDERMOTT moves to commit the bill S. 23 to the Committee on Ways and Means with instructions that the Committee report the same back to the House promptly with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Emergency Unemployment Compensation Act of 2003''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Extension of the Temporary Extended Unemployment Compensation Act of 2002.
Sec. 3. Entitlement to additional weeks of temporary extended unemployment compensation.
Sec. 4. Application of revised rate of insured unemployment.
Sec. 5. Additional TEUC extended benefit period trigger.
Sec. 6. Additional weeks of benefits for workers in high unemployment States.
Sec. 7. Effective date.

SEC. 2. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.

(a) SIX-MONTH EXTENSION OF PROGRAM.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended to read as follows:

''SEC. 208. APPLICABILITY.

''(a) IN GENERAL.—Subject to subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

''(1) beginning after the date on which such agreement is entered into; and

''(2) ending before July 1, 2003.

''(b) TRANSITION.—In the case of an individual who is receiving temporary extended unemployment compensation for the week which immediately precedes July 1, 2003, temporary extended unemployment compensation shall continue to be payable to such individual for any week thereafter from the account from which such individual received compensation for the week immediately preceding that termination date. No compensation shall be payable by reason of the preceding sentence for any week beginning after December 31, 2003.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21).

SEC. 3. ENTITLEMENT TO ADDITIONAL WEEKS OF TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION.

Paragraph (1) of section 203(b) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended to read as follows:

''(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to 26 times the individual's weekly benefit amount for the benefit year.''.

SEC. 4. APPLICATION OF REVISED RATE OF INSURED UNEMPLOYMENT.

Section 207 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended—

(1) by striking ''In'' and inserting ''(a) GENERAL DEFINITIONS.—In''; and

(2) by adding at the end the following new paragraph:

''(b) ADJUSTED INSURED UNEMPLOYMENT RATE.—For purposes of carrying out section 203(c) with respect to weeks of unemployment beginning on or after the date of enactment of the Emergency Unemployment Compensation Act of 2003, the term 'rate of insured unemployment', as used in section 203(d) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), has the meaning given such term under section 203(e)(1) of such Act, except that individuals exhausting their right to regular compensation during the most recent 3 calendar months for which data are available before the close of the period for which such rate is being determined shall be taken into account as if they were individuals filing claims for regular compensation for each week during the period for which such rate is being determined.''.

SEC. 5. ADDITIONAL TEUC EXTENDED BENEFIT PERIOD TRIGGER.

(a) IN GENERAL.—Section 203(c) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended by adding at the end the following new paragraph:

''(3) ADDITIONAL EXTENDED BENEFIT PERIOD TRIGGER.—

''(A) IN GENERAL.—Effective with respect to compensation for weeks of unemployment beginning on or after the date of enactment of the Emergency Unemployment Compensation Act of 2003, an agreement under this title shall provide that, in addition to any other extended benefit period trigger, for purposes of beginning or ending any extended benefit period under this section—

''(i) there is a State 'on' indicator for a week if—

''(I) the average rate of total unemployment in such State (seasonally adjusted) for the period consisting of the most recent 3 months for which data for all States are published before the close of such week equals or exceeds 6 percent; and

''(II) the average rate of total unemployment in such State (seasonally adjusted) for the 3-month period referred to in clause (i) equals or exceeds 110 percent of such average rate for either (or both) of the corresponding 3-month periods ending in the 2 preceding calendar years; and

''(ii) there is a State 'off' indicator for a week if either the requirements of subclause (I) or (II) of clause (i) are not satisfied.

''(B) NO EFFECT ON OTHER DETERMINATIONS.—Notwithstanding the provisions of any agreement described in subparagraph (A), any week for which there would otherwise be a State 'on' indicator shall continue to be such a week and shall not be determined to be a week for which there is a State 'off' indicator.

''(C) DETERMINATIONS MADE BY THE SECRETARY.—For purposes of this subsection, determinations of the rate of total unemployment in any State for any period (and of any seasonal adjustment) shall be made by the Secretary.''.

(b) CONFORMING AMENDMENT.—Section 203(c)(1) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 21) is amended by inserting ''or (3)'' after ''paragraph (2)''.

SEC. 6. ADDITIONAL WEEKS OF BENEFITS FOR WORKERS IN HIGH UNEMPLOYMENT STATES.

Section 203(c)(1) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107–147; 116 Stat. 30) is amended by striking ''an amount equal to the amount originally established in such account (as determined under subsection (b)(1))'' and inserting ''7 times the individual's weekly benefit amount for the benefit year''.

SEC. 7. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise provided in this Act, the amendments made by this Act shall apply with respect to weeks of unemployment beginning on or after the date of enactment this Act.

(b) RESUMPTION OF BENEFITS.—

(1) RULE APPLICABLE TO EXHAUSTEES.—In the case of any individual—

(A) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003, and

(B) who exhausted such individual's rights to such compensation (by reason of the payment of all amounts in such individual's temporary extended unemployment compensation account) before January 1, 2003,

such individual's eligibility for any additional weeks of temporary extended unemployment compensation by reason of the amendments made by this Act shall apply with respect to weeks of unemployment beginning on or after the date of enactment of this Act.

(2) RULE APPLICABLE TO NON-EXHAUSTEES.—In the case of any individual—

(A) to whom any temporary extended unemployment compensation was payable for any week beginning before January 1, 2003, and

(B) as to whom the condition described in paragraph (1)(B) does not apply,

such individual shall, upon appropriate application, be eligible for temporary extended unemployment compensation (in accordance with the provisions of the Temporary Extended Unemployment Compensation Act of 2002, as amended by this Act) with respect to any weeks of unemployment beginning on or after December 29, 2002.

(c) DATE FOR DETERMINING ELIGIBILITY OF EXHAUSTEES FOR AUGMENTED BENEFITS.—In the case of any individual described in subsection (b)(1), the determination under section 203(c) as to whether such individual's State is in an extended benefit period (for purposes of determining eligibility for augmented benefits under the Temporary Extended Unemployment Compensation Act of 2002, as amended by this Act) shall be made—

(1) as of the date of enactment of this Act, and

(2) without regard to whether or not such a determination was made under the Temporary Extended Unemployment Compensation Act of 2002, as in effect before the amendments made by this Act.

Mr. THOMAS (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD since the appropriate part has already been read.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 5 minutes in support of his motion.

Mr. MCDERMOTT. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, let me thank the gentleman for yielding me this time.

Mr. Speaker, I think that we need to pass legislation today, so I support legislation. I think it is important that we deal with the people who lost their benefits in December because we failed to extend the law. I think it is important that we pass legislation that will provide the additional weeks of benefits for those who exhaust their regular unemployment insurance, and the underlying legislation does that and it is worthy of support.

The problem is, as we have heard during the course of this debate, that the legislation does not go far enough. There will be a million people during the next several months who will exhaust their extended benefits, and the gentleman's motion to commit urges us to deal with that group of unemployed who have lost their unemployment insurance benefits through no fault of their own; and if we do not take action immediately, these individuals will not have any unemployment insurance benefits.

Now, Mr. Speaker, the motion before us will not delay the issue. I know I will hear that from my friends. The conference could be appointed today. It could act today. This is not a controversial issue. This is unfinished business from the last Congress. The funds are there. The funds are in the Federal unemployment trust account to pay for these benefits.

In 1990, the last recession we had, we extended benefits for 26 additional weeks. This tells us to do at least as well for the unemployed today as we did in the 1990s so we can get this done. We can get it done quickly, and we can get it done before we adjourn this week, and that is the essence of the gentleman's motion. So I support the underlying bill, but we need to do better now on the unfinished business of the last Congress.

Then, Mr. Speaker, let me urge my chairman who is on the floor that we look at reforming the unemployment insurance and we do it quickly, that we deal with the part-time employees who pay into the unemployment insurance funds and do not get unemployment benefits. And we deal with the people, many of whom left the welfare system for work only to find that their jobs have been lost and we deal with the most recent quarter of their earnings so they can qualify for unemployment insurance. As we look at a stimulus package, let us also look at increasing the benefits for those people who are unemployed. That would certainly stimulate our economy and is far less costly than the tax legislation that the President brought forward yesterday.

So I would urge my colleagues to support the gentleman from Washington's motion to commit. It urges us to do more. It allows us to move forward with the underlying bill but to do more; and we can get it done today, make no mistake about it. The conference report could be back to us before we leave this evening. There is no question about that in anyone's mind. We know exactly what needs to be done, and I would urge my colleagues to support the motion to commit.

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

Mr. Speaker, the fact is that you have a calendar which says we will be here until 8 or 9 o'clock tonight, so there is plenty of time to make this small change, and any argument that we do not have time is simply a bogus argument.

Now, the fact is that as my colleague from Maryland has said, this is unfinished business from before. I have tried two different ways and the majority is intent on killing any attempt to modify what they have agreed to with the Senate. Now, I guess from now on we will just wait for the Senate to tell us what we need to do because the House clearly has no power to ever confront the Senate and tell the Senate that they have made not quite the right bill.

This is a historic moment. I do not ever remember being in the House of Representatives any place where they conceded to the Senate that whatever the Senate says is what we have to do.

We could do this by 3 o'clock very easily and cover a million people. Now, for anybody to say that because they have already exhausted, because of that technicality on the 28th of December they should not get any more, I find that incredible that you would say that to somebody who is unemployed, that the law we wrote did not work so you do not get any money. Explain that to your kids when you are sitting there at the dinner table. We do not have any food, kids, because the law that the Congress wrote did not work right so I did not get a check this month. I paid for it, I paid into the benefits, and we do not get them.

Mr. THOMAS. Mr. Speaker, I rise in opposition to the motion to commit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in opposition to the motion.

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

Mr. Speaker, apparently we have come full circle. I opened this debate

by saying I had the uncomfortable requirement of informing the House and hoped that it would be the last time that we did so, that I was presenting a bill passed by the Senate and that we would be compelled to have to pass the bill that was passed by the Senate.

I did mention at that time that the Senate passed it unanimously. Notwithstanding the difficulties the other body has in coming together to pass legislation, when time is up, they were able to come together and agree that we needed to address a problem, and they passed this legislation.

For my friends on the other side of the aisle to offer this motion to commit versus the previous one, and the reason I said you did not need to read any further is all you have to do is look at the first paragraph that said the House should report it forthwith. That, in fact, means it comes immediately back and it could go to the Senate. They changed the word ''forthwith'' to ''promptly.'' That means it has to go to committee. And for my colleagues on the other side of the aisle, members of the Committee on Ways and Means say all we have to do is get the Committee on Ways and Means together so we can go ahead and hold a meeting, I have to tell you, who are your appointees to the Committee on Ways and Means?

The Committee on Ways and Means has not been constituted. We do not have a functioning committee. And yet they say blithely all we have to do is come together.

I cannot imagine the mental set that says notwithstanding the Senate came together in time of need and worked cooperatively that even at 11:30 to midnight my friends on the other side of the aisle are offering motions to commit which will kill this provision.

This provision allows for those December 28 folks to continue their benefits. In fact, it allows for almost 4 million to continue to receive benefits, an additional 2 million under the time extension, for a total of 6 million Americans to receive their unemployment benefits. If the motion to commit passes, it effectively kills the measure. The Senate's attempt to unify and put politics aside will have been destroyed by my colleagues' willingness to even today play politics.

In December, the House passed a short-term extension, only 5 weeks. We were criticized for making it only 5 weeks. Why? Because we wanted to address the question when we came back.

My friend from Maryland says we ought to address this promptly. You voted against the measure that would have required us to address it promptly. The Senate failed to pass it. So we are in a position of having the President sign a bill tomorrow or not sign a bill tomorrow.

If you vote ''yes'' for the motion to commit, there will be no bill signed tomorrow and people will really lose the unemployment benefits that they have earned, those people that you apparently shed crocodile tears over. If you vote against the motion to commit and for passage of the measure, we will pick up those folks who inadvertently were dropped on December 28; and 6 million people will continue to receive benefits and hopefully we will pass legislation which will in fact spur the economy and provide them with a job instead of unemployment insurance. And I am quite sure my colleagues will be opposed to the proposals to stimulate the economy as well. So those will be future battles.

Today the line is drawn very simply. Vote for the motion to commit and kill the opportunity to help people get their well-deserved unemployment. Vote against the motion to commit, vote for the underlying bill, and the President can have a bill-signing ceremony tomorrow, and we can do what we should have done back in December.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. McDERMOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote, if ordered, on the question of passage.

The vote was taken by electronic device, and there were—yeas 202, nays 224, not voting 7, as follows:

[Roll No. 6]

YEAS—202

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Houghton
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—224

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Combest
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)

Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—7

Burton (IN)
Kilpatrick
Kind
Nethercutt
Towns
Vitter
Wolf

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). The Chair advises Members that approximately 2 minutes remain in this 15-minute vote.

□ 1333

Messrs. LARSON of Connecticut, CRAMER, SMITH of Washington, CARSON of Oklahoma, GORDON, and HALL changed their vote from ''nay'' to ''yea.''

Messrs. JOHNSON of Illinois, BOEHLERT, and OXLEY changed their vote from ''yea'' to ''nay.''

So the motion to commit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HOUGHTON. Mr. Speaker, on rollcall No. 6 I inadvertently pressed the ''yea'' button. I meant to vote ''nay'' on the McDermott motion to commit.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair has a statement about the length of electronic votes.

Clause 4 of rule XX says that Members shall have at least 15 minutes to respond on an ordinary record vote or quorum call. But with cooperation among the Members, it is possible to complete a vote in that time.

The Chair believes that closing votes as soon as possible after the guaranteed minimum time should be the regular practice. The Chair is certain that votes can be shortened if Members simply resolve to head to the Chamber as soon as they are notified by the bell-and-light signal. The Chair will remind Members when 2 minutes remain on the clock.

The goal of completing votes in as close to the minimum time as possible is even more reasonable in the case of a 5-minute vote, because every 5-minute vote necessarily follows another electronic vote, and is always preceded by an announcement from the Chair and a distinctive bell-and-light signal.

No occupant of the chair would prevent a Member who is in the well of the Chamber before a result is announced from casting his or her vote. But each occupant of the chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity. Members should not rely on signals relayed from outside the Chamber to assume that votes will be held open until they arrive in the Chamber.

The question is on the passage of the Senate bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. THOMAS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 4, not voting 13, as follows:

[Roll No. 7]

YEAS—416

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Combest
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gephardt
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—4

Flake
Garrett (NJ)
Miller (FL)
Paul

NOT VOTING—13

Akin
Bachus
Bell
Delahunt
Gallegly
Kilpatrick
Kind
Larson (CT)
McDermott
Nethercutt
Tauzin
Towns
Wolf

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that approximately 2 minutes remain in this 5-minute vote.

□ 1341

So the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GALLEGLY. Mr. Speaker, I was pushing the button when time went off. I understand it, but had I been present, I would like to have been recorded as voting ''yea.''

Mr. BELL. Mr. Speaker, I was unavoidably detained and unable to record my vote on rollcall vote No. 7, the Unemployment Insurance Benefits Extension Act. Had I been able to record my vote, I would have voted ''yea ''

Mr. AKIN. Mr. Speaker, on rollcall No. 7 I am not recorded. I would have voted "yea."

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 7, apparently the card did not register a "yes" vote. Let the RECORD show had the machine recorded the vote, I would have voted in the affirmative.

PERSONAL EXPLANATION

Mr. WOLF. Mr. Speaker, I was unavoidably detained this afternoon at a news conference reporting on my recent fact-finding trip to Ethiopia to observe the famine conditions and did not vote on rollcall Nos. 6 and 7. Had I been present, I would have voted "nay" on the motion to recommit S. 23, and "yea" on final passage of S. 23, to extend unemployment insurance benefits.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 1 AND HOUSE JOINT RESOLUTION 2, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 15 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 15

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 1) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 15 is a closed rule providing for the consideration of two continuing resolutions, H.J. Res. 1 and H.J. Res. 2, both of which make further continuing appropriations for fiscal year 2003. The rule provides that H.J. Res. 1 will be debatable in the House for 1 hour, equally divided and controlled by the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY).

The rule waives all points of order against consideration of H.J. Res. 1, and it provides one motion to recommit the underlying measure. H.J. Res. 15 also provides that H.J. Res. 2 will be debatable in the House for 1 hour, equally divided and controlled by the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY).

The rule waives all points of order against consideration of H.J. Res. 2. It provides one motion to recommit.

As we start this year's legislative session, I urge my colleagues to join me in supporting this rule so we may proceed to consideration of the two underlying continuing resolutions, both of which will allow the Federal Government to remain open until the end of this month. Failure to pass these measures would mean the government, outside of the defense and military construction appropriations bills, would have to shut down on midnight this Friday, January 10. We simply cannot allow that to happen to the American people.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I cannot think of a good reason, other than nostalgia, to explain why we are still trying to complete our work from 2002. The rest of America has already celebrated the new year. They have already started to write 2003 on their checks. But for the House of Representatives, the calendar year has not turned.

Every year this House has the responsibility to pass the 13 appropriation bills that keep this government running.

□ 1345

Funding for education, health care, environmental protection, homeland security, national defense all must originate here. The scorecard from the last Congress shows that the majority could only pass 2 of these 13 bills. So we are here today to consider a sixth continuing resolution to keep the government open and running. We are here for one simple reason: The majority party in this House has failed. They did not do their job, and the American people deserve to know that.

Members of this House get up all of the time and give great speeches about how much they value education, about how no child should be left behind. But when it comes to actually funding education, the majority says maybe we will get to it later.

I just met with leaders from hospitals and home health care agencies and nursing homes in Massachusetts that are struggling just to hold on. They need relief and they need it now; but when it comes to actually funding our health care system, the majority says maybe we will get to it later.

Where is our commitment to our police, our firefighters and other first responders? Where is our commitment to environmental protection, and funding for our transportation and infrastructure needs? Certainly not in this bill.

Mr. Speaker, later is not good enough. We need to act now on the issues that matter to the American people. Indeed, we should have acted yesterday. As even senior Republican appropriators have pointed out, we are leaving ourself extremely underfunded in the area of homeland security. Take a look at port security, for example. Right now 21,000 shipping containers arrive in U.S. ports every day, each one big enough to carry a weapon of mass destruction, but less than 2 percent are actually screened.

As the Washington Post has reported, Customs Commissioner Robert Bonner has said there is virtually no security for what is the primary system to transport global trade.

Worse yet, the rule before us prevents Democrats from even offering amendments to correct that mistake and provide that critical funding. Somehow, the majority found time last year to pass huge tax breaks for the wealthiest Americans, but not much else. We hear a lot of talk about homeland security, but we are not funding our homeland security needs.

This is a time for New Year's resolutions. I hope my colleagues on the other side of the aisle will resolve to bring our appropriation bills to the floor in a timely manner and let the House work its will, vote and move on. The American people deserve a House of Representatives that functions, that does the job given to it by the Constitution, and I hope that we can at least achieve that much during this new year.

Mr. Speaker, there will be a vote on the previous question, and I urge my colleagues to vote no on that previous question. A no vote will allow Democrats to offer important amendments to fund some of our vital interests.

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

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

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, of course the CR before us is not supposed to have items that raise the cost of government, nor agreement on what the cost should be. There is a sleeper item in this CR that Members need to know about because it certainly raises the cost of government a great deal and a great deal more than was necessary.

We are treated in this CR to a lease. That is I must say an unprecedented circumvention of the committee process. Perhaps that could be justified

under some circumstances. There are three hugely negative consequences for doing so today. We have raised the price of the interim headquarters for the Homeland Security Department. We have disrespected the committee which was in a position to help mitigate the price and the length of the lease, and we have undermined the economy of the Nation's capital. Let me say a word about each of those.

First, raise the price. What we have here is something that gives every appearance of a sweetheart lease. It was supposed to be 5 years, it is 10 years, which is more than is necessary because this is an interim headquarters. This is not the headquarters. It cannot be cancelled. It is for $250 million, a quarter of a billion dollars for a 10-year lease. After 10 years, we could have bought a building. Why would we lease a building for 10 years at a time when we are cutting appropriations to smithereens.

We disrespected the committee to the detriment of this lease because the committee had ideas about how to meet the deadline without signing such a long lease that in effect bought the building, but at the end of 10 years taxpayers will have nothing to show for a 10-year lease. A quarter of a billion dollars is the least of it. We are going to have to add millions more to enhance the security of this leased building, this building we do not own. We could have built this building.

Finally, we have undermined the economy of the Nation's capital. What has been done is the Federal Government has taken all of the most valuable land in the District of Columbia off for yourself. Having done that, all we get in return are Federal jobs. We cannot tax the people who come in here for their Federal jobs, but at least they can leave their disposable income here. Now we will not even have that.

Mr. Speaker, according to a survey that we had done, a study that we had done, the cost to the District of Columbia over 10 years is a loss of $342 million. We cannot replace that money. Under the Constitution, there are only two sectors in the Nation's capital, government and tourism. We are leaving the Nation's capital without an economy. We had no fair chance to compete for the interim headquarters.

Mr. Speaker, sadly the District of Columbia had no fair chance to even compete for the interim headquarters. That is clear if we review the language of the request for proposal. They preselected the suburbs from the beginning. The language gave it away. They might as well have said, ''We want to locate this in Northern Virginia.'' What they said instead is we want an office park setting. Give me a break. We do not have office parks in big cities.

They took out what is standard in all RFPs for Federal sites, and that is that there be access to a Metro. That means that the residents of the District of Columbia, those particularly in the lower levels, do not have any way to get there from here. This is a heartless thing to do to the Nation's capital, but that is what has been done.

Let me put Members on notice, all the District of Columbia asks is not that we get a site, but that we have a fair chance to get a site. This administration did not give us a fair chance to get the interim headquarters. We will not allow the Homeland Security Department to be the only department other than the Pentagon whose headquarters are located outside of the District of Columbia. The Pentagon had to be located out of the District of Columbia because there was not enough room for it. There is enough room for the Department of Homeland Security in the Nation's capital. We insist that the permanent headquarters be located here, and I ask Members of this body to assist us in making sure that happens.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I have been in this body for 10 years, and each year we have had continuing resolutions, both when I served in the minority and also in the majority. They are always unfortunate because it holds up the work of this House.

I would say to my colleagues a little lesson in history, in the 107th Congress the House passed 58 bills, 58 bills that the other body refused to either take up or pass. They gridlocked them. I would say that this body did its work. We passed bills. And regardless of the gridlock in the other body, we did many things together, Republican and Democrats, that helped the American people. I worked with many of my colleagues on both sides of the aisle, including the gentleman from Wisconsin (Mr. OBEY), whom I serve with on the Committee on Appropriations.

Mr. Speaker, we intercepted a memo from James Carville, a political partisan, Democrat operative, and it was entitled, ''It's the Economy, Stupid,'' and he recommended two things to the other body, one that they not pass a budget. Why? Because a good example is prescription drugs. The House did its work. We passed prescription drug legislation two times in this body. The last time was for $350 billion, more than the other side of the aisle requested during the first go-round, yet it did not satisfy them. Carville and the other body, they requested $1.3 trillion for prescription drugs in their first go-round. Why? So they could bad mouth Republicans to specific interest groups. And in the 13 appropriations bills if Democrats do not have a budget, they can put a trillion here and a trillion there. In Labor-HHS, for example, over time it was $278 billion more, yet they talk about being fiscal conservatives and it just does not add up.

Yes, we did not pass the appropriations bills as the gentleman talked about, but we chose to wait and see what we could do to work it together. But with the Senate not passing its bills, it made it more and more difficult.

The second portion of the Carville memo recommended that the Senate not pass any of the House bills, which they did. They held 58 of them up during that time, bills that would help the American people, such as the energy bill, and I can tell Members California is very strapped for energy and the need for infrastructure. Yet the other body, upon recommendation, held that bill up.

The economic stimulus package, we all know that the economy, a lot is based on the stock market. We had bills that we passed in this body that would help people regain confidence in the stock market so that the people like from Enron that invested their life savings in a retirement plan would not have some CEO take the whole bundle of wax and leave them with nothing. We heard testimony of a lady that had over $200,000 in her retirement account. After Enron, she had like $15,000 in her retirement account. The gentleman says we did not do our work, but the Senate refused to take up legislation. They refused to take up an energy bill.

Mr. Speaker, I would tell Members yes, we did not pass appropriations bills, but we were not going to play the Carville game.

Secondly, when the Democrats had majority in this place, we remember in 1993 when they said they were going to help the middle class. They increased the tax on the middle class, after months and months of the then-majority leader saying that they were going to cut taxes on the middle class. They increased the tax on Social Security. That is because they had a President in the White House that would sign it. They increased the tax on gas. They even had a retroactive tax. They took every dime out of the Social Security Trust Fund. They cut veterans' COLAS and military COLAS, and this is when they had control. They passed it because they had large numbers in the majority in the other body.

In the other body, we have a 2-vote margin. We do not have 60 votes to pass things in the Senate. They are not like the House where it is a simple majority. Yes, in the future there is also going to be gridlock from the Senate because the same partisan Democrats that held up legislation in the Senate when they were in the majority are going to hold up legislation on the Senate side.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise Members not to make improper references to the Senate or characterization of Senate action or inaction.

Mr. CUNNINGHAM. Mr. Speaker, there are a lot of things that we can come together on in this House over the next 2 years; but, if we look at the pending bill, all I have heard so far is vitriolic, partisan points at the Republican Party. That is not going to get

Members anywhere; it just makes us madder, like it makes the other side of the aisle madder when they do not get their way.

There is a lot of things we can do together, which we do within the committees themselves. But when it comes to the leadership of the Democrat Party, that is their goal, to gridlock, to hold things up like over the past 2 years.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Wisconsin.

□ 1400

Mr. OBEY. Mr. Speaker, let me just point out, the name of our party is not the Democrat Party. It is the Democratic Party. We would appreciate it if we would at least be called by our proper name, okay?

Mr. CUNNINGHAM. I yield to the gentleman and my friend from Wisconsin. The Democratic Party. I meant nothing by that and the gentleman knows that. But there are a lot of things we can do and most of these freshmen that came have ideals, actually sitting down and working together. Unfortunately, we have got a Presidential election, and there is a lot at stake for the parties. Myself, I am a fighter. The gentleman knows me by now, over 10 years. But I would much rather sit down with the gentleman from Wisconsin and with the leadership of the Democratic Party and work out these things instead of this bickering. It hurts all of us.

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

I just want to say to the gentleman from California that I am sorry that my comments made him mad, but I will restate my position, that I believe that the majority party failed to do its job in the last Congress. You are in charge. You have the majority. You are supposed to pass these 13 appropriations bills and you failed to do so. As a result, here we are talking about our sixth continuing resolution; and we are underfunding education, we are underfunding health care, we are underfunding environmental protection, we are underfunding homeland security; and I think the American people are furious over the inability of the leadership of this Congress to lead. That is your job.

I would also simply point out to the gentleman that rather than adjourning early to get an early jump on Christmas shopping, we should have remained in session and worked out the differences with the other body; and we should have stayed here, remained here until we did our work.

Mr. Speaker, I yield 9 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentleman for yielding me this time.

Mr. Speaker, what is happening here today is that the democratic processes in the institution that is supposed to represent the finest of democratic traditions in the world are being mutilated, and I want to explain what I mean by that.

The majority party for the last year has been able to prevent this House from making any significant decisions whatsoever on 90 percent of the domestic budget. They have succeeded in preventing the education, health and labor bill from coming to the floor for a vote. They succeeded in preventing the science budget, the housing budget, the veterans budget and others from coming to the floor.

And now that we are past the election, they are now doing two things. By this resolution before us today, they are making it possible for the House to consider two resolutions, both of which will be sent to the Senate. The first resolution will continue the authority to keep the government open for 1 month, and the second resolution will be used as a vehicle to which the Senate will then attach all of the remaining appropriation bills as they have been worked out in the Senate. It will be attached to that vehicle and then sent back here for an up-or-down vote, and no Member will have any opportunity to affect that package in any way whatsoever. That will mean that we will have gone an entire year without any degree of accountability for the actions of either the majority party or the minority party. Our last opportunity to affect the content of that budget comes today on these resolutions. We are being denied again an opportunity to provide any meaningful alternative to the proposition that is being put together by the majority party.

The House rules say that if the Committee on Appropriations has not passed what is called a 302(b) allocation under which it takes its spending authority and allocates that authority to the 13 different subcommittees, if the committee has not done that, then the rules of the House say that the House cannot consider an appropriation bill. The Committee on Rules agreed to waive that provision for the majority, so they are allowing the majority to bring a bill to the floor allowing for a huge amount of spending, but they did not afford the same privilege to the minority. That means that we cannot offer any meaningful amendment to the funding level being provided by the majority.

There are reasons for rules. Whether you are talking about a New York Giants–San Francisco 49ers game or whether you are talking about the House floor, the purpose of rules is to see to it that everybody is treated the same. What this rule in essence says is that there is only one team that can even touch the ball; that is, the Republican majority team. And it says the Democratic team can have no opportunity whatsoever to have any impact on the outcome. That destroys the ability of this place to be a legitimate representative body.

After the election, I was watching McNeil-Lehrer, and I noticed in the panel that they had, the moderator asked the panel, what were the roles going to be for the Republican and Democratic Party after the election. When they discussed the Democratic Party, Tom Oliphant, the distinguished columnist, said, ''Well, they are now the minority party and so it is their responsibility to offer alternatives to the majority party's propositions.'' That is correct. But we are being denied by this rule by the majority party the opportunity to offer meaningful alternatives. That is bad for us, but it is also bad for the majority party because it means that there is no way to hold the majority party accountable for its decisions and there is no way to judge whether their decisions or ours are better, or more in tune with the country's needs. That is a disastrous result in what is supposed to be the most representative body on the face of the Earth.

If we had not been boxed out by the illegitimate action of the Committee on Rules, what we wanted to do is to offer a simple amendment which would put the House on record supporting expenditures which the majority party has already voted for on the supplemental. We wanted to make certain that the $2.5 billion in homeland security items, for port security, for border security, for FBI computers, et cetera, we wanted to make certain that those contingent appropriations which were frozen by the President, we wanted to give the House an opportunity to say that those items should be provided in this continuing resolution. The President has stonewalled on those $2.5 billion worth of items.

And we also wanted the House to reaffirm its support for $275 million of additional veterans medical care, for $200 million additional funding to fight terrorism in the Middle East, which we would have provided to Israel. The election reform money which both parties posed for political holy pictures about early on, we wanted to provide that. And we are being denied the opportunity to provide all of it. None of that adds to the spending level of the Republican-approved budget resolution. It does add to the level in this bill, but this bill is substantially below that resolution. Yet we are being denied the opportunity to strengthen the homeland security of this country because of the partisan needs of the majority party. I think that is illegitimate.

The other thing we wanted to do is to see to it that the Securities and Exchange Commission is funded at the level promised in the Sarbanes-Oxley bill so that we could in fact put our money where our mouth is and afford investors decent protection from corporate fraud in their balance statements and in their accounting. We are being denied by the Republican majority the opportunity to do that as well.

That is why we are going to be asking this body to vote against the previous question on the rule so that we

can in fact offer this legitimate amendment, to offer these items which all of you, at least 90 percent of you on the majority party side of the aisle have already voted for. The items I am asking people to allow have already been supported by 90 percent of the Republicans and Democrats in the Senate and the House. I do not think that would be too much to ask if this House were a legitimate democratic body, which apparently the House is not. Democracy in this House is being shredded. The Republican Party is simply afraid to vote on these issues because they know that they would either lose the vote or else have a substantial segment of the American people saying to them, ''What in God's name were you thinking when you turned those items down?'' This is an illegitimate action, an illegitimate, arrogant and antidemocratic, small ''d,'' operation, and the majority party ought to be ashamed of themselves.

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

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

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

Mr. OBERSTAR. Mr. Speaker, I too rise in opposition to the rule. By prohibiting a motion to strike the imprudent and fiscally irresponsible language in the continuing resolution concerning the housing of the new Department of Homeland Security, this rule circumvents fair, deliberative legislative process. This language in the CR authorizes the government to enter into a long-term lease for a building in Virginia to house some of the employees of the new department. The Bush administration and the House Republican leadership have thereby created a Department of Homeland Security that itself is not secure. This was a backdoor deal done without participation from House Democrats, and frankly very little participation by House Republican leadership and members on the Committee on Transportation and Infrastructure.

Here is how: the CR says that the prospectus to lease the property is deemed approved by the Committee on Transportation and Infrastructure. We have not even considered it. We have not even seen it in open committee hearing process. In fact, it was not approved by our committee or any other relevant committee of either the House or the Senate. We did not have a chance to meet and discuss it. The prospectus was signed on Christmas Eve and delivered through the mail slot in our door the day after Christmas when people were on leave. The new department and the security of the people who work there, frankly, are far too important for this kind of gimmickry; and in the process, the Committee on Transportation and Infrastructure has been marginalized and trivialized.

This secretive process avoids answering questions by the administration, such as does the commercial office space that they have chosen meet basic security standards, such as a 100-foot setback to protect against truck bombs? Does it have shatterproof windows? Neither of these issues is addressed in the prospectus, nor in the CR.

At the signing of the Homeland Security Act, President Bush said, ''Our objective in creating this department is to spend less on overhead and more on protecting neighborhoods, borders, waters and skies from terrorists.'' Well, this lease is going to cost the government a quarter of a billion dollars over 10 years, and in addition the government is going to have to spend tens of millions of dollars to make necessary security enhancements to the building. That is not keeping overhead costs down. Furthermore, they have got a leased building. After investing all the money, the Bush administration is clearly prepared to walk away from that investment and stick the taxpayers with the bill. A better solution is for the Federal Government to build a new facility to house the department. We proposed that solution last year in committee. The House passed it in July as part of the Homeland Security Act. It did not continue in the final legislation, but nonetheless there is a longstanding provision of Federal law that requires Cabinet-level offices to be built in the District of Columbia.

□ 1415

Common sense tells us it is better to own your house than rent it, and this building is not going to hold the 17,000 employees of the new department headquarters. At most it is going to hold 2,200 people on a 10-year lease that if they try to cancel they are going to pay a huge price. This is fiscally irresponsible. It is a disrespect to the people, it is a disrespect to the public discussion and legislative process, and under the rubric of security, secretive process is not appropriate.

Vote against the rule and against the CR.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, let me just say that my major concern is that we need not continue this abdication of our responsibility to the Senate. This is the second bill in a row that we have said let the Senate take care of it. The people of this country elected us in the House of Representatives to take care of some business as well.

The other point is that I would like to have a voice before we cut education, which this will do. I would like to have a voice before we cut veterans care and appropriations for our veterans who served in our wars, and particularly low income energy assistance, particularly at this time of cold weather. We will have none of that, none of that if we move in this direction. We cannot start this year by consistently setting a pattern of abdicating our responsibility here in the House of Representatives and keep saying let the Senate do it. Is that what we are going to do when we go back and we campaign and when the people ask ''What did you do on that vote? Did you have a say?'' No, we just voted to extend the shell, let it go over there to the Senate, let them do the work, and then they just pass it back.

So I urge the Members to let us take another look at this and let us do the will of the people and let this House of Representatives stand up and be the House that we are out there on the campaign trail telling people send me to the House of the people and let me do the people's will. Not one time did we say send me to the House and I will abdicate and let the Senate do our will.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). The Chair would respectfully remind the gentleman, as he previously reminded the other Member, to refrain from improper references to the Senate.

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

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, there is a close contest as to which aspect of this bill is more outrageous, its terribly deficient substance or its antidemocratic procedure. As to the substance, as the gentleman from Wisconsin just mentioned, this bill continues the Republican position of complete and total hypocrisy with regard to corporate accountability. When the Sarbanes-Oxley bill was signed, the President quite proudly cited this as an example of his concern for increased corporate accountability. A key piece of that bill which the President signed called for an increased appropriation for the Securities and Exchange Commission so it could do the large number of new responsibilities it is given by Sarbanes-Oxley. Consistently since the passage of this bill at every budget opportunity, the Republican majority in this House has refused to make one penny of that available so that none of the additional responsibilities of Sarbanes-Oxley have been funded. This bill continues the pattern of hypocrisy, of having called for and signed into law funding for Sarbanes-Oxley to the SEC and not providing it. The President has sent up before that for fiscal 2004. Of course given this Committee on Appropriations and this House's track record, fiscal 2004 will not be passed until late in 2004, but even if it were to be in an unprecedented way passed on time, it will have been over a year and a half between the signing of the bill and its funding.

Similarly, let me warn Members that when they go back from here, they will be told by public housing authorities if they have them in their district and people who administer section 8 that this appropriation substantially underfunds both, public housing authorities for a combination of reasons, including the incompetence which has kept the bill from being passed in a timely fashion and the priorities of an administration that is in power. Public housing authorities will not be given enough operating money to run their budgets.

When the Republican majority at the President's behest abolished the drug elimination program by which public housing authorities fought drug use, they were told, well, that is okay, they can fund it out of their regular operating budget, but now comes the second part of that. They have underfunded the operating budget. So first they say fund that $300 million program nationally out of their operating budgets and then they cut the operating budgets by hundreds of millions more so there will be no chance of doing that.

So the Sarbanes-Oxley bill is rendered once again a nullity under this in substantial part. The public housing authorities are given too little money to do their basic operations, and there is not enough money to continue the existing section 8 contracts, and as I guess as an admission of the indefensibility of this bill, the Republicans have of course come up with the most antidemocratic procedure imaginable so that no amendment addressing any aspect of what I have just talked about will be in order. So we have I guess a synergy, a terrible bill which can only be put forward with an outrageous procedure.

Mr. Speaker, I would just repeat because people ought to understand that there is a synergy here. It is a bill so deficient in its substance that it can only be brought to the floor under an antidemocratic procedure that presents the substance from being addressed. And let me say Members of this body who vote for this rule and prevent any amendment, when they go back to their districts and talk about their support for public housing authorities that are in trouble, the elderly housing with the drug problems that they want to fight, talk about their commitment to Sarbanes-Oxley, will be telling people things that will be in direct contrast to their actions. Vote for this rule and you vote to keep the funding needed to make Sarbanes-Oxley a reality, you vote against allowing the public housing authorities to meet their basic operating needs so that when elderly people complain to you about the problems of heat, the problems of law enforcement, the problems of maintenance, understand that voting for this rule makes you responsible for that.

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

Mr. MCGOVERN. Mr. Speaker, may I ask the gentleman if there are any requests for time on his side?

Mr. LINDER. Mr. Speaker, I have no more requests for time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I thought we had a doubleheader here, but apparently we have a trifecta. Not only do we have a bill that is lousy in its substance and indefensible so that procedurally no amendment can be offered, but it is in both cases so bad that the majority will not even explain or defend it. So the procedure is bad, the substance is worse, and the majority confirms that by refusing quite sensibly to try to say a word in its defense.

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

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

Let me close for our side by again expressing our frustration on this side of the aisle that we are still dealing with last year's work. The fact that we are dealing with the six continuing resolutions before us today I do believe is a failure of the majority party's leadership in the last Congress, and it continues in this Congress. As we bring this bill to the floor, we continue to undercut and underfund education and health care and transportation needs as speaker after speaker has already said.

We are going to call for a vote on the previous question, and I am going to urge people to vote no on the previous question. This rule is unfair, it is undemocratic, it is arrogant, and this is an issue of fairness. The majority has waived the budget rules for themselves, but they have not waived those rules for the minority. This is another abuse of power, and maybe in his closing statement the gentleman from Georgia (Mr. LINDER), my friend, can explain why one set of rules applies to the majority and a different set applies to the minority in dealing with an issue of this importance. By defeating the previous question, we will restore some fairness to this debate, to this process, by applying the waiver of budget rules to the motion to recommit so that we can offer a meaningful motion to recommit and we can provide the funding, as the gentleman from Wisconsin (Mr. OBEY) said earlier, to the SEC so that it gets the proper funding as authorized by the Sarbanes-Oxley bill. It also can provide much needed moneys for homeland security which, for all of our talk about homeland security, we continue to underfund important needs. It provides important moneys for veterans medical care. Everybody talks about how we are committed to veterans, and yet here we are again moving forward on a bill that underfunds veterans medical care and we are not even being allowed an opportunity to correct this. So I would urge all of my colleagues to vote no on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD just prior to the vote.

The SPEAKER pro tempore. Is there objection to the request by the gentleman from Massachusetts?

There was no objection.

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

In closing, I would say to the gentleman from Massachusetts (Mr. FRANK), who worried about the fact that the Republicans were not defending the bill during the discussion on the rule, under the regular order during the discussion of the 1-hour debate on the rule, we should be discussing the rule. We will be delighted to defend the substance of our bills in the subsequent debate on the bills.

The material previously referred to by Mr. MCGOVERN is as follows:

AMENDMENT TO H. RES. 15 OFFERED BY MR. MCGOVERN

Strike all after the resolved clause and insert:

That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 1) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

Sec. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate on the joint resolution equally divided and controlled by Representative Young of Florida and Representative Obey of Wisconsin; and (2) one motion to recommit.

Sec. 3. During consideration of House Joint Resolution 1 and House Joint Resolution 2, points of order against amendments for failure to comply with section 302(c) of the Congressional Budget Act of 1974 are waived.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5

minutes the time for electronic voting, if ordered, on the question of adoption of the resolution.

Members will be reminded that the Chair will strictly enforce the 15-minute rule.

The vote was taken by electronic device, and there were—yeas 225, nays 198, not voting 10, as follows:

[Roll No. 8]

YEAS—225

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Combest
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—198

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Delahunt
Greenwood
Houghton
Inslee
Kilpatrick
Kind
Nethercutt
Pickering
Towns
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON) (during the vote). The Chair advises Members that approximately 2 minutes remain on the 15-minute clock.

□ 1447

Messrs. ISRAEL, DAVIS of Tennessee, HOYER, GORDON, KANJORSKI, and EVANS changed their vote from ''yea'' to ''nay.''

Mr. GREEN of Wisconsin changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KIND. Mr. Speaker, today, January 8, due to family considerations, I unfortunately was not able to vote on several rollcall votes. Had I been present, I would have voted ''no'' on rollcall No. 5. I also would have voted ''no'' on rollcall No. 6, ''yes'' on rollcall No. 7, and ''no'' on rollcall No. 8.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1448

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). 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 after debate has concluded on all motions to suspend the rules.

NATIONAL FLOOD INSURANCE PROGRAM REAUTHORIZATION ACT OF 2003

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11) to extend the National Flood Insurance Program.

The Clerk read as follows:

H.R. 11

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 ''National Flood Insurance Program Reauthorization Act of 2003''.

SEC. 2. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—The National Flood Insurance Act of 1968 is amended—

(1) in section 1309(a)(2) (42 U.S.C. 4016(a)(2)), by striking ''December 31, 2002'' and inserting ''December 31, 2003'';

(2) in section 1319 (42 U.S.C. 4026), by striking ''after'' and all that follows through the period at the end and inserting ''after December 31, 2003.'';

(3) in section 1336(a) (42 U.S.C. 4056(a)), by striking ''ending'' and all that follows through ''in'' and inserting ''ending December 31, 2003, in''; and

(4) in section 1376(c) (42 U.S.C. 4127), by striking ''December 31, 2002'' and inserting ''December 31, 2003''.

(b) EFFECTIVE DATE.—The amendments made by this section shall be considered to have taken effect on December 31, 2002.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. OXLEY).

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

Mr. Speaker, I want to alert my colleagues that this is not the Ohio State resolution. That comes next.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous material on the bill.

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

There was no objection.

Mr. OXLEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, today we consider a bill I have introduced to reauthorize the Federal Emergency Management Agency's National Flood Insurance Program, which expired on December 31. Joining me in cosponsoring this legislation are 31 other Members of Congress, almost equally divided between Republicans and Democrats.

The gentleman from Massachusetts (Mr. FRANK) and I have been in contact with our counterparts in the Senate, who are in agreement with us on the need for immediate reauthorization of this important program. This is an important, noncontroversial, bipartisan bill that demands our attention so Americans will be protected from disaster and flood losses.

Despite last minute efforts to remedy the situation, authorization for the NFIP expired at the end of last year. The current continuing resolution, which extends fiscal year 2002 baseline funding through January 3, 2003, does not extend the NFIP authorization. Until the NFIP authority is reauthorized, FEMA cannot issue or renew flood insurance policies and cannot borrow funds to cover claims that may arise.

Realtors, homebuilders, mortgage bankers, and other real estate professionals in every one of the 20,000 communities covered by the NFIP are deeply and rightly concerned by the fact that real estate contracts cannot go to closing until this program is reauthorized. Countless small businesses, as well as current and prospective homeowners, are gravely concerned.

I have been in touch with the regulators and asked that they oversee loans during this period to make sure no profiteering takes place as a result of a 1-week lag in the program. We need to make sure that consumers are protected during this period.

By including language in this bill to make the reauthorization retroactive to January 1, 2003, we intend for there to be no gap in this authority, and for all program activity to occur in a seamless manner. Further, it is our intent that any actions taken to renew or enter into new policies would be treated as if the authority were in effect, and that the NFIP pay any claims that may have arisen during this time, or any policies renewed or made effective during this period.

Though there are some who had wanted us to pass a 5-year authorization of the NFIP, our bill opts to reauthorize the program for 1 year only. This is in deference to those Members who have sought to make changes to the flood insurance program in order to prevent costly repetitive loss claims.

With approximately $200 million being spent on an annual basis on repetitive flood loss properties, it is important that we in the Congress work with the administration to promote greater fiscal responsibility for the program. The Committee on Financial Services held a valuable hearing on this issue during the last Congress, and I expect we will revisit the subject with another hearing this year.

I want to thank our good friend, the gentleman from Massachusetts (Mr. FRANK), as well as our counterparts in the other body and the FEMA staff, for their leadership on this issue. The NFIP is an important program that protects 4.4 million property owners with $623 billion in insurance coverage. It is critical that we reauthorize the program without further delay.

I urge my colleagues to support this important measure so we can get it to the President this week.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank the distinguished ranking member for yielding time to me, and thank the chairman of the Committee on Financial Services for their work together in bringing this important legislation to the floor today.

Mr. Speaker, the gentleman from New York (Mr. ACKERMAN) and the gentlewoman from New York (Mrs. MCCARTHY), my Long Island colleagues, joined me in writing to the gentleman from Illinois (Speaker HASTERT) and to the gentlewoman from California (Ms. PELOSI) last month asking that this bill be among the first the House considers this year. We did so because the program is absolutely vital to our region's homeowners.

Long Island, Mr. Speaker, is indeed an island. To the south we face the Atlantic Ocean and to the north the Long Island Sound. As a result, many in our communities depend upon the National Flood Insurance Program to protect and finance their homes. The program lapsed on December 31, resulting in essentially a halt to all real estate transactions on Long Island's shores until the program was reauthorized. The lapse has exposed homeowners, lenders, and the Federal Government, through the Department of Housing and Urban Development, to catastrophic and uninsured losses in the case of a major weather event.

Mr. Speaker, this is a straight reauthorization of the National Flood Insurance Program through the end of this year. It has the strong support of the Committee on Financial Services. People on Long Island and around our country need this program.

I want to thank the Speaker, the gentleman from Ohio (Chairman Oxley), and the ranking member, the gentleman from Massachusetts (Mr. FRANK), for their leadership on this issue, and for bringing this bill to the floor in such a timely fashion. I look forward to the President's expeditious signature on this matter at the earliest possible moment.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Speaker, I rise in strong support of the legislation. I am very pleased to say that it is a 1-year extension, only because it is important that we address the reforms that are necessary for our own constituents and for some of the very important matters brought to us by the managers of the National Flood Insurance Program and FEMA.

During most of my time here in Congress, I have been working on reform legislation for the flood insurance program. I would say it is overdue. With Mr. KENNEDY from Massachusetts, we often tried to make some reforms. We were successful in part. In recent years, the gentleman from Oregon (Mr. BLUMENAUER) and I have been working on this subject. We have reintroduced legislation today.

We were happy to work with Mr. Bentsen, the former Member from Texas, and we look forward to working with all Members, such as the gentleman from Louisiana (Mr. BAKER), who has played a key role and has had a great interest in this subject. This is important legislation which the chairman has identified for work this year, so I hope their input will come to us.

Mr. Speaker, again, I rise in strong support of the legislation and urge its passage.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman for yielding time to me. I appreciate the gentleman's courtesy in permitting me to speak on this bill.

Mr. Speaker, I commend the Chair and ranking member for moving this forward expeditiously. It is important. I appreciate their commitment to look at the long term.

My colleague the gentleman from Nebraska (Mr. BEREUTER) has been working on this for some time. It is a critical program for the lives and livelihood of many people around the country. It is a good example of how the Federal Government can step in and help work with local communities to lessen the impact that disasters have on people's lives and property.

However, as we look at this reauthorization we must indeed look at the big picture, because the Federal Government can do a much better job of providing the right signals and incentives for individuals, communities, and State governments to act responsibly. Unfortunately, some aspects of our disaster policy on the national level are themselves a disaster, including a dominant structural model for flood plain and flood management that has a serious number of problems.

Despite spending over $40 billion in the last 40 years on flood program management to reduce flooding, we have actually seen flood losses increase to

an average of $8 billion a year, six times what it was before the program was enacted 40 years ago. Forty percent of the payments go to 2 percent of the property.

We have a serious problem of repetitive flood loss. I have often cited an example of one home in Houston, Texas, with an assessed value of less than $115,000 that has received over at least 16 losses totaling over $806,000. It is an example of a program that needs to be corrected.

Flood losses are only going to get more expensive as global warming leads to more extreme weather events. The world's largest banks and insurers are already estimating that the cost of financial losses from events such as this summer's devastating floods in Central Europe and in India will be $150 billion over the next 10 years.

□ 1500

Our national flood policy often encourages development and rebuilding in places with a predictably high risk of future catastrophic loss. It also fosters an unsustainable reliance on the Federal Government. That is why the Bush administration in one of their first actions upon taking office identified flood insurance reform as one of the areas that could both help the environment and save money. It is an area of reform that was identified by the Clinton administration and James Lee Witt, a FEMA director that we all worked with.

I am pleased to join with my colleague, the gentleman from Nebraska (Mr. BEREUTER), in co-sponsoring the Two Flood and You Are Out of the Taxpayer Pocket Act that would reauthorize the program until the year 2007. I will not go into the details other than to say it is the sort of heavy lifting in terms of legislation that will actually unite the administration, environmentalists, people who are fiscally conservative, people who care about being able to make sure that we do not encourage people to put themselves in harm's way.

I appreciate speaking in support of this bill today and look forward with working with people in this Chamber on important reform legislation that can be a source of pride for this Congress.

Mr. Speaker, I appreciate the gentleman's courtesy.

Mr. OXLEY. Mr. Speaker, let me recognize the gentleman from Nebraska (Mr. BEREUTER) and the gentleman from Oregon (Mr. BLUMENAUER) for their excellent work on a very important subject, and we appreciate their input.

Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, I thank the gentleman from Ohio for yielding me time.

Mr. Speaker, in September of 1999, most of the east coast was hit hard by Hurricane Floyd. There were 66 known deaths, 48 in North Carolina, three in New Jersey, two in New York, six in Pennsylvania, four in Virginia, two in Delaware and one in Vermont. Ten States were declared Federal disaster areas as a result of Hurricane Floyd. These 10 States needed support. In the aftermath of the storm, 4,582 individuals registered for Federal assistance in my home State of New York alone.

The insurance for this kind of storm risk is priced far too high for the average homeowner. The Federal Government passed the Federal Flood Insurance Program in 1968 to provide homeowners in communities which meet certain requirements. In return for coverage, a community adopts and enforces a set of floodplain management ordinances to reduce future flood risk for new construction in floodplain areas.

This program is critical to communities across the country which are threatened by potential floods. This is not a perfect program; but it is something that we need to do, and we need to do it now. It was essential to the recovery of the community in my area of New York in 1999, and it has helped thousands of families nationwide to rebuild their lives after floods. When you see a natural disaster, the pictures of a natural disaster on television or in the papers, flooded homes, flooded schools, flooded churches, this is the money that helps those folks reclaim their communities and reclaim their washed-out lives. Many members believe that this Federal Flood Insurance Program should be reformed, and I support that. I am confident that the Committee on Financial Services will consider Federal flood insurance reform legislation in this Congress.

However, today we are not here to debate reform of the program. Today we are here to ensure that the program can continue for 1 additional year to provide retroactive coverage for those days which have already passed since the authorization expired. December 31st the flood insurance expired because of an oversight in the last continuing resolution. Without this legislation, homeowners are going to be unable to purchase homes in areas threatened by an occasional potential for flooding. This can harm people and it can harm communities and could cause further harm to the economy. So today we need to pass this legislation and I urge all of my colleagues on both sides of the aisle to join in this support of the bipartisan support of this legislation.

Mr. Speaker, I just want to applaud the chairman's Ohio State Buckeyes. Way to go, Buckeyes.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KANJORSKI).

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

Mr. KANJORSKI. Mr. Speaker, I rise, of course, in support of this bill today; but I want to call my colleagues' attention to the fact that this has happened a little too often in this House. We allowed unemployment compensation to lapse giving a tremendous Christmas present on December 28 to 800,000 unemployed people in this country. The House of Representatives did not think it was important enough that they could have security.

Now we have allowed this bill to lapse by failing just to schedule a bill that passed the Senate by unanimous consent. Some failure of leadership.

Last year I participated in the disaster insurance bill, and for a full year it lagged where technical defaults and failures of commercial building occurred because we had some attempt by the White House or others to attach on tort reform.

As a Member of Congress, I think our first responsibility is to our constituents. And technically, we have put people in technical default of their mortgages with our failure to act last fall.

Now, I think all of our colleagues will support this bill. They would have supported it last fall. Why did we have to have tens of thousands or hundreds of thousands of people in the United States receive letters from their insurance carriers that they were in technical default?

Mr. OXLEY. Mr. Speaker, will the gentleman yield?

Mr. KANJORSKI. I yield to the gentleman from Ohio.

MR. OXLEY. Mr. Speaker, just for a clarification, the last day of the 107th Congress, the Senate passed a bill, sent it over to the House. We brought it up on unanimous consent, and it was objected to by your side. Just for the record, I wanted to point that out.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. KANJORSKI. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I had been asked as the ranking member designate and had no objection to it. So I do not know exactly what the procedure was. We had been told there was an objection on the part of the Republican leadership. We had been willing to approve it.

When I was consulted by the Democratic leadership, I said for this extension we should go forward. So I do not know, this is a different version than I had heard. We had been informed that there was an objection on the Republican side.

Mr. KANJORSKI. Mr. Speaker, reclaiming my time, all I can say is I am not aware of what objections were made; but this was perfunctory and should have been performed before we adjourned the last session of the last Congress. It is almost farcical.

Do you realize in my district alone thousands of senior citizens have received letters that they are no longer insured? They are elderly, in their seventies, their 75th, 80th year and they are completely discombobulated with the idea that this Congress would be so

callous as to not respond to their needs. Just as the 800,000 unemployed people are discombobulated today knowing that they do not know when their next unemployment check will come because we failed to extend it before we went home.

Quite frankly, I do not care whether it is a Republican problem or a Democratic problem. I do not think this is a party problem. This is a traffic cop problem for the leadership of this House, and the leadership of this House rests on the Republican control. And I am just calling your attention to it as a Member without partisan feeling.

We cannot afford to allow this to happen in the future. We passed a bill that a bank cannot issue a mortgage on any residence in the United States that is in a flood zone unless they have flood insurance. So technically we were prepared and have for the last 7 or 8 days barred and put into technical default anybody wanting to mortgage or transact residence sales in the United States for the last 7 days. This is ridiculous. This is important.

If you really analyze, we have cost insurance companies, we have cost residences and we have cost constituents across this country millions of dollars and great anxiety for nothing. And all I am urging is let us not have this happen again. This should not be a matter of politics, should not be a matter of who controls the leadership of either side, either body of this House. This is responsible legislation that should have been passed in the last Congress. We failed to.

We have the force also in this legislation for unemployment compensation. It is awfully nice for us to argue over the issues of that question for all this time; but our constituents, 800,000 of them across America, do not know whether or not they will be able to buy groceries this week. That is unacceptable in the United States. And I am only speaking for our average constituents and calling the attention of that to the Members of the House. We cannot continue to allow this to happen.

This should, and I predict will, pass unanimously. I cannot imagine any Member of the House of Representatives that is opposed to giving flood insurance to the American people. So why are we making it a ridiculous thing here 7 days late to come forth with a piece of legislation where there has been a hiatus and technical defaults all over this country, interrupting commerce, interrupting construction, interrupting all kinds of things when our economy is hurting? And we are saying we are being responsible as a body? I think not.

Mr. Speaker, I want to congratulate my chairman and my ranking member for finally putting this piece of legislation in a timely way here before the floor on this first legislative day. I think it is important. I urge all my colleagues on the Republican side and the Democratic side to support this legislation unanimously. It is something important, and it means a great deal to an awful lot of Americans to maintain their homes with some sort of security.

Mr. Speaker, I rise today in strong support of the National Flood Insurance Program Reauthorization Act that would extend for one year the four basic authorities contained in the National Flood Insurance Act

As many of my colleagues may already know, virtually all residential and commercial mortgage transactions on properties located in flood zones came to a halt on January 1, 2003.

The Senate did attempt to address this problem in the closing days of the 107th Congress. The House, however, regrettably failed to consider the Senate-approved bill before the 107th Congress adjourned.

We must now, as a result, take quick action on this legislation in the House in order to minimize disruptions to homeownership and to protect our already struggling economy.

I am pleased therefore that the leadership has scheduled this legislation for a vote early in the 108th Congress.

This lapse in coverage has already resulted in significant confusion for all parties with an interest in the National Flood Insurance Program. Moving quickly on this bill will help to abate these problems.

From my perspective, it is also of the utmost importance that this bill retroactively reauthorize the National Flood Insurance Program.

In January 1996, the Susquehanna River and its tributaries in Northeastern Pennsylvania exceeded their banks and caused considerable flooding. Mother Nature may cause similar flooding in Pennsylvania or elsewhere before we can complete our work in Washington in the coming days.

I am therefore pleased that this bill would protect homeowners in the interim by making these changes effective as of December 31, 2002.

In closing, we should protect homeowners and businesses from financial losses by not allowing the National Flood Insurance Program to lapse into an extended legal limbo.

Accordingly, Mr. Speaker, I urge my colleagues to support this legislation.

Mr. OXLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Speaker, I would like to commend the gentleman from Ohio (Mr. OXLEY) for his leadership in bringing this before the House today.

I feel like it is like election time again. It is rather interesting. Nobody is arguing reform is not necessary. Reform is necessary. But we are talking about global warming. We are talking about senior citizens. They will be losing Social Security next thing we know if this bill drags on more than 5 more minutes.

And leadership, it is amazing, I think about the bills this last year that we voted out of this House that sat on the Democratic leader's desk in the Senate that went nowhere, and yet today we blame leadership on this side of the aisle as the problem for everything that occurred in this Nation.

The fact is that 20,000 communities in this Nation are covered by the national flood hazard law. In January alone there will be 400,000 households either seeking insurance or seeking to reinsure their home based on an existing policy. And if this does not occur today, that will not happen. That is dangerous and I applaud our chairman for making sure that that is going to happen today; but to sit around and complain about all the ills of society based on what we are trying to resolve and fix today is unreasonable on this floor.

Fannie Mae and Freddie Mac represent 85 percent of the secondary mortgages that are in this Nation. Dealing with the other lenders that are out there, they are prohibited by law from making a loan or reloaning to a home if people do not have an existing insurance policy. Now, lenders are forced, if people cannot provide a policy, to put a forced policy on a home.

Now, I applaud the gentleman for his concern for seniors; but understand if we do not do this, they will pay double or triple the price for insurance than they would pay in the open market if a lender is forced to place that insurance company on a home for a person on a fixed income or anybody who has a mortgage out there.

If you do not have an existing loan today and you are trying to get one from Fannie Mae, they have given you until January 15 and they will not place loans after that, unless at that point in time they put a forced insurance loan on your house itself; and that forced policy, again, is two to three times the normal price that you would pay on the market today.

We have a problem before us. We have an issue that can be dealt with. I would encourage an ''aye'' vote in dealing with this issue that should be dealt with and should have been dealt with last year. Nobody is arguing that. I believe reform will occur this year, but for the next 12 months this has to occur to allow the open marketplace to continue as it has in the past.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 45 seconds to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, I just want to respond to the former speaker. I hope he did not want to indicate that I am either opposed to the passage of this legislation or suggest that it will not be very successful or will not be needed. Because I certainly do not want him to leave the floor with that impression.

I just want to make sure the record is very clear. This bill did not have any major objection, to my knowledge, on the floor at all. It was held up because of other tactical reasons for other legislation passed by the Senate that did not want to be considered by the leadership of this House after the Senate passed the bill.

I think that is unacceptable as a policy in this House. I am in favor and I will ask all of my colleagues on both sides of the aisle, as you do, that we should impose this immediately in the

legislation; and if we have other things to do, let us have our committee hold hearings to find out what has to be done. But we should not penalize, jeopardize and put into such an anxiety state the American people. I just want the record to reflect that.

□ 1515

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank my friend and colleague the gentleman from Massachusetts (Mr. FRANK) for yielding me the time, and Mr. Speaker, it is nice to see you in the Chair.

I am proud to be an original cosponsor of this bill to reinstate the National Flood Insurance Program. It is widely known by the acronym NFIP. I am relieved that it has come to the floor because it is important that it is passed. It is important for many reasons.

Because it did expire on December 21, it would affect 400,000 American homeowners because they will be without coverage by the end of the month. So timeliness is important and it is legitimate to say that this thing could have been taken care of before we left last year. So that is why I am saying I am relieved that it is coming up today.

For those who own property in flood-prone areas, flood insurance is really essential. It is a must and the consequences of the lapse in this program are serious. New policies cannot be issued, and without coverage perspective home buyers may not be able to close on a home. Many of us have closed on a home and we know that there are many parts of that closure. This is an essential piece if someone lives in a flood zone.

Policies cannot be renewed for homeowners whose policies expired after December 31st, and they could be liable for damage, even if they paid their premiums. That is not such a great deal.

Finally, the NFIP will not be able to borrow money to cover claims. So this has to pass, and I do not think that there is anyone that is opposed to it, but we really did not have to come to this point of anxiety.

My constituents have a special association with this coverage. That is because we suffered severe flooding in 1998 in the last El Nino, and hundreds of homes were flooded, many millions of dollars in damage. We can ill afford to be without this flood insurance today.

I want to urge every single person in this House to vote for this. It should be unanimous. It should be bipartisan. The American people deserved to have this taken care of before we left, but as I said, I am relieved it is on the floor now. Let us get this thing done. Let us send it to the President to have him sign it into law. The American people deserve the backing of this kind of insurance coverage and cannot afford to be without it.

I thank the gentleman for yielding the time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself the remaining time. I will be brief.

I am pleased that we were able as the first legislative effort this year to have the Committee on Financial Services bring forward a bipartisan bill that is going to be accepted unanimously. There will be differences on some ideological issues, and I look forward to our being able to debate those in a civil fashion, and I think it is important to note the differences on some issues will in no way interfere with our ability to work together in a cooperative way on the great bulk of issues that are not ideological and not partisan.

So I, as my first act as the ranking minority member, am grateful to the chairman for giving us a chance to come forward this quickly in a bipartisan fashion.

I do want to note that there is one unsung hero in this act and it is an unsung hero that is actually criticized and is unusually in the position of a hero, and that is an entity called the Federal Government. It has become very popular in America today to denounce government.

The people who talk about less government generally are applauded, and we are told that we have to get the government to stop interfering with the private sector, but we are here bringing forward a bill that will be passed unanimously because there are some important issues in this society which the private sector cannot do by itself. If there was not a National Flood Insurance Program, we would have serious difficulties.

I should add that I agree with those who spoke earlier, the gentleman from Nebraska and the gentleman from Oregon, about the need for reform. That is why I was pleased that the gentleman from Ohio took the bait, and I was glad to agree with him in resisting a longer authorization. This is a 1-year authorization, precisely so that we can as a committee work on the kind of reforms that will be both environmentally and fiscally sound that this program can have.

Whether it is reformed in one way or not, it will remain an example of the government coming to the aid of the private sector in dealing with an important national need that the private sector by itself cannot deal with. It is not an entirely government enterprise either. It is an example of private/public sector cooperation, and on that grounds I am glad to have it.

I would also add just for the historical record, I have the CONGRESSIONAL RECORD from the last day. At least on the last day of the session in November, no unanimous consent request was made. So I do not see any record that anybody here objected to it, but the important issue is we are bringing forward this bill. I believe it is going to pass unanimously, and it is certainly my commitment and I know the chairman's to begin a process this year so that we can within a few months come forward with a bill that will have a longer and reformed authorization, and I will be glad to do that.

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

Mr. OXLEY. Mr. Speaker, I yield myself the remaining time.

In closing, let me thank my good friend from Massachusetts, the new ranking member of the Committee on Financial Services, for his cooperation in this area.

Mr. VITTER. Mr. Speaker, I rise in strong support of reauthorizing the FEMA Flood Insurance Program. Yesterday, I introduced a similar piece of legislation, HR 215, and I am very thankful to Chairman OXLEY for bringing this important bill to the floor so that America's homeowners can have the flood insurance many of them desperately need.

I represent a district in southeast Louisiana, a region that is very prone to flooding, perhaps one of the most flood-prone areas in our country. Nearly all of southeast Louisiana falls in flood zones. So, a lapse in this program would be devastating to commerce in Louisiana. Without the flood insurance, banks will not lend mortgage money to prospective home buyers or owners in designated flood zones. Also, any home buyer that was set to close after January 1 would suffer delays without having the required flood insurance coverage.

Living under the constant threat of a flood—much less actually experiencing one—is devastating enough mentally and physically without families having to worry about how to recover financially in the aftermath. With the passage of the important legislation, the real estate market will be able to move forward, and millions of homeowners will be assured they are covered in the event of a catastrophe. I thank the House for considering this today, and I urge a yes vote.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY) that the House suspend the rules and pass the bill, H.R. 11.

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.

CONGRATULATING OHIO STATE UNIVERSITY BUCKEYES FOOTBALL TEAM

Mr. TIBERI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 10) congratulating the Ohio State University football team for winning the 2002 NCAA Division I-A collegiate football national championship.

The Clerk read as follows:

H. RES. 10

Whereas in 2002, the Ohio State University Buckeyes football team captured its fifth undisputed collegiate national football championship;

Whereas The Ohio State University is a member of the Big Ten Conference of the National Collegiate Athletic Association Division I–A and in 2002 was the Conference's champion for the 29th time in school history;

Whereas The Ohio State University's 14–0 record in 2002 is the best for a season for a Division I–A football team in national college football history;

Whereas on the way to the national championship Ohio State defeated five nationally ranked opponents, which included a 14–9 triumph over the University of Michigan;

Whereas The Ohio State University entered the Fiesta Bowl as an 11-point underdog to a University of Miami team that was on a 34-game winning streak, yet emerged victorious;

Whereas Head Coach Jim Tressel has won five national college football championships, the 2002 championship being his first Division I–A title and his first with The Ohio State University;

Whereas Coach Tressel and his father Lee Tressel are the only father-son combination to each win National Coach of the Year honors and a national championship in football;

Whereas each player, coach, trainer, and manager dedicated their time and effort to ensuring that the Buckeyes reached the pinnacle of team achievement;

Whereas The Ohio State University Marching Band, and the cheerleaders, students, alumni, faculty, and supporters of The Ohio State University are to be congratulated for their commitment and pride in the Buckeyes' football program; and

Whereas its five Division I–A football national championships makes the Ohio State University football program among the most successful in college football history: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Ohio State University football team for winning the 2002 NCAA Division I–A collegiate football national championship;

(2) recognizes the achievements of all the players, coaches, and support staff who were instrumental in helping The Ohio State University win the 2002 NCAA Division I–A collegiate football national championship and invites them to the United States Capitol Building to be honored;

(3) requests that the President recognize the accomplishments and achievements of the 2002 Ohio State University football team and invite them to Washington, D.C., for a White House ceremony for national championship teams; and

(4) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to The Ohio State University for appropriate display and to transmit an enrolled copy of the resolution to each coach and member of the 2002 NCAA Division I–A collegiate football national championship team.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TIBERI) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TIBERI).

GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 10.

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

There was no objection.

Mr. TIBERI. Mr. Speaker, I yield myself as much time as I may consume.

As a member of the Committee on Education and the Workforce, it is a privilege to manage this resolution today on behalf of the committee and for my neighbor and colleague from Columbus, Ohio (Ms. PRYCE), a graduate of the Ohio State University, on the new reigning NCAA national champions of college football, congratulating the Ohio State University on a great season and a great title game.

The gentlewoman from Ohio (Ms. PRYCE), a huge Buckeye fan, represents the main campus of the Ohio State University and could not be with us today because of leadership obligations.

I, as the other Member of Congress from Columbus, Ohio, have a privilege to manage this resolution today honoring our great football team and a tremendous season, a true story of David versus Goliath, with 13 seniors and many young players on a team in an incredible season, unprecedented season, 14 and 0.

Ohio State brought home its fifth national championship, Mr. Speaker, a classic season and a classic final game for the ages.

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

Ms. WOOLSEY. Mr. Speaker, I yield myself as much time as I may consume.

I rise in support of H. Res. 10, congratulating Ohio State University for winning the NCAA Division I football championship.

Last Friday, Ohio State captured its fifth national football championship, winning one of the most closely fought college football games in recent memory. College football fans, student athletes and the general public were treated to an exciting Fiesta Bowl and end to this college football season.

I want to extend my hearty congratulations to head coach Jim Tressel, Ohio State University president Karen Holbrook, and Ohio State's student athletes for a job very well done.

I also want to extend my congratulations to the University of Miami and their student athletes for a great season. The University of Miami won all of their games during the regular season and produced two leading Heisman trophy contenders in Ken Dorsey and William McGahee. I know that I speak for all of this Congress as we wish Mr. McGahee a speedy and thorough recovery from the knee injury he sustained during the game.

Winning a championship has brought national acclaim to Ohio State University, and I hope the fans at the university and the university community treasures this moment for many, many years to come.

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

Mr. TIBERI. Mr. Speaker, I yield as much time as he may consume to the distinguished gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, let me thank my colleague the gentleman from Ohio (Mr. TIBERI) from Columbus, Ohio, and an Ohio State grad and a former member of the Ohio State marching band for bringing this resolution to the floor today, and let me say I support the underlying resolution, support and congratulate the Ohio State University on what really was an outstanding season, not only for the coach and the players, the fans, but for all who watched Ohio State go through a number of games where it was very close, games that they were certainly about to lose, including the national championship.

As an old football player myself, I can tell my colleagues the game on January 3, the national championship game, was one of the most exciting football games that I have ever watched or one that I ever played in.

The real credit here goes to Coach Jim Tressel and his players. They did not have the most talented team in the country, not even close, and to win all of the close games all year is a sign of very good coaching and players who come together to create a very good team, and so for myself and my colleagues, our delegation, we want to congratulate the Ohio State University, the coach Jim Tressel, the players and all the fans.

Way to go, Bucks.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. OXLEY), the chairman of the Committee on Financial Services, and a Ohio State University Law School graduate.

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

Mr. OXLEY. Mr. Speaker, I thank the gentleman for yielding me the time, and this is indeed a proud day for all Buckeyes. This has been quite a season to see in the ups and downs, and to see this talented group of athletes, student athletes, under the leadership of Coach Jim Tressel was a memorable time for all of us and to see an underdog team perform so well in the Fiesta Bowl for the national championship, with a crowd that was probably 80 to 85 percent made up of scarlet and gray was truly amazing, and as the coach said after the game, he felt that the crowd, very strong crowd, from Ohio State truly made a difference in the outcome, and for that, we are very, very pleased.

The gentleman from Columbus mentioned that I was an Ohio State law grad. That is correct. It is also true that of the four branch campuses of the Ohio State University, I represent three, in Mansfield and Lima and Marion. I have had a long-standing relationship with that great university, and we have seen perhaps the culmination of a season, like no other, where

we have won 14 games, including the national championship.

The last one we won was January 1 of 1969, when I was a senior at Ohio State Law School and got to see Ohio State defeat Southern California. If the gentlewoman from California is listening, we beat USC for the national championship. So Woody Hayes is smiling somewhere today because Ohio State is back on top, and for that we are very, very grateful.

I thank the gentleman from Columbus for his leadership in this area.

As an Ohio State football fan since I was boy, I never thought I'd say this, but there is something bigger than the Michigan game.

Ohio State has a great football history. Going into this year 4 consensus National Championships. 28 Big Ten Championships. 13 Rose Bowl appearances. 6 Heisman Trophy Winners.

But I doubt there will ever be a single game that matches what happened last Friday night at the Fiesta Bowl when the Buckeyes defeated the Miami Hurricanes, 31–24 in overtime, to win their first undisputed national championship since the 1968 team.

I was a student at the Ohio State's law school back then and never dreamed I'd have to wait this long to see the Buckeyes win another championship. But in exchange for a little patience and few frustrating years against our neighboring state to the north, Ohio State fans were able to watch our team play and win the greatest college football game in history.

Under legendary coach Woody Hayes, the Buckeyes usually went into games as the favorites. This time, the experts said Ohio State was overmatched. But Coach Jim Tressel knew that all any team needs to do to win, is make plays. The plays were unforgettable—and there were so many of them!

Maurice Clarett's strip after a crucial Miami interception. Michael Doss's pick-off. Matt Wilhelms's crushing sack. Craig Krenzel's miraculous 4th-and-14 completion in overtime and his quarterback sneak for the touchdown. And the final goal line stand by a valiant defense.

I salute Miami's effort, and you can see why they were the defending champions. But we in Ohio are proud that the Buckeyes won and ever prouder of the way they won: with determination, passion, and courage. This is a team that taught all of us a lesson, and the lesson is: it's only over when you stop trying.

I don't want to wait another 34 years to see Ohio State play for another national championship. But my heart may need that long to recover from this one!

□ 1530

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

Mr. Speaker, the chairman of the Committee on Financial Services mentioned that he represents three of the four branch campuses. I happen to represent the fourth, in Newark, Ohio. So I believe we have the State covered, Mr. Chairman.

The gentleman from Ohio (Mr. BOEHNER) mentioned that Coach Jim Tressel has truly reinvigorated the football program at Ohio State and the fans around the State of Ohio, but also his belief in college football and what it means to the student athlete, the importance of teamwork and sportsmanship, school spirit and heart; and he was recognized this week as coach of the year by the American Football Coaches Association, a truly well-deserved honor.

Mr. Speaker, I yield such time as he may consume to the gentleman from Springfield, Ohio (Mr. HOBSON), who is a distinguished law school graduate from Ohio State University.

Mr. HOBSON. Mr. Speaker, I represent a large part of Franklin County. I would like to thank the gentleman from Columbus for his leadership on this bill. As a former band member, I guess he learned how to march pretty well; and he has done a good job here in Congress.

It was a great game, and both teams need to be congratulated for playing an outstanding game, one of the best traditions in competition. There were no penalties, as I recall, for any unnecessary roughness or unsportsmanlike activities in that game. It was true champions going at each other.

In the final analysis, the champion was Ohio State University. Ohio State University is a champion in many ways, not just in football but in a lot of other endeavors as a university. It is an outstanding university in this country, and it has been my pleasure to work with them on a number of things.

I think there was a time when many people said to themselves, golly, I wonder if this new coach can coach at this level in the Big Ten. Well, I think that has all been put to rest. He is a national coach today. He has a national reputation. And he has shown what a true gentleman can do in recruiting and in coaching this young team to the success that they had this year. He has built a successful football team without sacrificing strong beliefs in the importance of academics for his players. His leadership has paid off with the Buckeyes' having a championship to show for it and memories of a game that people and sports writers are already calling one of the greatest college football games in history.

In conclusion, Mr. Speaker, I would like to quote something that Coach Tressel said. He said, I believe an accurate quote, ''We have always known we had the best damn band in the land. Now we know we have the best damned team in the land.'' With that, Go Bucks!

Mr. TIBERI. Mr. Speaker, I reserve the balance of my time to close.

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

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

As my colleague, the gentleman from Ohio (Mr. HOBSON), mentioned, he also represents Franklin County. We also have the gentlewoman from Ohio (Ms. PRYCE), who represents Franklin County, and as I said represents the main campus of Ohio State University, but could not be with us on the floor today because of leadership duties. But again, on behalf of the entire Ohio delegation, we want to again congratulate Ohio State University and all of the Buckeye nation for a fantastic season and a well-deserved honor.

As a native of Columbus and an Ohio State graduate and a 4-year member of the Ohio State Marching Band, I want to also congratulate the rest of the folks at Ohio State; not just the team, but the band, the cheerleaders, the entire athletic department, the student athletes who represent other sports, and the students as well of Ohio State University for such a fine honor, as well as to again salute Coach Tressel and the entire organization not only in winning the championship but doing it with class.

Mr. UPTON. Mr. Speaker, it was with some reluctance that I voted for the OSU resolution.

Much has been said today about the quality of the Ohio State players, coaches, and fans. However, nothing has been said about the refs.

After watching the game I too, wondered about the refs and their ability to be employed in the future. I was pleased to see that they seemed to be in action just a couple days later during the San Francisco–N.Y. Giants game on Sunday.

I yield back the balance of my time.

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to The Ohio State University football team. On January 3rd they finished their season by beating the then number 1 ranked Miami Hurricanes in the Fiesta Bowl. This resulted in their winning the Division 1–A College Football National Championship. This is the university's first title since 1968. Furthermore, Mr. Speaker, the Buckeyes are the first Big 10 team to win the crown since the Bowl Championship Series was implemented in 1998.

The amount of time and effort Coach Tressel, his staff, and the team put into this feat is a tribute to the proud tradition boasted by The Ohio State University. They have proven that even the most difficult goals can be reached through hard work, sacrifice, and dedication.

Mr. Speaker, Jim Tressel is the only coach currently in his profession to win national titles in both Division 1–AA and now Division 1–A. He won four national titles while coaching at Youngstown State and now has his first at Ohio State. His steadfastness toward education and the discipline he demands off the field is a formula to which all coaches should aspire. His win last Friday validates so much more than what a strong defense can do for a team. It shows that character, planning, and responsible decision-making are what really matters in the end. Coach Tressel has built an organization that has taken The Ohio State University back to greatness both on and off the football field. On behalf of Ohio's Fifth Congressional District, I congratulate him, his coaches, and the team on a job well done.

Ms. PRYCE of Ohio. Mr. Speaker, it is with tremendous pride that I offer this resolution, which congratulates the Ohio State Buckeyes on their historic win against the Miami Hurricanes in claiming the 2002 Division 1–A national collegiate football championship.

Mr. Speaker, the Buckeyes steadily rose through the national rankings this year under

the unwavering leadership of their second year head coach, Jim Tressel. Starting the season ranked an unlucky 13th, the Buckeyes kept winning and winning, ending up the regular season by beating archrival Michigan 14–9, remaining undefeated and ranked 2nd in the country.

Their record earned Ohio State a trip to Tempe, Arizona to play in the Bowl Championship Series national championship game against the Miami Hurricanes, a game in which the Buckeyes entered as an 11 point underdog.

In that national championship game, ultimately decided in double overtime Ohio State emerged victorious with their offense scoring 31 points and their defense holding Miami for four downs on the two yard line as time expired to win the game. Critics and sportswriters have already called this game arguably the greatest college football game ever played.

The Buckeyes found a breathtaking way to end an equally dramatic season.

From their fourth-down play successes to their 8 come-from-behind victories, Ohio State showed their hearts on the field and won a record setting 14 victories.

Mr. Speaker, I would also like to take a moment to recognize Coach Tressel, who is in his second year as the Head Coach of the Ohio State Buckeyes. Coach Tressel's stoic, disciplinarian, and consistent style of leadership has restored the Buckeye team to its rightful place among the nation's elite college programs. And, in the process, Coach Tressel has instantly joined coaches Woody Hayes and Paul Brown in the annals of Ohio State's proud athletic history. In two short seasons, Coach Tressel has demonstrated that winning is innate—whether at Division 1–AA (Division 1 double A) Youngstown State or the Ohio State University.

However, the 2002 Buckeye team was perhaps best personified by junior quarterback Craig Krenzel. The consistently under-rated Krenzel, a molecular genetics major carrying a 3.7 GPA, displayed a grit and toughness equal to his intellect by scoring two dramatic touchdowns, leading both teams in rushing yards, and earning the Fiesta Bowl's MVP honor.

Ohio State football history and tradition are the bedrock of Columbus, Ohio—from The Best Damn Band in the Land, the Dotting of the I in Script Ohio to the Horseshoe, Skull Sessions and Hineygate, Ohio State fans are ever mindful of the University's storied past.

Both with and without tickets, some 60,000 adoring OSU faithful traveled to Tempe to cheer on their Buckeyes, coloring Sun Devil Stadium in a sea of scarlet and gray, and giving the Buckeyes a home field advantage some 2000 miles away from Columbus.

As a graduate of The Ohio State University, I take enormous pride in the Ohio State football team's sportsmanship and courage. The Buckeyes showed the world the definition of champions. Their preparation, fortitude, and desire will go down in the history of athletic competition as an example of triumph in the face of adversity. I could not be more pleased to be a fan, alumna, and Representative of The Ohio State University and their championship football team.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and agree to the resolution, House Resolution 10.

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. TIBERI. 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.

CONGRATULATING THE GRAND VALLEY STATE UNIVERSITY LAKERS FOR WINNING THE 2002 NCAA DIVISION II FOOTBALL NATIONAL CHAMPIONSHIP

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 13) congratulating the Grand Valley State University Lakers for winning the 2002 NCAA Division II Football National Championship.

The Clerk read as follows:

H. RES. 13

Whereas on December 14, 2002, the Grand Valley State University Lakers won the 2002 NCAA Division II Football National Championship by defeating Valdosta State University;

Whereas this national championship is the school's first in a varsity sport;

Whereas the Lakers won the 2002 Great Lakes Intercollegiate Athletic Conference (GLIAC) Football Championship with a perfect 9-0 record in league play;

Whereas the Lakers completed the 2002 season with a perfect 14-0 record, and won 33 of its last 34 games;

Whereas Head Coach Brian Kelly has been with the team since 1991, and has lead the team to a 104-34-2 overall record;

Whereas the Lakers returned 51 letter winners, including 16 starters from the 2001 team that fell only to North Dakota in the NCAA Division II National Championship game;

Whereas the Lakers placed 18 players on the 2002 All-GLIAC team;

Whereas quarterback Curt Anes was named the GLIAC Player of the Year for the second straight year and earned the 2002 Harlon Hill Trophy as NCAA Division II's most outstanding player;

Whereas the Lakers defense dominated opponents by ranking 34th in the Nation in rushing defense and recording 58 quarterback sacks;

Whereas the students, alumni, faculty, and fans of Grand Valley State University showed their support for by helping the Lakers set a GLIAC record for regular-season attendance; and

Whereas the Lakers have displayed great strength, ability, and perseverance this season and have made the State of Michigan proud: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the Grand Valley State University Lakers for winning the 2002 NCAA Division II Football National Championship and recognizes all the players, coaches, and support staff who were instrumental in this achievement;

(2) requests that the President recognize the accomplishments of the 2002 Grand Valley State University football team and invite them to Washington, D.C., for a White House ceremony for national championship teams; and

(3) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to Grand Valley State University for appropriate display.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 13.

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

There was no objection.

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

Mr. Speaker, I rise today to congratulate the Grand Valley State University Lakers Football Team. On December 14, approximately 3 weeks before the Ohio State Buckeyes became national champions, the Grand Valley State University Lakers Football Team set the national standard by winning the NCAA Division II Football National Championship by defeating Valdosta State University.

In all seriousness, as a Wolverine from the great State of Michigan, just north of the State of Ohio, congratulations to our colleagues of the Big Ten, the Ohio State Buckeyes. It was a great year for the Midwest. My sympathy to my colleagues in other parts of the country who did not enjoy the same type of success the Midwest had this year during the football season.

This game also was an exciting game that pitted the number one ranked Grand Valley State Lakers against the number two ranked and perennial football powerhouse Valdosta State University from the great State of Georgia. Ultimately, the game was won by the Lakers when quarterback Curt Anes threw a 10-yard scoring pass to wide receiver David Kircus with 1:04 left in the game to lift the Lakers to a 31–24 victory.

In addition to the national championship victory and the second consecutive trip to the national championship game, Grand Valley captured its second consecutive Great Lake Intercollegiate Athletic Conference Football Championship with a perfect 9–0 record, and going through the playoffs and concluding the season with a perfect record of 14–0.

Head Coach Brian Kelly, who has been with the team since 1991, has led the team to a 104–34–2 overall record and has much to be proud of. Coach Kelly assembled an extraordinary football program and a stellar coaching staff.

Led by senior quarterback Curt Anes, who on the evening before the championship game was awarded the 2002

Harlon Hill Trophy as Division II Football's most outstanding player, the Grand Valley State Football Team was an example of resiliency and determination as they strived to meet their team goal of a national championship. This triumph was truly a team effort.

Finally, I would like to also offer my thanks and congratulations to the extended family of Grand Valley State University, the alumni, the faculty, the fans, and of course the students who supported this team.

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

Ms. WOOLSEY. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H. Res. 13, congratulating the Grand Valley State University Lakers for winning the NCAA Division II National Football Championship. This national championship is a special moment for Grand Valley State's fans and its university community. It is the school's first national championship in any varsity sport.

This is an outstanding achievement, especially when we consider that Division II football athletes do not have the benefit and publicity garnered by Division I schools. I know that as a fact because one of my sons was an All American Tackle for a Division II school and it was exciting, but they did not get any of the recognition that the Division I schools garnered.

I want to extend my hearty congratulations to Head Coach Brian Kelly, the Grand Valley State community, all of their fans, and most importantly their student athletes. Grand Valley's athletes have certainly performed admirably, and they deserve all the praise that we can give them.

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

Mr. HOEKSTRA. Mr. Speaker, I yield such time as he may consume to my colleague from the State of Michigan (Mr. EHLERS), who also represents a number of Grand Valley State campuses in his district.

Mr. EHLERS. Mr. Speaker, I thank the chairman for yielding me this time, and I can only echo the words of congratulation that he has offered.

Just to give a little more information about Grand Valley State University, it did not start until 1960, with 223 students. If they fielded a football team that year, it would have consumed 10 percent of the student body. And in 42 short years, they went from that to a rather large University of 20,000 students, more than 48,000 alumni, and winning the national championship in the NCAA. It is an astounding record.

Also, I might mention that the main campus is in the west Michigan area, represented by the gentleman from Michigan (Mr. HOEKSTRA), from whom we just heard; but the downtown campus is in my district. That consists of many graduate studies programs, engineering, and post-graduate course offerings.

It is a remarkable record of success. I have to pay tribute to the former president, Arend (Don) Lubbers, who served from 1968 through 2001 and did an incredible job of taking a fledgling university and building it into a full-grown university. In fact, the football stadium at Grand Valley is named after him, and is called Lubbers Stadium. The current president, Mark Murray, succeeded Lubbers in 2001. He has been there a short time and has done a great job of continuing the work there.

Football and sports are not the be-all and end-all of the university experience, especially in Michigan, where we have a strong orientation towards academic performance. But President Lubbers understood that successful sports teams are a source of pride for the students, staff, administration, and alumni of the schools they represent. In this respect, Grand Valley State University Lakers have ably represented their university and all of west Michigan in their march to the national championship.

The opportunity of playing on national television in the Division II championship game in each of the past two seasons has given Grand Valley State University national exposure it never would have received otherwise. I wish to congratulate the team for their tremendous performance this year. They came within one game of winning the national championship last year. They came back determined to win it this year, and they did.

Congratulations are also due to Coach Brian Kelly, who was named last night as the American Football Coaches Association's Division II National Coach of the Year. He has done an outstanding job there. I also want to congratulate senior quarterback Curt Anes, who received the Harlan Hill Trophy, which is Division II's equivalent of the Heisman Trophy. He is also a First-Team All American.

Senior wide receiver David Kircus, also a First-Team All American, set numerous NCAA Division II and school records throughout his career.

In addition, congratulations are due to offensive lineman Dale Westrick and defensive lineman Keyonta Marshall, both named First-Team All Americans.

Also, I have to congratulate not only the school, not only the team, the coach and the players, but also the supporters of the Grand Valley State University Lakers, who set a conference attendance record. That shows their loyalty and their support for the university and for their sports teams.

So I am very pleased that the gentleman from Michigan (Mr. HOEKSTRA) has offered this resolution. I am very pleased to join him in commending Grand Valley State University and their football team for their very, very, very fine performance.

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

Mr. HOEKSTRA. Mr. Speaker, I yield myself the balance of my time, and I would once again like to congratulate the Grand Valley State University Lakers. They have had an awesome year. Today we recognize them and congratulate them for that performance.

Mr. Speaker, as we pass this resolution, I would extend to the President a request that he invite the Grand Valley State University football team to Washington, D.C., to a White House ceremony that the White House traditionally hosts for Division II national championships of all sports; and we look forward to that happening.

□ 1545

Mr. Speaker, I congratulate the extended Grand Valley State University family.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Michigan (Mr. HOEKSTRA) that the House suspend the rules and agree to the resolution, House Resolution 13.

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

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H. RES. 13, CONGRATULATING THE GRAND VALLEY STATE UNIVERSITY LAKERS FOR WINNING THE 2002 NCAA DIVISION II FOOTBALL NATIONAL CHAMPIONSHIP

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that in the engrossment of House Resolution 13 the Clerk be authorized to correct section numbers, punctuation, and cross references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

HONORING WESTERN KENTUCKY UNIVERSITY FOR WINNING 2002 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I-AA FOOTBALL CHAMPIONSHIP

Mr. HOEKSTRA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 17) honoring the Hilltoppers of Western Kentucky University from Bowling Green, Kentucky, for winning the 2002 National Collegiate Athletic Association Division I-AA football championship.

The Clerk read as follows:

H. RES. 17

Whereas the Western Kentucky University Hilltoppers from Bowling Green, Kentucky, won the 2002 NCAA Division I–AA collegiate football national championship;

Whereas the national championship is the first for the Western Kentucky University football program since its inception in 1913;

Whereas the Hilltoppers had an impressive overall record of 12 wins and 3 losses during the 2002 season, which included 10 consecutive wins;

Whereas the Hilltoppers showed tremendous dedication to each other, appreciation to their fans, sportsmanship to their opponents, and respect for the game of football throughout their 2002 season;

Whereas Western Kentucky University was represented with integrity and principled leadership under the direction of Head Football Coach Jack Harbaugh, Athletic Director Dr. Wood Selig, and President Dr. Gary A. Ransdell; and

Whereas on December 20, 2002, the Western Kentucky University Hilltoppers, ranked 15th among Division I–AA teams, defeated the top-ranked McNeese State University Cowboys for the 2002 NCAA Division I-AA football championship in Chattanooga, Tennessee, by a score of 34–14: Now, therefore, be it

Resolved, That the House of Representatives honors the Western Kentucky University football team from Bowling Green, Kentucky, for winning the 2002 NCAA Division I–AA football championship.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HOEKSTRA) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. HOEKSTRA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 17.

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

There was no objection.

Mr. HOEKSTRA. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, with Western Kentucky University's recent success on the basketball court and the Hilltoppers' first NCAA championship on the football field in 2002, Kentucky is now home to yet another top-ranked college sports program. I am proud to have Western Kentucky University in my district.

We were not in session on December 20 when Western Kentucky won its first Division I-AA football championship, but I wanted to take this opportunity in this session of Congress to acknowledge the team's achievements.

The 15th ranked Hilltoppers defeated top-ranked McNeese State 34–14 in the championship game. Western brought their best game to the playoffs and the championship, defeating the three highest ranked teams on their way to taking the title.

Just as they had all season, the Toppers again relied on their tough defense and strong running game. Jon Frazier rushed for 159 yards and two touchdowns, bringing his season total to 1,537 yards and moving him into second place in Western's running records. The defense combined for three interceptions and a sack, holding McNeese State below its season scoring average.

In his 14th year at Western Kentucky, Coach Jack Harbaugh saw his and the team's hard work finally pay off. Coach Harbaugh has been committed to the Western football program and has built a successful program that the University, the Bowling Green community and the State should be proud of.

After starting the season with a 2–3 record, including a loss to McNeese State, the Hilltoppers relied on their teamwork and dedication to win 10 straight games, finishing the season with the national championship.

Mr. Speaker, I join Western Kentucky University and all of Bowling Green in congratulating the Hilltopper football team on its national championship season.

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

Mr. Speaker, I rise in strong support of H. Res. 17 congratulating the Hilltoppers of Western Kentucky for winning the 2002 Division I-AA national football championship. It is quite an achievement to win a national championship at any college level, and this championship is even more noteworthy due to the fact that it is Western Kentucky's first national championship since 1913.

Student athletes split their time between their athletic and academic pursuits. The student athletes that make up this year's national championship Hilltoppers' team must be commended because they did such a good job for their dual pursuit. I want to especially congratulate them for all their hard work, and also extend my hardy congratulations to head coach Jack Harbaugh for a great season and great win.

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

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

Mr. Speaker, I rise in support of House Res. 17 honoring the Hilltoppers of Western Kentucky University from Bowling Green, Kentucky for winning the 2002 National Collegiate Athletic Association Division I-AA football championship.

I want to thank my colleague, the gentleman from Kentucky (Mr. LEWIS), for sponsoring this resolution and congratulate the gentleman for the success this school has had from his district and for his opportunity to represent them in Washington, D.C.

Today the House has recognized the outstanding athletic accomplishment of our Nation's young people. These championships are a testament to the spirit of athletic competition; and, frankly, they are enormous fun to watch. I congratulate all of the athletes and schools who have participated in collegiate athletics, and express my specific congratulations to Western Kentucky University.

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

Mr. HOEKSTRA. 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 Michigan (Mr. HOEKSTRA) that the House suspend the rules and agree to the resolution, H. Res. 17.

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

A motion to reconsider was laid on the table.

AUTHORIZING SALARY ADJUSTMENTS FOR JUSTICES AND JUDGES FOR FISCAL YEAR 2003

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 16) to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003.

The Clerk read as follows:

H.R. 16

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

SECTION 1. AUTHORIZATION OF SALARY ADJUSTMENTS FOR FEDERAL JUSTICES AND JUDGES.

Pursuant to section 140 of Public Law 97–92, Justices and judges of the United States are authorized during fiscal year 2003 to receive a salary adjustment in accordance with section 461 of title 28, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. 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 the bill, H.R. 16, currently under consideration.

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

There was no objection.

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

Mr. Speaker, this legislation authorizes Federal judges to receive the same cost of living pay adjustment that all Federal employees, including Members of Congress, have received for calendar year 2003.

By way of background, Congress enacted the Executive Salary Cost-of-Living Adjustment Act in 1975, which was intended to give judges, Members of Congress and other high-ranking Executive Branch officials automatic COLAs as accorded other Federal employees unless rejected by Congress. In

1981, Congress enacted section 140 of Public Law 97–92, which requires specific congressional action authorizing judges the COLA.

Mr. Speaker, in the closing days of the 107th Congress, we failed to provide a COLA for Federal judges. This constitutes an inequity, since Members of Congress and all other Federal employees did receive a COLA in 2003.

The bill is straightforward. It simply provides for a cost-of-living adjustment for Federal judges consistent with the law. The President and the Chief Justice of the United States support granting judges a COLA now. The bill will assist in the administration of justice in our Federal courts and is otherwise noncontroversial. I urge its adoption.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this critical legislation which provides the Federal judiciary with a much-needed cost-of-living adjustment. I also thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his leadership on this matter, and the speed with which he has brought this legislation to the House floor.

Article I, Section III of the Constitution provides that the pay of Federal judges ''shall not be diminished during their time in office.'' Unfortunately, by failing to provide Federal judges with annual COLAs over the last decade, they have faced the economic equivalent of a $77,000 reduction in salary. In the last 30 years, while average pay has increased 12 percent for most workers, it has decreased 25 percent for Federal judges.

Currently, Federal district court judges earn $150,000 per year. This is far less than they could earn in private practice, and is even less than an associate right out of law school earns in New York City. It has gotten so bad that employees of the Administrative Office of Courts, who work for the Federal judges, now enjoy greater salaries than the judges themselves. This is the equivalent of congressional staff earning more than congressmen and women. It is no wonder that Federal judges are leaving in droves, with nearly six dozen judges leaving over the last several years, and notably with many districts overloaded with cases and many citizens not able to have their grievances addressed. That certainly does not bear well for the Constitution.

There can be no doubt of the value and importance of ensuring that our Federal judges are fairly compensated. The Federal judiciary is the crown jewel of our democracy. If there is any single idea in the Constitution that has separated our experiment in democracy from all other nations, it is the concept of a free and independent and just judiciary.

The Founding Fathers, in their great wisdom, created a system of checks and balances, granting independent judges not only lifetime tenure, but the right to an undiminished salary. It is no surprise that over the years, the Federal judiciary, more than any other branch, has served as the protector of our precious civil rights and liberties. I agree with Alexander Hamilton that the ''independent spirit of judges'' enables them to stand against the ''ill humors of passing political majorities.''

But we cannot have a qualified and independent judiciary if we do not pay them a just wage. Just last week Chief Justice Rehnquist declared that ''providing adequate compensation for judges is basic to attracting and retaining experienced, well-qualified and diverse men and women.'' Justice Breyer was even more blunt when he stated ''The gulf that separates judicial pay from compensation in the nonprofit sector, in academia, and in the private sector grows larger and larger, and threatens irreparable harm both to the institution and the public it serves.''

It is for these reasons that I was so shocked last November when the continuing resolution Congress approved gave a cost-of-living adjustment to nearly every Federal worker but the Federal judges. The bill before us responds to that oversight by granting the judiciary a COLA retroactive to the start of the last fiscal year. I consider this to be a modest downpayment in the development of a more rational and fair system of compensating our Federal judges. I urge an enthusiastic yes vote for this bill.

I rise in support of this critical legislation, which provides the federal judiciary with a much needed cost of living adjustment. I also want to thank Chairman SENSENBRENNER for his leadership on this matter and the speed with which he has brought this legislation to the House floor.

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

□ 1600

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today to express my strong support for this legislation to give our Federal judges a cost-of-living adjustment. There is no question that they deserve and need this COLA and more. In 2001, the American Bar Association and the Federal Bar Association released a report detailing a fundamental problem that has escalated over the past decade, the erosion of fair and adequate compensation for the Federal judiciary. These two well-respected groups issued this report because they found that the current salaries of Federal judges have reached such levels of inadequacy that, and I quote, ''they threaten to impair the quality and independence of the third branch.''

Yes, it is true that Federal judges earn a higher salary than many Americans, but it is also true that in many cases a first-year associate at law firm earns considerably more than does a judge. I think that all of us would agree that public service has its own rewards, but those rewards do not pay the bills.

Members may wonder why it is that we must take up this legislation to authorize a COLA for Federal judges. The short answer is that we should not have to do so. But because of a provision enacted back in 1981, every year, year in and year out, Congress must authorize the COLAs of Federal judges even though those COLAs are the very same COLAs that are automatically granted to Members of Congress and senior executive branch employees. It is inefficient and it is unfair to make judges scale this additional hurdle. That is why I soon will introduce legislation that puts judges back on the same track as Congress and senior members of the executive branch, automatic COLAs, unless Congress specifically votes against it.

I urge my colleagues to support this legislation. Let us give our judges the pay they deserve, and let us eliminate the provision that requires us to take this action each year.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we all come from different congressional districts, but we are honored and cherish the right to represent Americans. I happen to come from a district with a sizable population of Hispanic Americans, African Americans and Asian Americans, a very diverse community.

In paying tribute to the Federal judiciary, might I make note of the fact that it is the Federal judiciary that most often has been able to create opportunities for groups who have felt disenfranchised and left out. It is the Federal judiciary that responded favorably in the Sixth Circuit on the positive aspects of affirmative action, recognizing that affirmative action is not a handout but a hand-up, and affirmatively approved the affirmative action program at the State university, the University of Michigan, allowing for that campus to have a diverse student body.

In particular, I happen to come from what is defined as a voter rights district, established under the Voter Rights Act of 1965. Since the creation of that district, held first by the Honorable Barbara Jordan, we have been in court over the years time after time. In the times that we have been in courts, it has been the Federal courts that have reaffirmed the value of having congressional districts that are able to give one-vote/one-person and provide the opportunities for, in this instance, minorities, African Americans and Hispanics, to vote for the person of their choosing, some now call it communities of interest, and to allow them to have a voice in the United States Congress. It has been the Federal courts that have heard these cases over and over and in many instances the Federal judiciary that has risen above their political persuasions and have offered opportunity and hope to my constituents.

Likewise, when there have been cases of discrimination, we have been most gratified that it has been the Federal courts that have taken these cases and responded, on sexual discrimination, age discrimination, race discrimination; and for many Americans, this would be the only way that they would be able to seek opportunity and to address their grievances.

I believe this vital role that the third branch of government plays should be so noted when we cavalierly miss them, if you will, in compensation. This is a time to appreciate the very important role that they play in bringing justice to America. As I conclude my remarks, might I say that that is why so many of us play a role in the process of nominations and why we so vigorously fight in the struggle, if you will, for designing a Federal court judiciary that is truly reflective of all of America.

With that, I would say that I hope that my colleagues in the comments that I have made will reflect upon the high importance of the judiciary that is a key part of the democracy of this Nation, and I would ask my colleagues to enthusiastically both respect, admire, and support this legislation.

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

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

I think at this point in the debate, it is proper to give a little history of how judicial salaries have been set. The last time Congress visited the whole issue of executive, legislative, and judicial salaries was in the Ethics Reform Act in 1989. Prior to 1989, there was a quadrennial commission that met every 4 years to decide what would be fair compensation for Federal judges, Members of Congress, and senior members of the executive branch, except the President whose salary was set through another process. This commission, which was comprised of people outside government, always recommended that there be significant pay raises for all of the officials covered in the old law. The pay raises were so significant that there was a huge public outcry, and Congress ended up rejecting those recommendations almost uniformly because of pressure from our constituency.

So in 1989 when Congress passed the Ethics Reform Act, it abolished the quadrennial commission, and it replaced it with a citizens' commission on public service and compensation. That was 14 years ago, and the new commission has never met. This same law stated that the salaries of the district judges would be the same as salaries of Members of Congress, and there has been a linkage of the district judges' salaries and that paid United States Senators and United States Representatives since. So as our salaries have gone up through cost-of-living increases, the judicial salaries have also gone up; and it was usually because there was a provision put in an appropriations bill that gave the judges the same COLA as Members of Congress and executive branch officials.

I know every year the Chief Justice talks about the inequity in pay of Federal judges and those who practice before them. I think he has a very valid point. But the points that the Chief Justice makes miss the point of the 1989 law completely; and I think that if we are talking about a judicial pay raise, it is incumbent upon those who are supporting it, which is not me at this time, to answer two questions: What should be the compensation of district judges, appeals judges, and justices of the Supreme Court of the United States? And why are the responsibilities of the Federal judiciary so much more than the responsibilities of United States Senators and United States Representatives that they deserve to be paid out of the taxpayers' treasury a considerably higher pay than the Senators and the Representatives, which I think have at least equal and probably much greater responsibilities on a day-to-day basis than members of the Federal judiciary have.

The burden of proof, to use a judicial term, on why the judicial salaries should be delinked from the legislative and executive branch salaries is on the Federal judiciary and those who advocate such a delinkage. In none of the statements that I have seen from the advocates of higher judicial salaries has there been one argument in favor of why these salaries should be delinked.

Because the Congress last fall failed to pass the same COLA as Members of Congress and the executive branch received, this bill is fair, this bill is necessary, and this bill should be supported. But until we get answers to the other two issues that I have raised, I do not think we should amend the basic law that was passed in the Ethics Reform Act of 1989.

I urge the House to pass this bill.

Mr. BERMAN. Mr. Speaker, I support this measure to give Federal Judges a cost-of-living adjustment.

Just today, the Washington Post reported the findings of a non-partisan National Commission on the Public Service, led by former Federal Reserve chairman Paul A. Volker.

One of the first steps the Commission recommends is to give federal judges an "immediate and significant" increase in pay.

As it is, judges make far less than they could earn in private firms, and there is certainly no monetary incentive for top lawyers to accept nomination to the Federal judiciary.

Though there is prestige in serving as a Federal judge, many of this country's best lawyers simply cannot justify leaving private practice during their prime earning years to serve on the bench.

In the long run, this phenomenon will affect the quality of people we can attract to serve as federal judges. It doesn't mean that we ought to be matching partner bonuses dollar-for-dollar, but it does mean that we have to consider what the private sector offers if we want to ask our best and brightest to become public servants.

Though a 3.1 percent COLA may not be all that "significant," it is a small step toward creating enough incentive for Judges to remain on the Bench.

I urge my colleagues to support this measure.

Mr. SANDLIN. Mr. Speaker, I rise today to express my strong support for H.R. 16, which authorizes salary adjustments for the federal judiciary during fiscal year 2003.

Before the 107th Congress adjourned sine die, the House failed to authorize a necessary pay adjustment for the federal judiciary. The continuing resolution that the House passed on November 13, 2002, did not include the 3.1 percent cost-of-living adjustment for FY 2003 that federal judges were supposed to have received on January 1, 2003. The Ethics Reform Act of 1989 assures federal judges an annual adjustment based upon the Employment Cost Index [ECI], and Congress's failure to live up to its promise under that Act could have dire consequences for our legal system.

It is imperative that Congress takes every action necessary to ensure the viability of the federal judiciary. In his 2001 Year-End Report on the Federal Judiciary, Supreme Court Chief Justice William Rehnquist stressed the importance of annual pay adjustments and requested that Congress increase salaries as a means of attracting and retaining qualified judges. Federal judicial salaries are relatively small compared to the salaries that are earned by experienced attorneys in private practice. Relatively low judicial pay, combined with a complicated and lengthy judicial confirmation process, acts as a disincentive for qualified, dedicated attorneys to join the federal judiciary. When judicial vacancies go unfilled, the American legal system suffers.

It is inexcusable that the House failed to pass the FY 2003 Commerce, Justice and State appropriations bill, which contains the necessary authorization and appropriation for a federal judicial pay adjustment, during the 107th Congress. While Congress managed to give itself a pay raise for the current fiscal year, the federal judiciary was hung out to dry.

Mr. Speaker, our system of justice is among the best in the world, and as the peoples' representatives, we should do all that we can to ensure the future viability of the judiciary. I am pleased that the House has finally considered this long-overdue legislation, and I urge my colleagues to support it.

Mr. CONYERS. Mr. Speaker, I rise in support of this critical legislation, of which I am an original cosponsor. This bill provides the federal judiciary with a much needed cost of living adjustment (COLA) for their salary. I also would like to thank Chairman SENSENBRENNER for his leadership and bipartisanship on this issue.

The Constitution mandates that the pay of federal judges "shall not be diminished during their Continuance in Office." Unfortunately, by failing to provide judges with annual COLA"s over the last decade, they have faced the equivalent of a $77,000 reduction in salary. Currently, federal district court judges earn $150,000 per year. This is much less than they could earn in private practice; in fact, it is less than an attorney right out of law school can earn in private practice. Even the judges' employees, those who work at the Administrative Office of the U.S. Courts make more than their employers. In the last 30 years, while average pay has increased 12 percent for most workers, it had decreased 25 percent for federal judges.

This issue can seem to be just a matter of salary, but it extends deeply into our concept of a democracy and judicial independence. The Constitution establishes a system of checks and balances, granting independent judges lifetime tenure and the right to an undiminished salary, in order to ensure the judiciary remains independent of financial, political, and social pressures. Unfortunately, many federal judges are leaving the bench for private practice, and many experienced and qualified private practitioners are deterred from serving in the judiciary. The pay disparity has diminished the independence of our third branch and made it difficult to attract and retain qualified attorneys.

This is why I was surprised when the continuing resolution Congress approved last session gave a cost of living adjustment to most federal employees except judges. The bill before us remedies this oversight by authorizing a COLA for the judiciary that is retroactive to the start of the 2003 fiscal year.

I urge my colleagues to vote "yes" on this legislation.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 16.

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 subject to the call of the Chair.

Accordingly (at 4 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1740

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BEREUTER) at 5 o'clock and 40 minutes p.m.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 40 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1850

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BEREUTER) at 6 o'clock and 50 minutes p.m.

MOTION TO ADJOURN

Mr. FRANK of Massachusetts. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Massachusetts (Mr. FRANK).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. FRANK of Massachusetts. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 95, nays 315, not voting 23, as follows:

[Roll No. 9]

YEAS—95

Alexander
Allen
Andrews
Bell
Berman
Berry
Bishop (GA)
Boucher
Brown, Corrine
Capuano
Cardoza
Carson (IN)
Clay
Clyburn
Cooper
Crowley
Cummings
Davis (AL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Emanuel
Evans
Farr
Filner
Frank (MA)
Frost
Grijalva
Hastings (FL)
Hill
Hinchey
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kleczka
Lampson
Langevin
Lantos
Larson (CT)
Lee
Lowey
Lynch
Maloney
Markey
Marshall
McGovern
Meehan
Menendez
Millender-McDonald
Miller, George
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Pelosi
Peterson (MN)
Rangel
Rodriguez
Ross
Rothman
Roybal-Allard
Sabo
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Scott (GA)
Skelton
Slaughter
Stark
Stenholm
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Van Hollen
Velazquez
Waters
Watson
Wexler
Woolsey
Wynn

NAYS—315

Abercrombie
Aderholt
Akin
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bereuter
Berkley
Biggert
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Combest
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Everett
Fattah
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gephardt
Gerlach

Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Majette
Manzullo
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Otter
Pascrell
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanchez, Linda T.
Saxton
Schiff
Schrock
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watt
Waxman
Weiner
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—23

Ackerman
Baird
Ballance
Ballenger
Cardin
Conyers
Gillmor
Gutierrez
Hayworth
Herger
Janklow
Kilpatrick
Kind
Lipinski
McCrery
McDermott
Miller (NC)
Nethercutt
Oxley
Payne
Rush
Towns
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BEREUTER) (during the vote). The Chair would advise Members that there is approximately 2 minutes remaining on the 15 minute clock.

□ 1912

Mr. ETHERIDGE and Mr. MEEK of Florida changed their vote from ''yea'' to ''nay.''

Mr. THOMPSON of California and Mr. TIERNEY changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 1 and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. BEREUTER). Is there objection to the request of the gentleman from Florida?

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 15, I call up the joint resolution (H.J. Res. 1) making further continuing appropriations for the fiscal year 2003, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 1 is as follows:

H.J. RES. 1

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107–229 is further amended by striking the date specified in section 107(c) and inserting in lieu thereof ''January 31, 2003''.

SEC. 2. Public Law 107–229, as amended, is further amended in section 120, by striking ''and December 1, 2002,'' and inserting ''December 1, 2002, January 31, 2003, and February 1, 2003,''.

SEC. 3. Section 613 of the Treasury and General Government Appropriations Act, 2002, is amended (1) by striking ''2001'' and ''2002'' each place it appears and inserting ''2002'' and ''2003'', respectively; and (2) in subsection (a)(1), as so amended, by inserting ''(as if effect on September 30, 2002)'' after ''Act, 2002'' and after ''such section 613'': *Provided,* That such section, as so amended, shall be effective through September 30, 2003, notwithstanding section 107 of this joint resolution.

SEC. 4. Public Law 107–229, as amended, is further amended by striking section 137 and inserting the following new section:

''SEC. 137. (a) Notwithstanding any other provision of this joint resolution, in addition to amounts made available in section 101, and subject to sections 107(c) and 108, such sums as may be necessary shall be available to the Securities and Exchange Commission for the Secretary of the Treasury to advance start-up expenses to the Public Company Accounting Oversight Board pursuant to section 109(j) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107–204).

''(b) Notwithstanding any other provision of this joint resolution, upon the collection of fees authorized in section 109(d) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107–204), the Public Company Accounting Oversight Board shall reimburse the Securities and Exchange Commission for any Commission appropriations advanced to the Board for start-up expenses pursuant to section 109(j) of such Act or subsection (a) of this section, so as to result in no net effect of such advances on appropriations available to the Commission in fiscal year 2003.''.

SEC. 5. (a) APPROVAL OF PROSPECTUS.—For proposes of section 3307(a) of title 40, United States Code, the prospectus of General Services Administration entitled ''Prospectus—Lease, Department of Homeland Security, Washington, DC Metropolitan Area'', prospectus number PDC–08W03, as submitted on December 24, 2002, is deemed approved by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the date of enactment of this Act.

(b) PROHIBITION ON DELEGATION.—The authority of the General Services Administration to lease space under this section may not be delegated to any other department or agency.

(c) MODIFICATIONS.—Any modification to the prospectus referred to in subsection (a) that is subject to approval under section 3307 of title 40, United States Code, shall be approved in accordance with the requirements of such section.

SEC. 6. Section 126 of Public Law 107–229, as added by Public Law 107–240, is amended to read as follows:

''SEC. 126. Notwithstanding any other provision of this joint resolution, except section 107, the District of Columbia may expend local funds for programs and activities under the heading 'District of Columbia Funds—Operating Expenses' at the rate set forth for such programs and activities in the revised financial plan and budget for the District Government for fiscal year 2003 submitted to Congress by the District of Columbia pursuant to section 138 of H.R. 5521 of the 107th Congress, as reported by the Committee on Appropriations of the House of Representatives.''.

The SPEAKER pro tempore. Pursuant to House Resolution 15, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

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

□ 1915

Mr. Speaker, the legislation before the House, H.J. Res. 1, will extend the current continuing resolution to allow the government to continue to operate through January 31 of 2003. All of the ongoing programs and activities will be continued at current rates under the same terms and conditions as fiscal year 2002, with the exception of funding for programs included in the Defense and Military Construction appropriations bills for fiscal year 2003, which have already been enacted into law.

In addition, all the provisions of the previous CRs remain in effect, with one exception: It deletes a provision relating to the rate of operations for the Federal-aid Highways Program that had been enacted as part of the third continuing resolution. Specifically, that CR established total obligations for the highway program while operating under continuing resolutions. Section 4 of this resolution deletes that provision, and Mr. Speaker, it does so with the concurrence of the transportation and infrastructure authorizing committee.

I want everyone to understand this action is going to affect the budget. We have been advised by the Congressional Budget Office that it will score an additional $1.1 billion in outlays on an

annualized basis against this continuing resolution as a result of that deletion. So we are upping the price, but this was an agreed arrangement. So that is what we are going to do.

The CR also includes five new provisions. I will briefly explain what they are.

Number 1, it will extend the authorities necessary to make entitlement payments to include the Child Nutrition Programs, the Food Stamps Program, Medicaid grants to States, payments to Medicare trust funds, Trade Adjustment Assistance Programs, veterans entitlements and supplemental security income payments through the month of February.

Number 2, it will maintain the annual blue collar worker pay adjustment to be consistent with other Federal pay increases.

Number 3, it will allow for funding for the Public Companies Accounting Oversight Board as established in the Sarbanes-Oxley Act of 2002, Public Law 107–204.

Number 4, it will allow the District of Columbia to spend local funds at the revised budget levels for fiscal year 2003.

Number 5, it will allow the Administrator of General Services to move forward on the GSA prospectus to lease space for the headquarters of the Department of Homeland Security.

Mr. Speaker, we are beginning a new year and a new Congress. We need to get the business of the old Congress behind us. We will explain at a later date how we plan to do this, but this CR gives us time to put that plan into effect.

I do not think this CR is controversial. I am not aware of any controversy. I urge the House to move this legislation to the Senate and then to the President so that there will be no question that the government will continue to operate smoothly and efficiently through January 31.

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

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, what is happening here is that this is the first of two continuing resolutions which the House is going to endeavor to pass tonight. The first is simply a vehicle by which we keep the government open for the next 30 days or so, while the Congress at long last gets about the business of finishing what it should have done last year; namely, virtually all of the domestic appropriation bills.

The second continuing resolution that will be voted on after this one will be an empty vehicle which is sent to the Senate, and the Senate will then use that as the carrying vehicle for the work that they do to put together all of the remaining appropriation bills.

As I was saying, the Senate will then proceed to work its will on the remaining domestic appropriation bills. They will then put them together in one package in the second CR, which we will send over, and they will come back to the House for an up or down vote as a conference report. That effectively means that the House will have been shielded from any responsibility to take visible positions on virtually all of the issues involved in education, in health care, in the Labor Department programs, in housing programs, in science programs, foreign aid, you name it. That, I believe, is the purpose of this process.

I do not happen to think that is a very healthy process but that is what the plan is. What that means is that tonight represented the only opportunity for Members of this body to speak to any of the issues that would be funded by this continuing resolution.

Now, the rules of the House provide that if the Committee on Appropriations has not passed a new 302(b) allocation, allocating the total resources of the committee that are available to us to the various subcommittees, then the House is precluded from considering an appropriation bill. So last night the Committee on Rules waived that provision for the majority so that the majority is able to proceed with this process today, but they refused to waive it for the minority, which means that we cannot offer any significant or meaningful amendments to the continuing resolution.

If we had not been denied that right, we wanted to offer a $5 billion package that essentially asked the House to, once again, approve matters which it approved in the supplemental last summer. Half of that would be the $2.5 billion that we provided for additional homeland security items, additional port protection, additional border protection, additional support to the FBI to modernize its computer system, additional translators and the like. All of that money has already been voted for by 90 percent of the Members of both parties in this House, but it has been effectively impounded by the President who declined to spend that $2.5 billion, thus leaving this country needlessly exposed on the homeland security front.

The other $2 billion or so that we wanted to add represented other items that the House had already voted for: The $274 million which was badly needed for veterans medical care to clean up the backlog at veterans facilities; the $401 million which was necessary to provide aid to first responders, our police and our firemen at the local level; and $200 million to assist with anti-terrorist actions on the part of the State of Israel, for instance, all of that has been denied us because the House Committee on Rules essentially said that there should be one set of rules for the majority and another set of rules for the minority.

Now, as I said earlier today on the floor, the purpose of rules in any venue is to see to it that all people are treated the same, and that is true whether you are talking about a San Francisco 49er and New York Giant football game or whether you are talking about actions on the floor of the House. We are supposed to have rules that apply equally to everybody, but thanks to the misguided and misbegotten action of the Committee on Rules that is not what we are going to have.

So what that means is that this House, which is supposed to be the greatest deliberative body in the world, has been turned into something that much more clearly represents a Soviet Congress than it represents the embodiment of democratic representation.

What this means is that a small group of insider Members in the Republican leadership have essentially decided ahead of time what the outcome should be on all of these appropriation bills, and now they have fixed the process so that there is no practical possibility whatsoever of changing in any way that desired outcome. That may be an effective use of power, but it is a fundamental corruption of the legislative process that goes to the heart of democratic government, and people who engage in that kind of conduct, in my view, should be ashamed of themselves.

So what we are faced with is the necessity to try to use extraordinary means in order to try to gain some ability to define what actions we on this side of the aisle believe are in the best interests of the country. Mr. Speaker, I detest the idea of having to go after House traditions and normal House procedures. I do not like, for instance, to have to try to appeal the ruling of the Chair on matters, but when we are denied the legitimate exercise of our rights to define differences, which is supposed to be the subject of legislative debate, then we are left with no choice but to engage in extraordinary measures as a matter of protest.

Now, we have not created this situation. The House Republican leadership and the House Committee on Rules has. I would urge them to reconsider.

Yesterday, we heard all kinds of nice words about bipartisanship. The Speaker said that we should respect each other. We do not feel that much respect has been shown this institution when the normal processes of this institution are cut short for the partisan convenience of the party that happens to control this House.

□ 1930

So I wanted to explain why it is that we on this side of the aisle are unhappy and why we will be doing what we are doing tonight.

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

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

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. HASTINGS), a member of the Committee on Rules.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman for yielding me this time. The gentleman

from Wisconsin has given us an explanation with reference to what is transpiring.

When I came to this body, I had no idea that I would have the privilege to serve on the Committee on Rules. When I was given that opportunity, it became the proudest moment in my limited congressional career. Last night, before we left here, I became rather distressed that the majority does not see fit to grant the minority privileges that the minority at another point in time argued that they should have, I remember very distinctly.

I have great respect for my colleagues on the other side of the aisle. Certainly, the chairman of the Committee on Appropriations is a friend of mine, and I have immense respect for him, his fairness and his ability. But the gentleman from Florida (Mr. YOUNG) is not the person that is in control of the situation with reference to the rule. The chairman of the Committee on Rules also is a friend of mine, and I am not certain that he is in control of what is transpiring with reference to the rule.

What is happening here is we are giving back-room deals new meaning. In essence, what my colleagues have done, if we were to take 10 people, as one Member of Congress here said today, she described it as though we had 10 people and my colleagues put a gag on four and a half of them, so that nearly one-half of America is being denied an opportunity to go forward and put ideas on the table for this body to work its will. That is not fair.

Thus my colleagues will find that there are some of us who, different than the gentleman from Wisconsin (Mr. OBEY) described when he said we are unhappy, some of us are outraged and plain mad about the circumstances we find ourselves in. In fact, what my colleagues are allowing with these two continuing resolutions is absolutely no debate of consequence with reference to matters of immense and enormous magnitude for the good of this country.

Among the things that we say all the time, and on yesterday proudly all of us admired, as we do admire the Speaker of the House, when he cited certain portions of the Constitution that all of us know so well, among those things was to promote the general welfare. Well, we cannot promote the general welfare with dynamic scoring when we are hiding the deficit with creative math. We cannot promote the general welfare when we find ourselves taking ''Jefferson's Manual on Parliamentary Procedure'' and pitching it into the Potomac River.

We did not have hearings last night. A train hit those of us in the minority in the Committee on Rules, and a train is hitting every member of the minority as well as the majority. My colleagues hurt themselves as much as they hurt us when they do not give us an opportunity to make an adequate presentation on matters of health, on matters of education, on matters of homeland security; and I could go on and on.

Everybody knows what my colleagues did when they took over the House of Representatives, and they did it by arguing against what the Democrats did that was so wrong then: closed rules. Yet every time we look up, all we see is no opportunity for amendments, no opportunity for supplementals. Nothing in the way of decency is coming forward. I am outraged.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1 minute just to say that I am not going to try to respond to all the political comments that are going to be made here this evening. I understand the minority is upset. They are upset because they are the minority, and I know about that. I served in this House for 24 years under their rule.

And if my colleagues think what our party is doing tonight to manage the business of the House is something wrong, they should go back and look over the 40 years of their own rule. We had more closed rules, we had more autocratic management of this House, we had more weird crazy, creative schemes to get through the legislative process. And, yes, we complained, just like they are complaining tonight.

But we have to get this job done. Come on. We are already beginning to get ready for our 2004 business. We need to get the 2003 business finished. Like I have suggested on other occasions, let us do our politicking somewhere else. Let us do the people's business here tonight. Let us get this CR out of here.

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

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

Mr. Speaker, we are not objecting to this process tonight because we are unhappy we are in the minority. We are in the minority, and we expect to lose 99 percent of the votes around here. But we do not expect to have denied to us the opportunity to at least engage in the debate.

My question is, what is the majority party afraid of? Our colleagues in the majority have the votes, and if they think we are wrong, outvote us. But the Committee on Rules has taken us beyond that. What the Committee on Rules has done is that they have said, ''Sorry, we are not going to even allow an opportunity to raise any of these questions.''

Now, this issue came up in March of 1999 when the Republicans were also in control. The exact same situation arose. At that time the majority party did the right thing. The Republican Party waived the rule for the majority so that we could proceed, but they also waived the rule so that we could participate equally in the process. That is what the majority party should have done this time around. They should have followed their own earlier example.

I would also say that, in effect, what is happening is that the minority party is being prevented from doing its job because the majority party neglected to pass a 302 allocation. We did not make the determination on this side that that would not happen; the majority party did. So the minority party is being penalized for the inaction of the majority party. That is quaint in any legislative body.

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

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, as a parent of two small children, I have been told that children pay more attention to what their parents do than what we say. Tonight, I hope the American people will use that commonsense principle in judging Congress. It is not what we say in our speeches that counts so much, but far more important to the American people is what we do.

What has this Congress, what has this House done today? Basically, the Republican leadership has denied the minority an opportunity to present an amendment that would have added $275 million desperately needed in veterans health care. These particular dollars were focused to try to help those veterans who have such critical health care problems that they need specialist care. This $275 million was designed so that veterans who fought for our country so valiantly, so patriotically would not have to wait 6 months for a heart specialist or for some sort of very, very important care.

I would imagine Republicans and Democrats alike on Veterans Day back home go make that speech, that it is wrong for veterans to have to wait 6 months to get the care that they have earned and even fought for, even been wounded to earn. Yet when we have a chance to do something about it, the Committee on Rules, not through the leadership of either the chairmen or the subcommittee chairmen, who are valiant supporters of veterans health care, but through the actions of the Republican leadership in the House, despite all of our great words on Veterans Day and Memorial Day, all our respect for veterans, when we could do something about it tonight, when we could have helped veterans, what are our actions? We are prevented from even having a vote on helping to improve veterans health care in that desperately needed way.

The Republican leadership does not hurt the Democrats when they deny us the right to such a vote, denying Republicans and Democrats the right to that vote. They hurt veterans. These are men and women who fought for this country, men and women who have been willing to die for this country.

So I wish the Republican leadership would reconsider its ill-founded rule that denies not us but veterans the right to get better health care. Let the American people and let veterans know what we parents of small children

know: it is what we do that counts, not what we say that counts.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I thank the distinguished ranking member for yielding me this time and congratulate my chairman, as always, for trying to do the best job he possibly can under the circumstances and the facts that he is dealing with.

I do not speak in my capacity as whip but as I guess still the ranking member of the Treasury, Postal committee, or whatever capacity I am in, because we have not reconstituted that committee. Mr. Speaker, in the Treasury, Postal committee we included a number of dollars in the supplemental, which would be the subject of the amendment that the gentleman from Wisconsin (Mr. OBEY) speaks of and that we would like to offer and we think is critical.

First of all, there was $400 million in there for the emergency first responders. That is a critical figure. All of us are for that. I do not think anybody is opposed to that. As a matter of fact, all of us were for all the dollars that were in this bill. We voted on it, passed it, and it was sequestered by the President. We believe that it is underminding homeland security not to move ahead with these finances at this point in time.

And not only the $400 million for first responders, but I was at the White House today with the leadership and brought up the funding of the election reform bill. The election reform bill was the most significant bipartisan success that we had in the 107th Congress. The chairman was a very important part of passing that and committing ourselves to funding that election reform legislation to make sure that every American vote not only is cast but is counted accurately. There was $400 million in that bill for that objective.

The President agreed today that we ought to fund that. Mitchell Daniels agreed we ought to fund it. I do not say they were for this particular amendment, but they believe that funding is appropriate funding. As a matter of fact, I am hopeful and believe that we will get a higher figure.

In this amendment was $28.5 million for the Secret Service to support the increased cost to protective details and to implement provisions of the PATRIOT Act we passed to secure our homeland. But it needs funding. This $28.5 million would be in that request.

In addition, there were $39 million for the Customs Service Container Security initiative. We have heard recently the vulnerability of our ports and the infrastructure in our ports to boats, ships coming into our ports that may be laden with explosives. Customs needs to have additional resources in order to check this. I do not think anybody disagrees with that proposition. However, it has languished unfunded.

Mr. Speaker, because my time is short, let me mention also, and lastly, $16 million in the Federal Law Enforcement Training Center, FLETC, located in Glynco, Georgia. All of us know as a result of the tragedy of 9–11 of the outrage that was committed against this country, that we have made a determination that we are going to upgrade the security of our homeland. One of the ways we are doing that is adding Federal security officers. We are adding them at our airports, we are adding them at our Federal buildings, we are adding them in other places in our Federal infrastructure. We need to train them.

□ 1945

This was not anticipated. The demands for the Federal Law Enforcement Training Center have, therefore, been substantially increased. But we have not given them the resources to accomplish that training. In doing so, we undermine homeland security. What we are saying is we ought not to wait. We ought to act, and we ought to act now to protect the homeland security.

It is very nice for us to pass bills and say we want to do this. But if we do not fund it, we cannot do it. We are going to be talking about that at the end of this month. I would hope to find a way to allow this amendment to be offered and that we could pass this amendment overwhelmingly because I believe the objectives are supported.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the gentleman from Maryland (Mr. HOYER) was speaking directly to the issue of the CR and to the issue of the necessary funding, and especially for homeland security. The gentleman is correct. In the supplemental that we presented, we covered most of those items that the gentleman mentioned. The President chose not to release some of those funds, and that was the authority that the President had.

What I would say to the gentleman is my support for those issues is no less today than when we did the supplemental. We are in a procedural situation today. We need to get the CR so we can extend past January 11, which is the present CR, and we have to get the second CR which the gentleman from Wisconsin (Mr. OBEY) has mentioned so we can conclude our work of the 107th Congress.

A lot of Members are congratulating each other in starting out the 108th Congress. My comment to some of my colleagues is I am still trying to get out of the 107th Congress. That is what we need to do tonight. Let us finish the business of the 107th Congress, and then we will get on and take care of the issues that the gentleman from Maryland (Mr. HOYER) has so properly identified.

Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. WALSH), chairman of the Subcommittee on VA, HUD, and Independent Agencies, such as NASA.

Mr. WALSH. Mr. Speaker, I thank the chairman for his leadership and also the distinguished ranking member for the gentleman's hard work.

Mr. Speaker, we had the opportunity to debate all of these issues at the subcommittee level, at the full committee level, and in many cases on the floor. But all of these items have been debated.

It has been stated that there has not been time for debate, but there has been. We have spent hours and hours and hours. We spent 2½ months in our subcommittee putting this very, very complex bill together, the VA–HUD bill. If we could move forward and pass this and then get to a point where we can pass all of the fiscal year 2003 appropriations bills, that would be a good thing.

There has been discussion about veterans. We have substantial increases in veterans' health care benefits in the 2003 bill. We cannot get to those until we pass this continuing resolution and send a bill to the Senate. We cannot make the increases in the housing accounts for the homeless, in housing for people with AIDS, in the section 8 program, in the senior housing programs. We cannot get those funding measures to the department heads and the money to the department heads to implement those policies if we do not pass this bill.

So there has been plenty of time to debate all of the policy issues. We are at a point where we need to bring closure to the 2003 year. I know I have and the other subcommittee chairmen have a lot of work to do. As soon as we complete on these 2003 bills, I will begin hearings for the Veterans Administration, for HUD, for NASA, for FEMA, for the EPA, for the National Science Foundation. There is a tremendous amount of work to be done, and every minute of every day, every hour that we delay here puts our decisions off for the future, and those are critical decisions.

Advocates are coming to us, veterans are coming to us, people from the science community are coming to us and saying please get these bills done so we can begin to plan for next year's bills. If we work very closely with OMB and the House and the Senate work closely together, we will have a budget resolution to work with. That is what happened this year. The House did its job. We passed our budget resolution. The Senate did not. Had they passed a budget resolution, we could have worked out the differences and had a road map to work with. But we did not have that road map. That is why we are at this juncture.

We need to get this work out of the way, get the bills passed, complete our work on 2003 and get a good solid budget resolution passed for 2004 and get these appropriations bills done. It is not that difficult. It is not rocket science, but we need to get last year's work out of the way first.

The SPEAKER pro tempore (Mr. BEREUTER). The gentleman from Florida

(Mr. YOUNG) has 9 minutes remaining and the gentleman from Wisconsin (Mr. OBEY) has 21 minutes.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, this continuing resolution which I think instead ought to be called this continuing saga of one budget's lonely effort to struggle into maturity is in part a continuing story of the majority's refusal to allow the corporate responsibility bill to go forward. There is some language in here finally that would allow the Public Company Accounting Board to get a couple million dollars in advance from the Treasury. That comes several months late after a couple of unsuccessful efforts that we made; finally the committee has done this.

But on the committee point of funding the corporate responsibility bill known as the Sarbanes-Oxley bill, this continuing resolution continues to refuse to do that. When the President signed the bill with great fanfare months ago, it called for an authorization of $776 million. This bill has in fact a lower figure than the original budget request as amended, and even if we throw in the pay parity, the appropriations level in this bill, as I last saw it, is more than $200 million less than Sarbanes-Oxley called for. That is $540 million instead of $776 million.

So the President signs the bill with great fanfare, and then refuses to fund it. The Securities and Exchange Commission was given a great number of new responsibilities, and none of them are effectively funded in this bill.

The bill also will continue a situation in which public housing authorities are in crisis. Public housing authorities were told by the Republican Party that when they lost the money for the drug elimination program that had been a specific amount, $300 million, not to worry. When the majority eliminated the drug elimination program, quite surprisingly to me, which made funds available to housing authorities to combat drug abuses in the housing projects by hiring police and other ways, they were told that is okay, they could fund this out of their regular, ongoing operation.

But this bill, this procedure, has shorted those housing authorities. So they, in the first place, lose the $300 million for the drug elimination program, and now they are given less money than they needed even without that $300 million, and already because of the stop and go and interruptions of the continuing resolution and some mistakes on the part of HUD, public housing authorities all over this country are going to be short of money. Elderly people are going to be looking for police protection and maintenance, and people are going to be looking for a whole range of basic protections and they will not be there because of the majority's handling of this matter.

So with regards to both Sarbanes-Oxley and public housing, this bill is sorrily deficient.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. ISTOOK), chairman of the Subcommittee on Treasury, Postal and General Government.

Mr. ISTOOK. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I think it is always good in exchanges like this that every once in a while we try to come back to reality and discuss what the topic for debate actually is.

What we have under consideration is a continuing resolution so that the Federal Government can stay open through the end of January, so that people who are expecting some sort of Federal benefit, whether it be a Social Security check, whether it is the continuation of Medicare, whether it is the processing of their Veterans Administration disability claim, whatever it may be, we are here to talk about a resolution to enable the Federal Government to keep going through the end of January.

We are in that situation because the kind of bickering that we are hearing from too many people on this floor was what predominated last year and kept us from adopting any permanent appropriations legislation.

Some Members are saying we do not want to talk about keeping things going, we do not want to talk anything until we can solve all of the problems and put a lot of new issues on the table. I guess they want to go ahead and let the government shut down. If that is Members' desire, and what they really want to do is mask that desire through other verbiage that they are throwing at us, I wish they would be open about it.

But the resolution under consideration is to allow continuing expenditures at predetermined, ordinary rates so until we can work out all these problems things do not come to a grinding halt. We are not going to be able to have time to work on the permanent solutions to the very funding problems that Members are complaining about unless we can get things like this through. When all of the time has to be devoted to temporary stopgap measures, that takes away from the time that we need to devote to permanent measures.

The American people spoke last fall in the elections. They said they want us to be solvers. They want us to be working towards solutions, not bogging down in bickering and petty parliamentary complaints.

Mr. Speaker, this is legislation that we need to adopt. It is responsible. I do not hear Members complaining about it, or the other side of the aisle saying we want to shut things down instead. But they do want to throw all sorts of barriers and roadblocks that will mean the current spending authority will expire, we will have a government shutdown.

We are trying to be responsible, Mr. Speaker. We should pass this resolution tonight so we can then work together on the permanent solutions and the permanent appropriations bills that need to be adopted.

Mr. Speaker, I commend the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations. I thank the leadership for bringing this up, and I urge adoption of the resolution.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am sorry that the gentleman from Oklahoma (Mr. ISTOOK) feels that we are unduly taxing his capacities by raising all of these complex issues. I did not think that the Sarbanes-Oxley corporate accountability bill came as entirely a shock to Members on the other side of the aisle.

We just heard that we are raising new issues. All we are asking for and all I mentioned was let us fund the Securities and Exchange Commission at the level this House and the rest of the government said was appropriate last August. It is not a complicated matter. I am not trying to raise new obstacles. The gentleman said this is just an ordinary bill.

I thought there was a decision by the Congress and the President last summer that ordinary was not good enough for the Securities and Exchange Commission, that we had to do some extraordinary things to combat abuses in the securities industry. So when I say that we should fund the level that we said we would fund, apparently for the gentleman from Oklahoma (Mr. ISTOOK) that is too complicated.

□ 2000

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee on Commerce, Justice, State and Judiciary.

Mr. WOLF. Mr. Speaker, we wanted to bring some sort of information here because I was listening back in my office. In the CR under consideration today are two provisions providing the Securities and Exchange Commission with additional authorities and resources to protect investors. That is already in the CR. The second provision allows the SEC to fund the start-up expenses of the Public Company Accounting Oversight Board to begin to provide the additional necessary scrutiny in corporate accounting.

There was also a bill put in earlier today, I believe it has been put in, which does the following: with regard to the fiscal year 2003 Commerce-State-Justice appropriations bill, and the gentleman from Massachusetts was referring to this, it includes $776 million for the Securities and Exchange Commission. That is the level that is authorized by the Sarbanes-Oxley bill. It is $209 million, I will tell the gentleman, above the President's request;

and it is higher than the amount that was in the Senate bill.

In addition to fully funding the SEC's pay parity cost, the funding will include an increase of $100 million for information technology initiatives such as enhanced automated analytical tools, an integrated document management system, a central data repository and various e-government projects.

It will also, I will tell the body so they feel very comfortable in voting for what the gentleman was talking about on the CR, the funding level will also provide for hundreds of additional accountants, attorneys and examiners to substantially increase oversight of auditors and audit services, enhance the commission's investigative and enforcement capability, improve disclosure of information to investors, and perform various other oversight duties. So that bill has been introduced and is in the hopper tonight.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. The gentleman says it has been introduced, but it is not in this version here. It has been introduced for later adoption. It is not a number that is in this bill.

Mr. WOLF. But it is introduced to be the subject of, and we are committed to those figures, to be the subject of the 2003 conference. We are actually higher with regard to that than what the Senate had. That is the subject of us going to conference. It is higher than what the administration asked for and also higher than what the Senate has.

Mr. OBEY. Mr. Speaker, I yield 1 additional minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Providing more money than this administration asked for for opposing corporate abuses is not a great thing. What the gentleman from Virginia has said is they have now introduced a bill to be acted on at some future date that will carry out the funding level of Sarbanes-Oxley. But the fact is that we are now in our sixth or seventh continuing resolution and we have not got it yet. I am pleased to know that a bill has been introduced, but it does not do anything for the SEC now. Why not simply in this version of the continuing resolution put that number in there? The bill passed in August. The President in August signed the bill and said, ''I'm improving corporate accountability.'' Several opportunities have gone by to actually fund it at that level, and the answer from the gentleman from Virginia is, ''Don't worry. Hope is on the way. The Lone Ranger is coming. We actually introduced the bill.'' I never heard of a bill being introduced that was immediately implemented.

If, in fact, that is the right number, why not have it in this bill?

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. KNOLLENBERG), who has just become chairman of the Subcommittee on Military Construction.

Mr. KNOLLENBERG. Mr. Speaker, I rise in support of this continuing resolution, and I really want to thank Chairman YOUNG for all the hard work that he has put into this process. I want to thank also the gentleman from Wisconsin (Mr. OBEY) on the minority side. It is not easy. I know. This may be one of the hardest jobs in the House that the chairman has and the ranking member, too. The continuing resolution is an essential bill, and obviously I strongly urge all my colleagues to support it. I do not think the appropriations process has ever been easy, and I think this particular situation is maybe one of the most difficult that we have ever had, at least in my understanding. All we can do is take the situation that we have and do the very best that we can. I believe that is exactly what we are going to do.

The President has made it pretty clear, quite clear, that he will not sign any bills that push us over the discretionary level of $750.5 billion. I believe we have to pay attention to that. We have to respect that. And I believe we will. The gulf between the spending levels between the two bodies has now been closed. I understand that we are now close to agreeing to new allocations for the fiscal year 2003 bills that have not been completed.

As my colleagues will remember, this was one of the key problems last year as we attempted, as some attempted, rather, to throw fiscal discipline out the window. Not everybody may be happy, either, with the final allocations; but they are critical to move this process forward. Time is of the essence. We have to complete the fiscal year 2003 bills so we can properly focus on fiscal year 2004, which is why again we must pass this continuing resolution. Further delays run the risk of the Federal Government operating for an entire year under a continuing resolution. That is the alternative. What is it you want to do? If that is what you want as an alternative, that is the only thing that is out there. I do not think either side of the aisle will be satisfied with that outcome. The blame game is easy. By the way, if I were in the minority, I might be saying some of the same things that you are saying and doing some of the same things.

But the hard work, by the way, is being done by Chairman YOUNG and, yes, Ranking Member OBEY to bring the fiscal year 2003, I am talking about 2003, by the way, and we should be talking about 2004, bring the fiscal year 2003 appropriation bills to a successful resolution.

I just say, let us pass this CR and let us get back to work. I urge my colleagues to support this bill.

Mr. OBEY. Mr. Speaker, will the gentleman yield for a point of clarification?

Mr. KNOLLENBERG. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, let me make clear to the gentleman, if our amendment is passed, we are still substantially below the Republican budget resolution numbers. We do not exceed the amount dictated by the White House. We simply make sure that the money is used for homeland security, for the SEC, and for the other items that you have already voted for in the supplemental.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Arizona (Mr. KOLBE), chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

Mr. KOLBE. Mr. Speaker, I rise in support of this resolution to provide for continuing appropriations for the United States Government through January 31 of this year with the exception, of course, of the Defense and Military Construction bills that we have already passed and have had enacted into law.

Like a lot of my colleagues and certainly other members of the Committee on Appropriations, I have been frustrated that we were not able during the regular course of events last year and even into the beginning of the next fiscal year, but still during the course of the 107th Congress, that we have found ourselves unable to complete work on the appropriations legislation for fiscal year 2003. And so we find ourselves here in the 108th Congress, a new Congress, a new body, new committees, new personnel, faced with still doing almost all of the appropriation bills for 2003. I am not into the blame game of pointing the fingers as to where the responsibility for this lies. I think that one can look at the political facts that caused us all, neither side, to want to complete the work during the calendar year 2002.

And so we find ourselves here in 2003, at the beginning of a new Congress, a new calendar year, and in the second quarter of this fiscal year with the appropriation bills still unfinished. I have high hopes that the new Congress, the 108th Congress, can move speedily to complete this work. But it cannot be done unless we give authorization to the government to continue its work, all the agencies of the Federal Government that have appropriations to continue their work past this coming weekend and to the end of this month. While we are gone from Washington in the next couple of weeks, the Senate will be taking up these appropriation bills. The plan is that they will add them to our continuing resolution and we will have an opportunity to go to conference and discuss them there.

Whatever one thinks of the process, I think one has to look at the end result, which is to try to get the appropriation bills done for 2003 so that we can get into the regular appropriation bills for 2004, and I think all of us understand that there is going to be a supplemental appropriation bill as well coming up in the next couple of months to

deal with the military and political crisis that we find ourselves dealing with in the Middle East and South Asia.

And so, Mr. Speaker, I would hope that this body would support this continuing resolution, that we would adopt it, and that we would get on with the work of adopting the bills for 2003 before the end of this month and that we can do the regular work of fiscal year 2004 in the next year.

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

I take this time, Mr. Speaker, to explain to the House the amendment that I will shortly offer. That amendment will do essentially two things: it would provide an additional $308 million for the Securities and Exchange Commission to increase funding to the level agreed to in the Sarbanes-Oxley bill. Secondly, it would make available $5.1 billion in critical funding already agreed to by the House last year as contingent emergencies in the fiscal year 2002 supplemental. That money will pay for items such as helping to find, arrest and deport high-risk individuals who have disregarded the departure date on their visas. It would provide for increased security of U.S. nuclear weapons and nuclear materials at DOE weapons labs, money which the DOE has asked for. It would provide money for the Customs Container Security initiative suggested by the agency. It would provide $275 million for veterans health care, which this House has already approved on a contingent appropriation basis. It would provide $415 million for grants to State and local first responders, and a variety of other items which the House has already approved, but which the President has declined to release.

As I told the House earlier today, right after the election I was watching McNeil-Lehrer. In their panel discussion, Tom Oliphant, the columnist, was asked what the role of the Democratic Party was going to be now that the Republican Party had all of the marbles in every institution. He said, ''Well, their obligation as the minority is to offer alternatives to what the majority proposes.'' That is exactly what we are trying to do. The problem with the rule that was adopted earlier is that it attempts to preclude us from meeting those responsibilities as a minority to offer constructive alternatives. In the process, it also denies the ability to hold either the majority or the minority accountable for the decisions they make. That is why we are attempting to move forward with this amendment.

I would hope when the time comes that no point of order is lodged against the amendment so that we can, in fact, meet the obligations that we have in this House to be a real legislative body, not a Soviet-style Congress where a few unknown individuals make decisions and then subvert the process in order to predetermine the outcome.

□ 2015

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of the time.

I will be very brief just to say that it has been an interesting debate as usual. I appreciate the work that the gentleman from Wisconsin (Mr. OBEY) and I are able to do together because we do agree a lot. My position is we should pass this CR and get on with completing the work of the 107th Congress. There are a lot of good issues raised here today by the gentleman from Wisconsin (Mr. OBEY), by the gentleman from Maryland (Mr. HOYER), by others, but those will be fixed, and I am as anxious as they are to get those fixes in place. I would like to pass this CR now. I would like to take up the second CR immediately, pass it now, and get on to finalizing the work of the 107th Congress by completing the appropriations process for that Congress because we are starting the process for the 108th Congress for fiscal year 2004.

We anticipate the budget from the administration shortly. We will begin our hearings in our subcommittees shortly. We will have a budget resolution this year that we will begin then to mark up our bills and bring them to the floor, but let us get this behind us, let us get this off the table, get it off the desk, get it out of contention. Pass the CR and let us get on to the business of the 108th Congress.

Mr. BLUMENAUER. Mr. Speaker, only one day into the new Congress and the Republican Leadership's procedures for advancing legislation are an outrage that purposefully seeks to limit meaningful debate. By stifling opportunities to present alternatives by either Democrats or Republicans, the House leadership is showing its unwillingness to legislate and its lack of fiscal responsibility.

This morning we passed legislation to extend unemployment benefits for millions of Americans out of work. Unfortunately, due to the Republican leadership procedures, provisions could not be added to provide benefits to 1 million whose benefits have already expired.

Now, with this Continuing Resolution, we are faced with a provision for the Department of Homeland Security that would allow the Administration to bypass a normal review by the Transportation and Infrastructure Committee and win blanket approval on the House floor for its plan to lease up to 575,000 square feet at a cost of up to $250 million. There are important security, infrastructure, and fiscal considerations left undiscussed by this approach.

The Republican leadership is not just afraid of the Democratic proposals, but they are afraid of their own moderate members and the American public. Decision-making that leaves out normal congressional and committee processes is an attempt to remove democratic debate and public opinion from the table. This is a horrible way to begin the new Congress. The American public deserves better.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to oppose H.J. Res. 1, the continuing resolution to fund the Federal Government through January 31. It is an abomination that only two appropriations bills have been passed by this Congress—the Defense and Military Construction bills. We have essentially been operating without set spending levels for the Federal Government since the fiscal year began October 1.

My priorities include funding for education, protecting Medicaid, and providing funds for HIV/AIDS in Africa. I understand the fiscal constraints, but I also realize that Federal agencies and our constituents need funding provided from the various appropriations bills.

This resolution does extend entitlement payments including Food Stamps, Medicaid Grants to states and veterans' entitlements. The appropriations bills that fund these programs have not been passed. We simply cannot keep passing continuing resolutions with set spending levels. Congress is not living up to its responsibility as stated in the U.S. Constitution in Article 1.

Congress must do its work. We have eleven appropriations bills that have yet to be passed by Congress and enacted into law. The Labor-HHS appropriations bill funds the Department of Education, the Department of Labor, and the Department of Health and Human Services.

The Democratic priorities in education health care must be fully funded. Last year, we passed the No Child Left Behind Act, but have yet to fund the bill at levels to ensure the adequacy of the measures contained in the education bill.

I am concerned about the increasing spread of AIDS/HIV in Africa. I support funding for research in this area and getting the necessary medical supplies and medicine to combat this disease to Africa.

Congress adjourned last year with much unfinished business. Passing the appropriations bills must be on our list of priorities. We cannot continue this uncertainty in the budget process. This is the sixth continuing resolution.

The president will soon release his fiscal year 2004 budget and we have not yet passed eleven funding bills for fiscal year 2003.

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

The SPEAKER pro tempore (Mr. OTTER). All time for debate has expired.

The joint resolution is considered read for amendment, and pursuant to House Resolution 15, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. OBEY. I think the Speaker can safely assume that, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the joint resolution H.J. Res. 1 to a select committee consisting of Mr. YOUNG of Florida and Mr. OBEY of Wisconsin with instructions to report the same back to the House forthwith with the following amendments:

Page 1, line 5, after ''2003'', insert the following:

''*Provided*, That notwithstanding any other provision of this joint resolution, $776,000,000 is available for the Securities and Exchange Commission, Salaries and expenses.''

At the end of the joint resolution, add the following new section:

SEC. 7. Public Law 107–229 is further amended by adding at the end the following new section:

''SEC. 138. In addition to the amounts made available by section 101, and subject to sections 107(c) and 108, amounts made available in Public Law 107–206 only to the extent that an official budget request is transmitted by the President shall be considered available for obligation.''.

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. GUTKNECHT. Mr. Speaker, I make a point of order against the motion to recommit because it violates section 302(c) of the Congressional Budget Act.

The SPEAKER pro tempore. Does the gentleman care to argue further on his point of order?

Mr. GUTKNECHT. Mr. Speaker, Section 302(c) prohibits the consideration of any amendment that provides for new budget authority for a fiscal year until the Committee on Appropriations has made the suballocations required by section 302(b) of the Congressional Budget Act.

This motion to recommit increases the amount of budget authority provided by the measure. The suballocations published by the Committee on Appropriations on October 10 of 2002 lapsed upon the adjournment of the 107th Congress, and no 302(b) suballocations have been made for the 108th Congress. Hence I make the point of order that this motion to recommit violates section 302(c) of the Congressional Budget Act.

The SPEAKER pro tempore. Does the gentleman from Wisconsin wish to be heard on the point of order?

Mr. OBEY. Mr. Speaker, what the gentleman from Minnesota is asserting is that the minority should not be allowed to offer a legitimate amendment because the majority did not fulfill its responsibilities to abide by certain provisions of the Budget Act and by the timetable of that act. I find that highly objectionable especially since the Committee on Rules has already waived the requirement as far as the majority party is concerned. It seems to me that the House rules certainly ought to allow the minority the same privilege that the majority has arranged by rule.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. FRANK) is recognized.

Mr. FRANK of Massachusetts. Mr. Speaker, when we have points of order, they are important because they establish precedents, and for that reason I intend, if the Chair rules in favor of this point of order, to join in trying to overturn it because I cannot think of a more damaging precedent.

What this does is to take advantage of the fact that the House did not complete the fiscal 2003 appropriations when it should have in the last calendar year. Thus we are now dealing with fiscal 2003 appropriations in a Congress later than we should, not just a year later but in a Congress later than we should. Because it is a later Congress than it should be, the 302(b) allocations expired. Instead of routinely reenacting them, the majority waived the requirement for itself in a rule and did not waive it for any amendment; so the precedent being set will be as follows: Do not get the work done on time, let it go over until the next Congress months after it should have been done; then abstain from the routine act that the gentleman from Wisconsin mentioned, give yourself a waiver from your failure to act, and do not give it to anyone else. So the precedent is that if you delay the appropriations bills, you can bring them to the floor in an unamendable fashion, totally unamendable so that when we complain about the underfunding of the Securities Exchange Commission we are told do not despair, we have introduced a bill and one of these days we might even act on it. Nothing could be more damaging to the democratic fabric of this House.

And I will say that I often, when an appeal to the Chair is made, will vote to uphold the Chair even when I disagree with the legislative consequence, but in this case we are not talking about a standing rule of the House. We are not talking about interfering with those rules that try to govern our deliberations. We are talking about objecting to a deliberate scheme to bring the appropriations for the entire government to the floor of the House in an absolutely unamendable fashion.

The leadership on the other side used to boast, the chairman of the Committee on Rules, about we always get a motion to recommit. This is a motion to recommit, an entirely germane motion to recommit on the substance that is being ruled out of order on this ground, and for that reason I hope the Chair will not sustain this degradation of democracy.

Mr. NUSSLE. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The gentleman from Iowa is recognized.

Mr. NUSSLE. Mr. Speaker, just to correct the record, the gentleman from Massachusetts is one of the experts when it comes to the rules of the House, and I commend him for that, but just to be technically correct with regard to his statement, it is not because we failed to do appropriation bills that the 302(b) allocations did not carry forward. It is because the Senate failed to produce a budget that the 302(b) allocation did not carry forward. Had a budget resolution been completed, the 302(b) allocations would have carried forward even though it was a new Congress.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman, and that is true. But it is also true that we could have in this House passed those appropriations bills without any action from any other body, and it is a fact in addition that we did not finish the work last year that put us in the situation which the majority takes advantage of by denying the House the chance to have even a germane recommit on the motion.

The SPEAKER pro tempore. The Chair would take this opportunity to remind those who are speaking to the point of order that their comments should be directed through the Chair.

The gentleman from Iowa is recognized.

Mr. NUSSLE. Mr. Speaker, I support the point of order. The gentleman from Massachusetts is correct that certainly appropriation bills could have moved forward. We deemed the budget in order for that process to continue. There are many reasons why appropriation bills did not move forward, but the only fact I wanted to make clear for the RECORD and for the purpose of precedent setting, if there will be precedent setting this evening, is that in fact it was the failure of a budget to be produced by the Senate and not failure of appropriation bills to be produced that causes this extraordinary procedure to occur this evening. I hope this is not precedent setting because it is very unfortunate that in fact for the first time since the 1974 Budget Act was passed that the other body failed to produce a budget.

Mr. Speaker, I support the point of order.

The SPEAKER pro tempore. Unless the gentleman from Minnesota desires to speak further on the point of order, the Chair is prepared to rule.

Mr. GUTKNECHT. Mr. Speaker, I will let the Chair rule.

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. GUTKNECHT) makes a point of order that the amendment proposed in the motion to recommit offered by the gentleman from Wisconsin (Mr. OBEY) violates section 302(c) of the Congressional Budget Act of 1974. Section 302(c) precludes consideration after the Committee on Appropriations has received a section 302(a) allocation for a fiscal year of a measure within the committee's jurisdiction that provides new budget authority until the committee makes the suballocations required under section 302(b).

The amendment proposed in the motion offered by the gentleman from Wisconsin provides new budget authority, and the Committee on Appropriations has not made the required section 302(b) suballocations, and as such, the motion to recommit violates section 302(c) of the Budget Act. The point of order is sustained, and the motion is not in order.

Mr. FRANK of Massachusetts. Mr. Speaker, I move to appeal the decision of the Chair.

The SPEAKER pro tempore. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. GUTKNECHT

Mr. GUTKNECHT. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. GUTKNECHT) to lay the appeal on the table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 217, nays 192, not voting 24, as follows:

[Roll No. 10]

YEAS—217

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Combest
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy
Musgrave
Myrick
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—192

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baldwin
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Woolsey
Wu
Wynn

NOT VOTING—24

Baird
Ballance
Becerra
Cardin
Gephardt
Gillmor
Goss
Gutierrez
Hayworth
Janklow
Kilpatrick
Kind
Lipinski
McCrery
McInnis
Miller, Gary
Napolitano
Nethercutt
Oxley
Payne
Rush
Slaughter
Towns
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise Members of the House that there are 2 minutes remaining on the 15-minute clock.

□ 2045

Ms. BONO and Mr. ISSA changed their vote from ''yea'' to ''nay.''

So the motion to table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

□ 2045

MOTION TO RECOMMIT

Mr. OBEY. Mr. Speaker, I offer an alternative motion to recommit at the desk.

The SPEAKER pro tempore (Mr. OTTER). Is the gentleman still opposed to the joint resolution?

Mr. OBEY. I certainly am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the joint resolution, H.J. Res. 1 to a select committee consisting of Mr. YOUNG of Florida and Mr. OBEY of Wisconsin with instructions to report the same back to the House forthwith with the following amendments:

(1) On page 3, line 8, of the joint resolution, strike everything after ''December 24, 2002,'' to the end of the section and insert the following ''shall require approval by the Committee on Environment and Public Works of the Senate and a select committee of the House consisting of Mr. Young of Alaska, Mr. LaTourette of Ohio and Mr. Oberstar of Minnesota.

(b) PROHIBITION ON DELEGATION.—The authority of the General Services Administration to lease space under this section may not be delegated to any other department or agency.''

(2) At the end of the joint resolution, insert the following section:

''SEC. 7.—Public Law 107–229 is further amended by adding at the end the following new sections:

''SEC. 138. None of the funds made available by this Act may be used to implement section 1717 of the Homeland Security Act of 2002 or the amendments to section 2133 of the Public Health Service Act made by sections 1714, 1715 and 1716 of the Homeland Security Act of 2002 (other than to process, adjudicate or pay claims for compensation under the program established by subtitle 2 of title XXI of the Public Health Service Act).

''SEC. 139. None of the fund made available by this Act may be obligated by the Secretary of Homeland Security in violation of section 835 of the Homeland Security Act of 2002, which for purposes of this section shall be applied (1) by inserting immediately before the period in subsection (a) 'or with any direct or indirect subsidiary of such an entity' and (2) by substituting the phrase 'before, on or after the date' for 'after the date' in subsection (b)(1) of such section 835.''.''

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. YOUNG of Florida. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. YOUNG of Florida. Mr. Speaker, the House is not in order.

The SPEAKER pro tempore. The gentleman is correct. The House will be in order.

The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, this motion to recommit would do three things: It would modify the language in the Department of Homeland Security legislation to prevent existing corporations who moved offshore to avoid paying their fair share of taxes from getting government contracts from that agency. It would bring the bill back in line with the language this House voted to include by a vote of 318 to 110 on the motion to recommit offered by the gentlewoman from Connecticut (Ms. DELAURO) last July.

The Joint Committee on Taxation has estimated that over the next 10 years corporate expatriates would cost us more than $4 billion in funds that could help pay for our Nation's security.

The second point of this motion to recommit would be to suspend the operation of one of the most egregious provisions inserted into the Department of Homeland Security legislation at the last minute last year. That is a provision apparently designed to shield the giant drugmaker Eli Lilly & Company from lawsuits that have been brought by parents of autistic children claiming that their children's disease was caused by a vaccine preservative.

There may be good reason to ultimately require claims of this type to be brought under the Federal Vaccine Injury Compensation Program, but if that is done, it should be done openly in the sunshine after proper hearings and deliberation, not in a back room deal at the last moment.

Thirdly, this motion would restore the authority of the Committee on Transportation and Infrastructure to review the leasing of space for the new Department of Homeland Security, replacing the provision in the CR that simply approves the administration proposal without any congressional oversight or scrutiny whatsoever.

We do not stop them from going forward, we simply say that they must follow the procedure of having some review by the committee of jurisdiction before they proceed to spend a great deal of taxpayers' money on leasing property which at this point has been reviewed and overseen by no one whatsoever in the Congress.

Ms. DELAURO. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Wisconsin for yielding to me.

I just wanted to remind my colleagues, Mr. Speaker, that in fact there were 318 people in this body last year who came together and we voted to end the practice of rewarding those corporations who take their corporations overseas just for the ostensible purpose of not paying their taxes, of avoiding their most basic responsibility. We said no, they can no longer do that and get rewarded with government contracts.

Why? Why are we weakening the language that 318 or 319 people voted on? It is what we expect of American citizens, to pay their taxes every year. Why are we going to weaken this law with regard to these corporations? We have an opportunity tonight to right this wrong.

When push came to shove, this House weakened its language. We put good corporate citizens at a permanent disadvantage by protecting these companies who have moved overseas to avoid their most basic responsibility, and tonight we have the opportunity to right that wrong. We will not be acting responsibly this evening if we in fact vote to allow a small number of people who, quite frankly, put aside their American responsibilities, at a time when this Nation in fact is ostensibly on its way to war, and allow them to do what we would not allow anyone else to do.

We ought to right this wrong, we ought to vote for this motion to recommit, and live up to our responsibilities as the representatives of the good people of this country.

The SPEAKER pro tempore. Does the gentleman from Florida (Mr. YOUNG) rise in opposition to the motion to recommit?

Mr. YOUNG of Florida. Mr. Speaker, I definitely rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, as is so often the case, the motions of the gentleman from Wisconsin (Mr. OBEY) are creative and appealing, and address subjects that should be addressed.

What I would ask the House to do is to reject the motion to recommit. Let us get on with the regular order of dealing with these issues in the regular order, which we expect to do in a very expeditious manner.

At this point, because we do not want to make too many major decisions in the dark of night, as we hear so often, let us simply vote against this motion to recommit, pass the continuing resolution, deal with House Joint Resolution 1, and get out of here for tonight.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote, if ordered, on the question of passage, and, after that, on the motion to suspend the rules and adopt House Resolution 10.

The vote was taken by electronic device, and there were—ayes 192, noes 220, not voting 21, as follows:

[Roll No. 11]

AYES—192

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—220

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Combest
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.

Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy
Musgrave
Myrick
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—21

Baird
Ballance
Cardin
Gephardt
Gillmor
Goss
Gutierrez
Hayworth
Janklow
Jefferson
Kilpatrick
Kind
Lipinski
McCrery
McInnis
Miller, Gary
Nethercutt
Payne
Rush
Towns
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise Members that there are 2 minutes left on the 15-minute clock.

□ 2112

Mrs. MALONEY changed her vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. NETHERCUTT. Mr. Speaker, due to a family emergency, I was unavoidably absent on January 8, 2003. I ask the RECORD to reflect that, had I been present, I would have voted "yea" on rollcall vote 7, final passage of S. 23, the Unemployment Insurance Benefits Extension Act.

CONGRATULATING OHIO STATE UNIVERSITY BUCKEYES FOOTBALL TEAM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 10.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and agree to the resolution, H. Res. 10, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 1, answered ''present'' 4, not voting 24, as follows:

[Roll No. 12]

YEAS—404

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Clyburn
Coble
Cole
Collins
Combest
Conyers
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gephardt
Gerlach
Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
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
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Sensenbrenner

ANSWERED ''PRESENT''—4

Hinchey
Obey
Sanders
Tierney

NOT VOTING—24

Baird
Ballance
Bilirakis
Brady (TX)
Cardin
Gillmor
Goss
Gutierrez
Hayworth
Janklow
Kaptur
Kilpatrick
Kind
Lipinski
McCrery
McDermott
McInnis
Miller, Gary
Nethercutt
Payne
Rush
Sullivan
Towns
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. OTTER) (during the vote). The Chair would advise the Members that there are 2 minutes left in the 5-minute vote.

□ 2119

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, unfortunately, personal business requires my presence in the district. Had I been present for today's legislative business I would have cast my votes as follows: ''nay'' on rollcall No. 5, on ordering the previous question during consideration of H. Res. 14; ''aye'' on rollcall No. 6, on the motion to instruct offered by the gentleman from Washington (Mr. MCDERMOTT); ''aye'' on rollcall No. 7, S. 23, the Unemployment Insurance Benefits Extension Act; ''nay'' on rollcall No. 8, on ordering the previous question during consideration of H. Res. 15; ''aye'' on rollcall No. 9, the motion to adjourn; ''nay'' on rollcall No. 10 on the motion tabling the appeal of the ruling of the chair; ''aye'' on rollcall No. 11 on the motion to instruct offered by the gentleman from Wisconsin, Mr. OBEY; and ''yea'' on rollcall No. 12 on passage of H. Res. 10, a resolution congratulating the Ohio State University Buckeyes football team.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, this evening I had to depart early for a previously scheduled meeting. As a result, I was not able to be present for rollcall votes 10, 11, and 12. Had I been present, I would have voted ''yea'' on rollcall vote 10, ''nay'' on rollcall vote 11, and ''yea'' on rollcall vote 12.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 2, and that I may include tabular and extraneous material.

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

There was no objection.

MAKING FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2003

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 15, I call up the joint resolution (H.J. Res. 2) making continuing appropriations for the fiscal year ending September 30, 2003, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 2 is as follows:

H.J. RES. 2

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107–229 is further amended by striking the date specified in section 107(e) and inserting in lieu thereof ''January 31, 2003''.

SEC. 2. Public Law 107–229, as amended, is further amended in section 120, by striking ''and December 1, 2002,'' and inserting ''December 1, 2002, January 1, 2003, and February 1, 2003,''.

SEC. 3. Section 613 of the Treasury and General Government Appropriations Act, 2002, is amended (1) by striking ''2001'' and ''2002'' each place it appears and subsection (a)(1), as so amended, by inserting ''(as in effect on September 30, 2002)'' after ''Act, 2002'' and after ''such section 613'': *Provided*, That such section, as so amended, shall be effective through September 30, 2003, notwithstanding section 107 of this joint resolution.

SEC. 4. Public Law 107–229, as amended, is further amended by striking section 137 and inserting the following new section:

''SEC. 137. (a) Notwithstanding any other provision of this joint resolution, in addition to amounts made available in section 101, and subject to sections 107(c) and 108, such sums as may be necessary shall be available to the Securities and Exchange Commission for the Secretary of the Treasury to advance start-up expenses to the Public Company Accounting Oversight Board pursuant to section 109(j) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107–204).

''(b) Notwithstanding any other provision of this joint resolution, upon the collection of fees authorized in section 109(d) of the Sarbanes-Oxley Act of 2002 (Pub. L. 107–204), the Public Company Accounting Oversight Board shall reimburse the Securities and Exchange Commission for any Commission appropriations advanced to the Board for start-up expenses pursuant to section 109(j) of such Act or subsection (a) of this section, so as to result in no net effect of such advances on appropriations available to the Commission in fiscal year 2003.''.

SEC. 5. Section 8005 of the Department of Defense Appropriations Act, 2003 (Pub. L. 107–248) is amended by inserting before the period at the end the following: '': *Provided further*, That in addition to the transfer authority provided in this section, and subject to the terms and conditions of this section except the limitation in the fourth proviso, only to meet unforeseen requirements associated with the global war on terrorism, the Secretary of Defense may transfer an additional $2,500,000,000 of working capital funds of the Department of Defense or funds made available in titles I through VII of this Act to the Department of Defense for military functions (except military construction), including programs and activities of the National Foreign Intelligence Program (with the concurrence of the Director of Central Intelligence) and the United States Special Operations Command, between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred''.

SEC. 6. (a) APPROVAL OF PROSPECTUS.—For purposes of section 3307(a) of title 40, United States Code, the prospectus of General Services Administration entitled ''Prospectus—Lease, Department of Homeland Security, Washington, DC Metropolitan Area'', prospectus number PDC–08W03, as submitted on December 24, 2002, is deemed approved by the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the date of enactment of this Act.

(b) PROHIBITION ON DELEGATION.—The authority of the General Services Administration to lease space under this section may not be delegated to another department or agency.

(c) MODIFICATIONS.—Any modification to the prospectus referred to in subsection (a) that is subject to approval under section 3307 of title 40, United States Code, shall be approved in accordance with the requirements of such section.

SEC. 7. Section 126 of Public Law 107–229, as added by Public Law 107–240, is amended to read as follows:

''SEC. 126. Notwithstanding any other provision of this joint resolution, except section 107, the District of Columbia may expend local funds for programs and activities under the heading 'District of Columbia Funds—Operating Expenses' at the rate set forth for such programs and activities in the revised financial plan and budget for the District Government for fiscal year 2003 submitted to Congress by the District of Columbia pursuant to section 138 of H.R. 5521 of the 107th Congress, as reported by the Committee on Appropriations of the House of Representatives.''.

The SPEAKER pro tempore. Pursuant to House Resolution 15, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, this resolution, H.J. Res. 2, is identical to H.J. Res. 1 except for one thing, and that is the provision that allows the Defense Department the authority to transfer within their own accounts, they cannot go outside of their accounts, but to transfer up to $2.5 billion within their accounts to fight the war on terrorism, to pay for Enduring Freedom and to do the necessary things to make the security of our Nation happen.

Other than that, it would also become the vehicle, we hope the vehicle, for the final appropriations bill for last year. We plan to conclude all of last year's appropriations bills using this as a vehicle that we will send to the Senate. We hope that they will do the right thing and send it back to us and we will either vote on it or go to conference.

Anyway, that is how we are going to conclude our 107th Congress appropriations business.

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

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

Let me simply say that in Wisconsin only cows chew cuds twice, and so we have the same concerns about the consideration of this resolution, but we have already made those concerns quite clear. I see no point in dragging it out.

Let me simply say that with respect to the one difference between this resolution and the previous resolution, on this side of the aisle we agree with the provision that the gentleman is providing. I think it is a constructive provision.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished gentleman, and I am going to

rush through my comments, and to the chairman of the committee.

I, too, just want to associate myself with the remarks of the earlier debate, but I do want to express the fact that the running of government impacts on the lives of individuals, particularly those who are facing stress, economic stress, and we dealt with this in the unemployment legislation that we passed, but here is my concern as it relates to my particular congressional district.

My concern is public hospitals and the lack of increased funding for Medicaid. I believe it is important to put on the RECORD that we are seeing increased numbers of individuals going to our public hospitals because they have no insurance, they have no alternatives. They are utilizing Medicaid. Some of that obviously has an enormous shortfall, and so the burden is falling upon my local county government.

The longer we stay in this condition, without the actual passing of appropriations bills, the longer we put the burden on the States, the longer we put the burden on local government.

So I just argue that we can pass this CR to the 31st, we passed the other one to the 31st, but all the issues we are concerned about, funding for HIV–AIDS, increased funding for Medicaid, funding Leave No Child Behind, all of that falls, if you will, around our feet and people are suffering. I am just hoping that we will have an opportunity to work in a bipartisan manner on the crisis that is going on in our districts, and we will come to a point where we recognize that we have got to address the needs of working people, but we have also got to address the needs of uninsured and impoverished who need this government to work on their behalf.

Mr. Speaker, I thank the gentleman from Wisconsin (Mr. OBEY) very kindly for his time.

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

Mr. YOUNG of Florida. Mr. Speaker, I just ask for a yes vote on this resolution, and I yield back my time.

The SPEAKER pro tempore. All time for debate has expired.

The joint resolution is considered read for amendment, and pursuant to House Resolution 15, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain requests for special orders without prejudice to regular business.

GRANTING MEMBERS OF HOUSE PRIVILEGE TO EXTEND REMARKS AND INCLUDE EXTRANEOUS MATERIAL IN CONGRESSIONAL RECORD FOR FIRST SESSION OF 108TH CONGRESS

Mr. WOLF. Mr. Speaker, I ask unanimous consent that for the first session of the 108th Congress all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the RECORD entitled ''Extensions of Remarks.''

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

ENERGY INDEPENDENCE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, of course our Nation is on the verge of war, a war against what is called terrorism. It is interesting to think about that word. It is kind of a nebulous term. The enemy moves around the world. I think it is important to take a look at what is happening here at home and to think about who it was that crashed into those trade towers and where they originated from and what might have propelled the hatred that was directed against the people of our country on our home soil.

It is very interesting that the majority of hijackers came from the nation of Saudi Arabia. We look at where they came from, where they were educated and what their motives really were. It is interesting that Saudi Arabia remains the country from which the United States is importing the greatest share of petroleum, and if we look at the balance of accounts today, the primary area in which we have yielded a trade deficit with the world is in imported petroleum.

Oil prices are going up over $33 a barrel. Every time we go to the gas pump and we buy a gallon, over half of what we spend goes to countries like Saudi Arabia, Kuwait, Iraq, Venezuela, Nigeria. It is very clear what has been happening. In fact, the current recession we are in, starting in March 2001, was triggered by rising oil prices, and in fact, rising prices at the pump are driving us into deeper recession every day.

When will America see who is controlling the innards of this economy and how where we are importing this oil from is affecting the politics of the world?

□ 2130

Today, I have introduced a bill that will create a biofuels independence initiative for our country. It is time for America to erase our key strategic vulnerability, and that is to imported petroleum and the evil politics that it yields globally.

America has not been serious. Over the decade of the 1980s and 1990s, in spite of four recessions and major oil embargoes, we have continued to import more and more petroleum, which by the year 2050 will indeed be a scarce world resource. Armed forces from throughout the United States have been building air fields in the Middle East. We are being asked to appropriate over $100 billion to defend the Occidental pipeline in the nation of Colombia. And Venezuela teeters as we sit here this evening.

It is time to pay attention to where the oil comes from, and it is time to do something here at home to revive the sagging and critical state of rural America and, at the same time, create jobs from coast to coast.

One of the most important and neglected areas that we can do something about, if we are serious, is to create the kind of umbrella across our country, as we did with the National Rural Electrification Administration and the National Telephone Administration. We can do the same with the National Biofuels Corporation, so that from coast to coast, where acres can be turned to productive use and move farmers from farming for a government check by going to their mailbox, to farming the marketplace and producing new, renewable clean fuels for America, we will have a win-win-win across every State in this Union.

There are other answers to our energy crisis: cleaning up coal in the Coal Belt that lies between Pennsylvania and Illinois, which has more Btus under the ground than the entire Middle East. Why can we not see it? Why can we not, a Nation that can clean up chemical weapons in Pine Bluff, not find a way to clean up coal? We are not serious.

The bill that we are introducing today says America is long overdue from sending her Marines around the world in special forces to protect the oil highways over the seas. It is time to produce our way to energy independence and create real growth inside this economy.

It should be interesting also for people to know that with every billion dollars of trade deficit that we rack up, that we cannot pay for here at home because of our imports, we have to bond our indebtedness. Today, the United States of America is in hock to about 12 nations around the world, including those very same oil kingdoms, but also nations like China. Not exactly a democratic state.

So I say, think about it, America. Take a look at our Energy Independence Act, H.R. 103. Think about making America energy independent in 10

years. It is time. And it is time to bring our troops home, not conducting any wars for oil on any continent.

HONORING NEW CONSTRUCTION OF JOHN H. STROGER, JR. HOSPITAL OF COOK COUNTY

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

Mr. DAVIS of Illinois. Mr. Speaker, a few days ago the Cook County Board of Commissioners opened a brand new public hospital in Chicago, the John H. Stroger Cook County Hospital. I rise to congratulate and commend President Stroger, the Cook County Board of Commissioners, Ms. Ruth Rothstein, director of the Bureau of Health Services for the county, Mr. Lacy Clay, director of the hospital, and all of the staff for making this milestone possible.

Mr. Speaker, Cook County Hospital is one of the finest hospitals in the Seventh Congressional District and in the nation. Since the 1800s, Cook County Hospital has delivered comprehensive primary, specialty and tertiary health care services to all residents of Cook County, despite socioeconomic status, being uninsured, or their ability to pay. With the astonishing fact that 98 percent of patients who arrive alive at the trauma center survive, this public hospitals is well known nationwide.

Cook County Hospital excels in services and expertise for its level I trauma center, burn unit, the largest neonatal intensive care unit in the Midwest and its women's cancer center, which treats 30 percent of the women with breast cancer in the county. Yet Cook County Hospital could not be the model for public hospitals in our Nation if it were not for the hospital's extraordinary staff. The staff is commended for their consistent dedication and enthusiasm for giving the highest quality of care, even when they worked in a hospital constructed over 100 years ago, which made the task of serving the needs of patients much more complicated.

However, the staff has extended their participation of saving lives in the hospital to help save lives in the communities surrounding the hospital. Though half of the admissions in the trauma unit are a result of assaults, and the majority of those from gun violence, the hospital staff decided to pursue efforts to reduce violence by creating a violence prevention task force, which helped spawn the Chicago Violence Prevention Strategic Plan.

However, on Thursday, December 12, 2002, the historic beauty on West Harrison Street that inspired the hit television show ''ER'' stopped accepting patients. The remarkable medical staff and their patients were moved to the new modern facility, the John H. Stroger, Jr. Hospital of Cook County. The patients and staff will now be air conditioned in the summer, have access to oxygen hookups in each room, and have a hospital-wide paging system.

And although the staff expects quality of care to improve along with efficiency, they are certain that the largest impact will be on patients, who gained private bathrooms for the first time, televisions and telephones in their rooms, and nurses stations that are in close proximity in the new hospital. This new hospital will have fewer beds and is smaller than the old, but it is a reflection of the changing times, with fewer inpatient and a growing number of outpatient procedures.

Mr. Speaker, I believe that this new development is a testament to Cook County's sensitivity and farsightedness by investing in public health care at a time when cities and counties around the country are closing public hospitals or cutting back services. I commend the Cook County Board in its efforts to make real their mission statement: to provide a comprehensive program of quality care with respect and dignity to the residents of Cook County regardless of their ability to pay.

This new hospital positions the county to do just that, and I again commend them for their farsightedness and their sensitivity in providing high-quality health care to even those with the least ability to pay.

AMERICAN DREAM TAX RELIEF ACT OF 2003

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

Mr. PENCE. Mr. Speaker, from the time I arrived in Washington, D.C., now fully more than 2 years ago, I pledged myself to my constituents in eastern Indiana to fight to renew the American Dream; that is that dream of every American, whatever their race, whatever their creed, whatever their color, that they might better themselves and better their families so that not only they but their posterity could enjoy more abundance in this country in every way, material and spiritual, as they pursue that dream.

It is about renewing and restoring the American Dream, Mr. Speaker, that I was proud today to author and to drop into the hopper the American Dream Tax Relief Act of 2003. I am proud that this bill, filed as it is on the very first legislative day of the 108th Congress, is not only my work but the work of some 33 original cosponsors, including many distinguished leaders of this institution and chairmen of major committees.

The American Dream Tax Relief Act, Mr. Speaker, is, quite simply put, an act that would dramatically reduce the taxes on capital gains in this country from their rate, which varies everywhere from 28 percent down to 8 percent, to a single flat capital gains tax rate of 10 percent. The enthusiasm with which this was greeted by my colleagues in just a few short hours of trafficking the idea here on Capitol Hill has greatly encouraged me that this is an idea whose time has come.

Mr. Speaker, I would offer to you that while the President of the United States, traveling as he did to the Economic Club of Chicago, did much this week to set the stage for recovery from recession, now is the time for us in this Congress to go beyond strategies for aiding those who are struggling with unemployment and layoffs, as we did earlier today, to go beyond even the President's thoughtful effort to bring the recession finally to a close. We need to begin to pursue, Mr. Speaker, economic policies that, in sum total, will explode the American Dream for an unprecedented generation of our citizens.

Only a significant reduction in taxes on capital will succeed in unleashing the entrepreneurial energy that is buried in the morass of high taxes and overregulation. Reduced taxes on capital will enable working families to save for the future or use invested funds for immediate financial obligations without fear of excessive tax penalties. American families, not the government, will have a greater power, Mr. Speaker, to decide what it is they do with their money. And for all of our great wisdom in this Chamber, Mr. Speaker, it seems like every time we give the American people more power over their own money, the Nation and even the coffers of government benefit.

Now, some will argue as we proceed forward with this tax relief measure that we cannot afford this in these times of Federal red ink and deficits and a growing national debt. But the truth is, Mr. Speaker, that the last time the capital gains tax was cut, 1997, under the Clinton administration, prior to the cut, at 28 percent, the capital gains tax generated some $62 billion per annum to the Federal Government. Within 2 years following the 8 percent cut in the capital gains tax, it became a program that generated $109 billion to the Federal Government.

It is one of those ironies in a dynamic model of economics that when we lower the tax rate, we actually encourage entrepreneurism, encourage investment, and encourage people to move dollars out of passive assets into productive assets. And, in so doing, not only do the American people win, but the government wins with higher revenues.

This has been the unflagging experience of the capital gains tax when President Kennedy reduced it, when President Reagan reduced it, and even when President Clinton signed a reduction in the capital gains tax. As President John F. Kennedy said, not only is it a good thing for government, but in every real sense it is great for the American people.

Some will say it benefits the rich. And to that, I confess, it will. It will benefit the wealthy in this country. It will benefit the middle class in this

country. It will benefit working Americans struggling to start their own small businesses and enterprises. It will benefit every single American. As President John F. Kennedy said so memorably so long ago of the capital gains tax reduction he advocated, a rising tide lifts all boats.

By reducing the rate at which we tax capital, we will unleash an energy in this country that will raise the tide of economic prosperity, and I am proud to author this American Dream Tax Relief Act of 2003.

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

(Mr. DEMINT 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 gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. ROHRABACHER 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO 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 Arizona (Mr. FLAKE) is recognized for 5 minutes.

(Mr. FLAKE 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 Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IRAQ AND THE ECONOMY

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

Mr. KUCINICH. Mr. Speaker, the America I envision seeks world unity instead of unilateralism. It gains its power through being the first to help, not the first to strike. It extends itself to the peoples of the world to lift their burden. It is an America which, when asked for help, dispenses bread instead of bombs, medical assistance instead of missiles, and food instead of fissile materials.

□ 2145

There is a role for America in the world. It is in working with the community of nations to achieve the security of all nations. It is in restoring the promise of the nonproliferation treaty to lead the way to get rid of all nuclear weapons. It is through strengthening and abiding by international treaties. It is in assuring control and eventual elimination of chemical and biological weapons and land mines. It is in protecting our global climate.

America can help protect the world. America can help save the world. But America cannot control the world, nor should we want to do so.

Yet our administration would project American power for the purpose of domination. Their national security doctrines call for America to strike anywhere it pleases and to be the first to use nuclear weapons.

Our Nation is now poised to go to all-out war against Iraq. Iraq has not committed any act of aggression against the United States. Iraq was not responsible for 9/11. No credible evidence exists linking Iraq to Al Qaeda's role in 9/11. Iraq as not responsible for the anthrax attack on our Nation. The United Nations has yet to establish that Iraq has usable weapons of mass destruction. There is no intelligence that Iraq has the ability to strike at the United States. According to the CIA, Iraq has no intention to attack America, but will defend itself if attacked.

Why then is our Nation prepared to send 300,000 of our young men and women into house-to-house combat in the streets of Baghdad? Why is our Nation prepared to spend $200 billion or more of our hard-earned tax dollars for the destruction of Iraq?

Why is our Nation preparing to use the most powerful military machine in history to wage an assault on the people of Iraq, to destroy their houses and buildings, to wipe out their water and electrical systems, and to block their access to food and medical supplies? There is no answer that can separate itself from oil economics, profit requirements of arms trade, or distorted notions of empire building.

War with Iraq is wrong. But if war is prosecuted further in Iraq, we must be prepared to advance the cause of peace in this country. We must be prepared to stand up, to speak out, to organize, to march, to demand an end to the war, or to demand an end to an administration which insists on war.

It is urgent we oppose this war. It will dominate our Nation's priorities. It will threaten Social Security and Medicare and block a prescription drug benefit for the elderly. It will stop America from providing jobs for all, health care for all, education for all.

There are some who believe that it is unpatriotic to challenge the administration on the war. They believe it is politically wiser to debate the economy. But how can one reasonably separate war from the budget, war from the economy, war from America's ability to meet the needs of the people of this Nation?

The administration's own top economic adviser said the war would cost up to $200 billion. Our Federal budget is already close to huge tax cuts for the wealthy. Remember when we had a budget surplus?

Each time the administration talks about war, fear is created and when fear goes up, the market goes down. War will mean a sharp increase in oil prices, which will hurt jobs in manufacturing and transportation. One economic study with a worst-case scenario puts the cost of an all-out war plus long-term occupation of Iraq at $1.6 trillion.

We cannot separate war from the economy. We cannot separate war from America's ability to meet the needs of her own people here at home.

We need to ask the questions: Why does America have hundreds of billions to ruin the health and take the lives of innocent people in Iraq but no money to provide health care for all Americans? Would why America spend hundreds of billions to retire Saddam Hussein, but no money to protect the retirement security of its own people? Why does America have money to blow up bridges over the Euphrates River in Iraq, but no money to build bridges over the Cuyahoga River in Cleveland, Ohio?

The path America must take is one of peace that leads to prosperity. It is one which understands that creating a structure of peace ensures that economic structures can be sound, affirmative of human needs and restorative of human values.

This is the dream of a Department of Peace to making nonviolence an organizing principle in our society, making the work of Dr. Martin Luther King, Jr., a reality, and working to make war itself a thing of the past. It is the ethic of peace building which will cause us to take down weapons from the heavens and work to create a heaven on Earth.

Peace and prosperity shall be as two pillars in a newly rebuilt America which provides for the economic and Social Security of its own people as a cause of nationhood and for the economic and social progress of people of other lands as a cause of brotherhood.

This confirmation of the purpose of Nation was the dream of Franklin Roosevelt and the New Deal, Lyndon Johnson and the Great Society, and John F. Kennedy and the New Frontier. This shall continue to be our dream in the days ahead, that no matter the darkness, we shall hold up the light of America's higher purpose which calls to us across the ages from Washington, Jefferson and Adams, through Lincoln to the present day. Our Nation has a higher calling.

[Ceremonial Swearing-In Jan. 5, 2003, Cleveland, Ohio]

IRAQ AND THE ECONOMY

(By Rep. Dennis J. Kucinich)

The America I envision seeks world unity instead of unilateralism. It gains its power through being the first to help, not the first to strike. It extends itself to the peoples of the world to life their burden. It is an America, which when asked for help, dispenses bread instead of bombs, medical assistance instead of missiles, and food instead of fissile materials.

There is a role for America in the world. It is in working with the community of nations to achieve the security of all nations. It is in restoring the promise of the Non Proliferation Treaty to lead the way to get rid of all nuclear weapons. It is through strengthening and abiding by international treaties. It is in assuring control and eventual elimination of biological and chemical weapons, and landmines. It is in protecting our global climate.

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It is urgent we oppose this war. It will dominate our nation's priorities. It will threaten Social Security. It will threaten Medicare. It will block a prescription drug benefit for the elderly. It will stop America from providing jobs for all, health care for all, education for all.

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Peace and prosperity shall be as two pillars in a newly rebuilt America which provides for the economic and social security of its own people as a cause of nationhood and for the economic and social progress of peoples of other lands as a cause of brotherhood.

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Our nation has always had a higher calling, despite the darkness of 911 and the official response to it. It is a calling to maintain the quest for democracy, for freedom and liberty at times of peril as well as in times of peace. That higher calling is our heritage. The words of Francis Scott Key still echo:

''Oh say does that Star Spangled Banner yet wave, o'er the land of the free and the home of the brave?'' he celebrated the link between freedom and bravery: it takes courage to live in a democracy. It takes courage to stand up to terrorists and maintain basic liberties. It takes courage to lead the way toward global disarmament while some are bent on destruction.

It takes patience to face dictators around the world and not be tempted to bomb them into submission. It takes wisdom to have great power and to make gentle its presence in the world.

And it takes compassion to understand the plight of peoples world wide who themselves are trying to survive, to live out their own humble lives despite having conditions which are challenging or governments which are oppressive.

My friends. This is still your government. You have a right to have a say in how its destiny is being charted. That right derives from our very Declaration of Independence, which claimed self-governance as a basic right. Government does not just happen in Washington, DC. It is the result of a process that takes place in thousands of cities, villages and townships. It is also a process which also takes place in our hearts, which is brought to life by our love of country, and our love of each other.

VETERANS BEING DENIED HEALTH BENEFITS

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

Mr. STRICKLAND. Mr. Speaker, at a time of pending war, the President has submitted a program to this House referred to as the stimulus package that will direct about $300 billion to the richest 5 percent of America's citizens, and I would like to place that against further decisions made by this administration which affect America's veterans.

At a time of possible war, at a time when we talk about our admiration for our military and at a time when we verbalize our appreciation for those who have served our country in military service, we are treating our veterans in the most shabby manner.

A case in point, last February the Veterans Administration increased the copayment that veterans must pay for prescription medications by a whopping 350 percent. Now at a time when we find money to give billions to the richest among us, we are nickel and diming America's veterans. Perhaps the most egregious example of how we are shortchanging our veterans is found in a memo that was written on July 19, 2002, a memo that was sent out by the Deputy Under-Secretary for Operations and Management of the Veterans Administration. I would like to read a few comments from that memo. It was sent to all of the health care providers across the country.

It says, ''As you are aware, the Veterans Health Administration is currently facing a growing crisis related to the continuing demand for health care services that exceeds our resources. Moreover, actuarial projections indicate a widening gap in the demand versus resource availability.'' And then the shameful conclusion of this memo, ''Therefore, I am directing each network director to ensure that no marketing activities to enroll new veterans occur within your networks.'' Let me read that sentence again. ''I am directing each network director to ensure that no marketing activities to enroll new veterans occur within your networks.''

Even though some sites may have local capacity as a national system, all facilities are expected to abide by this policy. Marketing activities may include generalized mailings to veterans, prohibited. Local newspaper or newspaper articles encouraging veterans to

enroll, prohibited, or similar public service announcements. In other words, the policy of the VA is to withhold information from veterans regarding the services that they are legally entitled to.

Now, I call this the new ''if they do not ask, we will not tell'' policy. If the veterans do not ask what services they are entitled to under the law, the VA policy is that we will not tell them. And, furthermore, we will prohibit our health care providers from reaching out to sick or disabled veterans and telling them what this body has provided under the law for them. This is shameful. I ask how the American people can tolerate and why the administration would institute such a policy that says to America's veterans that they may be entitled to certain services legally, health services, but we are prohibiting. Think of that, we are prohibiting our network providers from giving veterans information that they deserve, that they need to know in order to get the services that they are legally entitled to receive. This is shameful.

I call upon the administration and I call upon those of us who are Members of this body to hold this administration accountable for this shameful act. I wonder how many veterans who have served this country and paid with their health and their bodies understand what this administration is doing to them.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. CLYBURN. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 22) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 22

Resolved, That the following named Members be, and are hereby, elected to the following committees:

Committee on Agriculture: Mr. Stenholm of Texas.

Committee on Appropriations: Mr. Obey of Wisconsin.

Committee on Armed Services: Mr. Skelton of Missouri.

Committee on the Budget: Mr. Spratt of South Carolina.

Committee on Education and the Workforce: Mr. George Miller of California.

Committee on Energy and Commerce: Mr. Dingell of Michigan.

Committee on Financial Services: Mr. Frank of Massachusetts.

Committee on Government Reform: Mr. Waxman of California.

Committee on International Relations: Mr. Lantos of California.

Committee on the Judiciary: Mr. Conyers of Michigan.

Committee on Resources: Mr. Rahall of West Virginia.

Committee on Science: Mr. Hall of Texas.

Committee on Small Business: Ms. Velazquez of New York.

Committee on Transportation and Infrastructure: Mr. Oberstar of Minnesota.

Committee on Veterans Affairs: Mr. Evans of Illinois.

Committee on Ways and Means: Mr. Rangel of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. CLYBURN. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 23) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 23

Resolved, That the following Member be, and is hereby, elected to the Committee on Standards of Official Conduct:

Mr. BERMAN of California.

The resolution was agreed to.

The motion to reconsider was laid on the table.

ILLEGAL IMMIGRATION

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

Mr. TANCREDO. Mr. Speaker, today we have successfully debated and passed a bill to provide an extension of unemployment benefits to millions of Americans who find themselves out of work. This is a laudable activity for us to be involved with and I was proud to be able to support that particular piece of legislation.

I find, however, that we are soon going to be debating another piece of legislation that is referred to as an economic stimulus package, and during the course of that debate we will undoubtedly be talking about the number of jobs that need to be created in the United States in order for our economy to get moving again. All of these things I support and I believe need to be done, but I also believe that there is something which has been left out of the equation and left out of the discussion when it comes to jobs and providing economic benefits for American citizens. I underline the word ''citizens'' because what has happened over the course of the last decade is that we have allowed into this country, illegally we have allowed into this country between 8 and 13 million people. We do not know for sure, of course, because they came without our permission. They came across the borders. We are told that they are here working and taking jobs no other Americans would take.

Mr. Speaker, I get many, many letters from people in my district who are out of work and they tell me that they would take any job available to them. There are steelworkers out of work, factory workers up and down the East Coast, all across the rust belt, these people are willing to take any job available; but, of course, other people have gotten there before them. But, who are these people? Up to 13 million of them are people who are not citizens of this country.

□ 2200

We import them. Of course it is true that many businesses hire people who are here illegally, even knowingly hire people who are here illegally because they believe they will work for less, they will work under conditions that perhaps other people would not. We take advantage of many people. They are oftentimes manipulated by unscrupulous employers once they get here.

This is all bad, it is all illegal, but we ignore it and we suggest that we have to do something else to provide jobs for people who are here. But why do we not look at the fact that if we secure our own borders, if we ask people who are here illegally to return to their country of origin, that we would immediately provide millions of jobs for American citizens? Only we would not have to spend another dollar; we would not have to appropriate any more money.

Today it was 7 or $8 billion for the extension of unemployment benefits, but doing what I ask, and that is to secure our borders, to identify people who are here illegally and deport them. This does not really cost all that much. That is what the Federal Government should be doing. That is our role and responsibility, to secure the border, to know who is coming into this country, for how long and for what purpose. We choose not to do that. We choose not to do that because there are political implications there, and there are political ramifications of such a decision. If we were to actually defend our own borders and control the process so that people coming into this country would do so in a legal process, we would, of course, diminish the flow of illegal immigrants. That would upset the Democrats because they would say that this would impede their ability to gain potential voters, knowing that many immigrants, especially illegal immigrants, would flock to the Democratic Party.

On the other hand, we have the Republican Party which says that if we were to secure our own borders, if we were to stop the flow of illegal immigrants into the country, that would impede the ability of businesses to hire cheap labor. Both of these reasons are, I think, bogus. They do not reflect what we should be doing in this body and, that is, to uphold the law. We should be demanding that the INS, we should be demanding that this administration uphold the law and that we address the issue of border patrol, increasing border patrol and also putting the military on the border which is absolutely necessary in order for us to achieve any degree of security on our borders and on our coastline. That is imperative. But we refuse to do it. We are fearful of doing it.

At the same time, there have been attempts on this floor, there have been attempts in this body to provide amnesty for people who are here illegally, to reward people who have come here illegally and give them the opportunities that are usually provided for people who have gone through the process, who have spent the time, who have spent the money, who have had the brain damage of having to go through sometimes years of bureaucratic wrangling to come into the country legally. They have waited in line. They have done it the right way. But we keep proposing to give people who have broken the law, who have snuck into the country, we keep proposing to give them amnesty. What does that concept tell everybody who has done it the right way? It tells them that they were essentially suckers and that they should have simply snuck into the country, we would eventually give them amnesty and they would get all the benefits that anyone here legally would enjoy.

Speaking of those benefits, Mr. Speaker, let me tell you about another phenomenon that is going on throughout the country. There is a process, something called the matricula consular. This is a card, an identification card that is being handed out by the Mexican Government to Mexican nationals in the United States.

THE ECONOMY

The SPEAKER pro tempore (Mr. REHBERG). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I just wanted to follow up to some extent on the comments made by my Republican colleague from Colorado. I know he mentioned that today the House passed a Republican-sponsored bill that would provide an additional 13 weeks of extended unemployment benefits to workers who had exhausted their benefits. But I have to say that this proposal did not go far enough. We know that the economy is in a significant downturn, there are many people who have exhausted their unemployment benefits, who would not be able to continue to receive benefits under the Republican proposal, and also the Republican proposal is for a relatively short period of time, 13 weeks, as opposed to the 26 weeks that had been proposed by the Democrats.

Basically what they agreed to today, the Republicans, was to pass a bill that would provide 13 weeks of extended unemployment benefits in every State during the first 5 months of 2003. However, even now the Republicans still refuse to provide any additional assistance to the 1 million workers who exhausted their 13 weeks of extended benefits last year but who remain unemployed.

During the last recession in the early 1990s, these workers were provided 26 weeks of benefits; but this time they only received 13 weeks. Furthermore, there is $25 billion in the Federal unemployment trust funds, more than enough to both continue the extended benefits program this year and help exhaustees from the last year. Unemployment compensation goes to the families who must spend it very quickly, meaning it acts as an economic stimulus. Economists have estimated that each dollar of unemployment benefits leads to $2.15 in economic growth.

I mention this because I think that to some extent people are going to read now that the Republicans passed this bill and say, that is great, we are going to have some more extended weeks of unemployment benefits, but the fact of the matter is a lot of people will not receive the benefits who really need it and it is for a relatively short period of time. The Democrats have said, of course, that we would go 26 weeks, to the end of June, and we would include all of those who have exhausted their benefits, the 1 million or so from last year who would get an additional 13 weeks under the Democratic proposal.

The other thing, though, that was very upsetting to me today was not only that we did not go far enough in terms of unemployment benefits in what we finally passed here in the House but also even as President Bush announced his economic stimulus plan, which I do not think is an economic stimulus plan at all and I will go into that a little bit, it was announced as part of it that the effect on the deficit over the next 10 years would be about 674, $675 billion.

We know that we are already back into a serious deficit problem this year, about $150 billion. After having several years under President Clinton when we actually had a surplus, now we are back into a deficit situation. And what President Bush proposes in his economic package will cost a tremendous amount of money and not necessarily put anybody back to work, not create the very stimulus that he claims to be talking about. But an important part of that is that it is going to put us so much further into debt, to the tune of something like $674 billion.

But what did I hear? Instead of reacting the way the Democrats said and saying let us have a real economic stimulus plan that actually does something and does not cost that much because the Democrats are at just a little over $100 billion, what we are hearing from the Republican side of the aisle is that this economic plan of the President's is not big enough, is not going to put us enough in deficit. In fact, we have the majority leader, the Republican majority leader, the gentleman from Texas (Mr. DELAY) saying that he wants to boost the size of the Bush tax cut package. He is actually quoted in Congress Daily saying today that the Republicans, the House Republicans would move quickly to pass most of President Bush's 10-year $674 billion tax cut proposal, and they would likely increase the total size of the package. This is a quote: ''The House will pass a bill that will have all the tax relief that is in the President's bill and probably more,'' Mr. DELAY said, adding, ''I see the President's package as a floor, not a ceiling.''

Obviously, what the gentleman from Texas is trying to do is counteract the statements being made by the Democrats that the President's plan is not only ineffective as a stimulus but is also going to put us seriously into debt by suggesting, ''Oh, don't worry about that, I'll come up with an even bigger one.'' It is scary to think what the Republicans are thinking about in the House. They seem to be just perfectly willing to rubber-stamp whatever the President does and then go even further in terms of putting us into debt and doing something that is not going to be very effective for the American people.

Why do I say it is not effective? Why do I say the President's plan that was announced yesterday is not effective as a stimulus package, that it is not going to do anything to put people back to work, that it is not going to do anything to improve the economy? If you look at it, the centerpiece of the President's plan is the complete elimination of all taxes on stock dividends. If you think about it, not only is that primarily going to benefit the wealthy instead of putting back money into the hands of the average American, but what guarantee is it that if you give this windfall essentially to people who have dividends, stock dividends, that they are going to invest it back in the economy and create jobs? We have no guarantee that the stock market is going to go up because of it. We have no guarantee that whatever savings are made are going to be reinvested in new means of production or creating new jobs. This is just speculation. And to say that the centerpiece of your plan is such a speculative proposal and to put us into debt so much more over the next 10 years is just, I think, totally irresponsible.

According to a preliminary estimate by the nonpartisan Tax Policy Center, 45 percent of the benefits of the entire Bush proposal will go to the top 5 percent of taxpayers who have an average income of $350,000. In fact, those making over $1 million will see an average tax break of $88,000, more than 100 times the tax cut for the vast majority of taxpayers making less than $75,000. Let me also add, when I talk about this budget deficit that is going to be increased by 6 to $700 billion under the Bush plan, keep in mind that the President also said when he announced his proposal that he also wanted to make the tax cuts of last year permanent, which would probably double the amount of deficit. You could probably double that 6 to $700 billion figure and go up to, say, 1.4, $1.5 trillion, not to count the debt service that you would have on that. By the time it is all said and done, the thing that the President

proposed or said he wanted to do yesterday not only in this initial so-called stimulus plan but also long term in terms of making the tax cuts permanent that were put into law last year, we would probably be talking about a $2 trillion deficit. We are going to go back to the worst of times that we have ever seen in terms of deficit. The consequence to the economy will be dismal. The impact in terms of creating even more of a downward trend on the economy from that kind of budget deficit is really incredible.

Mr. Speaker, I wanted to talk a little bit about the Democratic alternative, and basically the Democratic alternative is radically different from what President Bush has proposed because it is based on certain very sound principles. First of all, it says that any economic stimulus plan should be front-loaded and fast-acting. The benefits have to accrue to the American people this year, in 2003. It has got to create jobs. It has got to put money in their pockets. It has to put money back to the States so that they can bail themselves out of some of the deficit problems that they have. It should also avoid mushrooming the deficit in the long term. The Democratic proposal basically is targeted towards 2003 and over the 10-year period would only create an additional deficit of about $100 billion.

I think you could make a legitimate argument that the economy would grow enough to make up for that $100 billion because it is front-loaded and fast-acting. It would also boost consumer demand and investment because it would say that some money is going to go directly into consumers' pockets and some money is going to be given back to small businesses so that they can invest here and would be forced to invest here rather than take their stock dividends overseas or put them in some other country.

Also the Democratic plan would help States through their fiscal straits. We know that so many States, my home State of New Jersey we estimate maybe a 4, $5 billion deficit that has to be overcome. Let the Federal Government help out a little bit with that. And also we are investing in infrastructure primarily by funding homeland defense, airport security, security for other infrastructure around the country.

But I think the most important thing, and I do not want to keep repeating myself, is the fact that under the Democratic proposal we are basically doing something that makes a difference now in this next year. I should say in this year, 2003.

Let me just briefly run through what the Democrats are proposing. We have a middle-class tax cut that basically gives a refundable tax cut. It is 10 percent of your taxes up to about $600 for a couple, structured to include those who pay payroll taxes. Basically it is going to be structured in a way that you get a rebate of up to $300 for an individual or up to $600 for a couple. We have business tax incentives to encourage investment so that the investment has to be here in the United States, this year. And we have assistance to the States including money for infrastructure and also to help States defray the cost of Medicaid, which is a big part of the reason why so many of them are in a deficit situation. And I mentioned the unemployment compensation benefits would be much more extensive than what the Republicans proposed today and passed today.

I just wanted to say a little bit, a little commentary by some of the media. The media in the editorials that I have read have essentially panned the Republican proposal and said that the Democratic proposal would be much better and really make a difference in terms of economic growth. I just wanted to read some excerpts, if I could, just from two New York Times editorials and op-eds that were in the paper yesterday. This one is by Paul Krugman, it was in yesterday's paper, just to give you some highlights of it. He is talking about a sensible plan: ''A sensible economic stimulus plan would provide immediate, large-scale aid to beleaguered State governments, which have been burdened with expensive homeland security mandates even as their revenues have plunged. Given our long-run budget problem, any tax relief would be temporary and go largely to low- and middle-income families.

□ 2215

''Yesterday House Democrats released a plan right out of the textbook: aid to States and the jobless, rebates to everyone. But the centerpiece of the administration's proposal'' by contrast ''is the permanent elimination of taxes on dividends.

''So instead of a temporary measure, we get a permanent tax cut. The price tag of the overall plan is a whopping $600 billion; yet less than $100 billion will arrive in the first year. The Democratic plan, with an overall price tag of only $136 billion actually provides more short-term stimulus.

''And instead of helping the needy, the Bush plan is almost ludicrously tilted towards the very, very well off. If you have stocks in a 401(k), your dividends are already tax sheltered; this proposal gives big breaks only to people who have lots of stock outside their retirement accounts. More than half the benefits will go to people making more than $200,000 per year.''

I could go on and on but I think the point is well made. The Democratic proposal is a real stimulus package. It does not increase the deficit in a significant way. It gives money back to the average American. It is primarily skewed to help the average guy. The Republican proposal is primarily for the rich. It does not do anything short term, and it leads to an even greater deficit, worse than the one that we have right now. But the House Republicans are going to say they are going to push this and Mr. DELAY has already said that he wants to do an even bigger one; so we will just have to continue the fight.

At this time I see the gentlewoman from California (Ms. WATSON) is here, and I have probably spoken long enough and I would like to yield time to her on the same subject.

Ms. WATSON. Mr. Speaker, I thank the gentleman from New Jersey (Mr. PALLONE) for yielding.

This month marks the beginning of the third year of the Bush recession, and I would like to say that even if the Clinton administration is being blamed, it is on this administration's watch that these things are occurring. Across the Nation workers continue to lose their jobs on this watch. Nationwide 800,000 laid-off workers lost their benefits on December 28, and I appreciate the 13-week expansion that was signed today, but I think 26 weeks would have been more likely, more acceptable, and make a better difference.

In my own State, the State of California, our budget deficit has mushroomed to 35 billion, with a ''b,'' dollars, while unemployment has risen by 6.5 percent, and that is only those that can be counted who are still in the system. Many have dropped out of the system, do not even report for unemployment, do not even report seeking jobs. They are just out there on the streets. So I am sure in my district this number would be higher.

As millions of people are out of work and the economy continues in a weak and jobless recovery at its best, it is important to have a strong and immediate economic program that will put money in the hands of consumers now. I am sorry to say that this administration has been more consumed with initiating a war than it has been with initiating a domestic economic policy that will benefit this country and make it stronger in defending against those who would attack us.

Earlier this week the President announced his plan to deal with this slow economy. Why were we not talking about it last year? Why did we have to go through the Christmas holidays with parents wondering if they could afford to buy gifts for their children? Are parents wondering if they can keep shelter, keep a roof over their heads? We knew the economy had slowed, but it was just this week that finally the administration awakened. This was the President's chance to ask Congress for real job-creating plans, to immediately address the economic problems faced by that working class ordinary Americans. Instead, the President chose to stick with more of the same tax schemes that he tried last year.

I wonder if anyone noticed except me that in September a year ago when the tax cut plan was passed that we saw more bankruptcies, corporate misconduct was revealed, and we were in a mess. We saw the jobless rate grow. Now, if the tax cut was meant to stimulate investments in business, it had

the opposite effect, and I would be truly concerned if I were the administration why there were so many bankruptcies when we gave a tax break to corporate America. What happened? I think I know. All we need to do is watch any program that deals with wealth and the wealthy in this country. We will see that they are building larger homes in exotic places, 3,800 square foot homes for these executives of these companies that have gone bankrupt, larger yachts, are buying more business but not employing more people. Some of the biggest corporations cut staff, pare down. Somebody ought to explain that. These policies were skewed to favor these same wealthy Americans, and to think that we have a homeland security proposal that allows a lot of these business owners to escape paying their fair taxes and run to other exotic places to hide their companies I think is un-American. His plan will blow an even bigger hole in the budget and threaten economic growth, and only 15 percent of the Bush package will take effect this year, meaning that most of the economic impact of the program would not be felt until 2004 and thereafter. The centerpiece of the plan, the complete elimination of taxes on stock dividends, and think for a second, many of the people I represent do not know what a stock dividend is. Investing dollars? Are we kidding? They are trying to pay their rent. They are trying to pay their house notes. They are trying to send their children to college if they can even get through elementary, middle school, and high school. They are trying to keep their families together. So they are not the ones that are going to feel any benefit from the elimination of these taxes. And they say it will benefit the seniors. Certainly I think today when you get 50 years old you can claim being a senior, and certainly the guys and gals who have made the big money are in their 60's and they can sit back with all this money flowing in because they do not have taxes to pay. It certainly will benefit them, but it certainly will not get to the people that really make up the core of America. So it primarily benefits this elite class, the wealthy, instead of putting money in the hands of the hard-working Americans who keep this country going.

According to preliminary estimates of the Nonpartisan Tax Policy Center, 45 percent of the benefits of the entire Bush proposal would go, and now get this, do not take my word for it, check it out yourself, but the benefit will go to the top 5 percent of taxpayers who have an average income of $350,000. In fact, those making over a million dollars will see an average tax break of $88,000-plus, more than a hundred times the tax cut for the vast majority of taxpayers making less than $75,000. Do not take my figures. Do the math. Be analytical in your thinking. Look at the President's proposal and see who fits the description of the provisions in it.

As the nonpartisan Congressional Budget Office concluded last year, tax cuts that are targeted towards lower income households are likely to generate more stimulus dollar for dollar of revenue loss, that is, be more cost effective and have more bang for the buck, than those concentrated among higher income households. This is because higher income families are less likely to put that money back into the economy by spending it. So by targeting their tax cuts on the wealthy, the Bush administration has undermined its stimulus effect. Look what happened with the last tax cut.

Furthermore, the Bush plan would worsen the current budget deficits. Anybody concerned about deficits today? I remember several years ago they were. But the Bush plan would worsen the current budget deficits that have ballooned since the Bush administration took over. Check it out. The Bush plan would increase the deficit by nearly $700 billion over 10 years, and I do not think there is any argument over that. We are dealing with concrete numbers. Not only does this threaten key investments like Social Security and Medicare, this growth in deficits would promote higher interest rates and threaten to worsen the economy instead of spurring economic growth. Where is the concern of current Republicans? And I remember under the Newt Gingrich era, they were very concerned about deficit. Maybe it is amnesia.

Democrats have put forth an alternative stimulus plan, one that delivers a real immediate boost for our economy. The House Democratic alternative, economic stimulus package, is fast acting, fair, and fiscally responsible. Does anyone care about fiscal responsibility, or is it smoke and mirrors? It focuses on jump-starting the economy now and quickly moving the United States to a long-term growth agenda. It does not deceive people. It does not make people buy this fluff and try to feel good about it when it is not real. Our package is.

The Democratic economic stimulus plan aimed at those who need it most avoids increasing the deficit and helps States that are deeply suffering through this recession. Not only California but across this country, States are suffering. We ought to have the governors in here to debate these proposals. The Democratic plan will immediately target $18 billion to extend unemployment benefits for laid-off workers who have already exhausted their claims and in addition provide more needed relief to cash strap States and localities. The Democratic plan also provides immediate tax relief for small businesses to generate investment and jobs. It allocates additional funds for transportation, homeland security, healthcare, and extends unemployment benefits for workers whose insurance has run out and who have been unable to find jobs. The plan also puts money in the hands of consumers who drive the economy by giving a $300 tax rebate to every working American and also $600 for couples. Unlike the Republican tax plan which favors the wealthy by providing tax cuts on stock dividends and does little to grow the economy, the Democrats' stimulus package focuses tax cuts on lower and middle class taxpayers and actually will cost less than Republican plan.

□ 2230

In addition, the Democratic plan will spur the economy by providing funding for homeland security. Let us make America secure on the real side that targets rebuilding our Nation's long-neglected infrastructure. Most importantly, the Democratic plan is fiscally responsive and fair. It provides the proper amount of targeted economic stimulus and, at the same time, will not impact the budget deficit.

So in closing, I would like to say, Mr. Speaker, I appreciate this opportunity to discuss the two plans and to give some real numbers and real figures. I represent one of those States that is sorely in need of help. But of the $35 billion deficit, that is with a ''B,'' we cannot cut enough and we cannot raise enough taxes to fill in that gap. We need to put America back to work. We need to put Californians back to work. We need to generate real jobs.

Mr. PALLONE. Mr. Speaker, I want to thank the gentlewoman from California for her remarks. Obviously, she really set forth the differences between what the Democrats are trying to do with our economic stimulus plan versus the President and the Republicans' plans, which I do not think, and the gentlewoman agrees, that the President's and the Republican plan is really going to make a difference for the economy. It is just sort of a way of getting more tax cuts, more of the same, primarily to the wealthy and to corporate interests. It is almost like they are using the need for a stimulus plan as an excuse to basically continue the same old policies of more and more tax cuts for the wealthy, which have failed.

One of the things that bothers me a great deal, and the gentlewoman hit upon it, is the fact that we still hear, although we do not hear it so much, but for a while we were hearing the Republicans say, oh, this recession really started under President Clinton, as if somehow the Democrats brought about the recession. The gentlewoman and I know, and the facts show, that we had the greatest, or one of the greatest, I think probably the greatest economic growth in the 10 years from 1991 to the end of President Clinton's term in 2001 or the very beginning of 2001, the greatest economic expansion the country has ever seen. All of a sudden, in March of 2001, 3 months into President Bush's term, we start to see the economic downturn.

I had actually mentioned the other night, and this is from the National Bureau of Economic Research Business Cycle Dating Committee, and maybe it

is sort of a minor point, but I only mention it because I see our Republican colleagues saying the opposite. And in this research, it says, ''In November 2001, the Committee determined that a peak in business activity occurred in the U.S. in March of 2001. A peak marks the end of an expansion and the beginning of a recession. The determination of a peak date in March is thus a determination that the expansion that began in March of 1991 ended in March 2001 and a recession began in March of 2001.''

The recession began, as the gentlewoman said, under President Bush's watch. Regardless of that, it has gotten worse. It gets worse every day. I have to say that I am very concerned that if we put in place this Republican economic plan and we continue the same-old-same-old policies of more tax cuts for the wealthy, that we are probably going to be in a worse situation in a few months than we even are today. I do not want to see that happen, but it is very possible.

The other thing that really galls me too, and the gentlewoman brought it up, and the gentlewoman remembers and I remember it even more because I have been here longer is how the Republicans, before they took the majority here in the House under Gingrich, used to get on this floor and rail and rail and rail almost every night about the deficit and how the deficit was getting worse and getting worse all the time. There was one guy I remember, do I not know if he is still here, I do not think he is, who used to have one of the pages bring this sort of clock, digital clock that literally extended almost the entire length of this podium where I am standing, and every night he would come here and do a 1-minute or a 5-minute, and he would see the clock number going up with the higher and higher deficit. That was the centerpiece. The whole theme of the Republicans at the time was how terrible this deficit is.

What happened? How come all of a sudden we do not see the guy with the clock anymore? I think he may have left Congress. But we do not see anybody on the Republican side coming down here. In fact, the other day the President said we should not worry about the deficit; it is no big deal. We will grow out of it. We should expect it. We are going to have this problem. It is just some kind of regular business cycle or something. It was ridiculous. I just appreciate the gentlewoman's comments.

The other thing that the gentlewoman mentioned that I think was so important is this sort of notion of shared sacrifice or caring about the future generations in a time of war, and I think that is what the gentlewoman said, and she may want to dwell on it a little more, that in a time of war, the idea was that we sacrificed. We have a war against terrorism, we may have a war against Iraq, who knows, in the next few weeks or months. So why in the middle of all this are we getting this tax cut plan that primarily helps wealthy individuals and corporate interests? Why are they not paying their share, if you will, of the cost of this war? Why is there not a shared sacrifice? Why does it always have to be on the backs of the little guy, the average guy? It never used to be that way. It seems to me to be an opportunity for the President to get up and say, we have a potential war, we are in a war against terrorists, essentially, and it is costing us more money. I really do not understand the whole philosophy. It really baffles the mind.

There was an article, there was an op-ed in The Washington Post actually today that essentially made that point. It was an analysis by Jonathan Weisman, and it is entitled, ''War's Cost May Dwarf Stimulus Effect.'' Essentially what he said in this opinion page is that we really should not be dealing with any kind of major tax cuts or any kind of a plan that causes a major deficit problem, because we might have a tremendous expense from the war with Iraq, and that the impact of that would create such a large deficit and have such a downward effect on the economy that this is not the time to be playing with a huge tax package, with a huge long-term tax package that has the potential for greater debt, and we should only be doing something, essentially, I mean, to counteract that; we should only be doing something like the Democrats are proposing which is quick, which is one year and does not have any major impact on the deficit.

Mr. Speaker, I promised to yield to the gentlewoman from Ohio (Ms. PRYCE) for procedural matters.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Republican Conference, I offer a privileged resolution (H. Res. 24) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 24

Resolved, That the following named Members be, and are hereby, elected chairmen of the following standing committees:

Committee on Agriculture: Mr. Goodlatte of Virginia.

Committee on Appropriations: Mr. Young of Florida.

Committee on Armed Services: Mr. Hunter of California.

Committee on the Budget: Mr. Nussle of Iowa.

Committee on Education and the Workforce: Mr. Boehner of Ohio.

Committee on Energy and Commerce: Mr. Tauzin of Louisiana.

Committee on Financial Services: Mr. Oxley of Ohio.

Committee on Government Reform: Mr. Tom Davis of Virginia.

Committee on House Administration: Mr. Ney of Ohio.

Committee on International Relations: Mr. Hyde of Illinois.

Committee on the Judiciary: Mr. Sensenbrenner of Wisconsin.

Committee on Resources: Mr. Pombo of California.

Committee on Science: Mr. Boehlert of New York.

Committee on Small Business: Mr. Manzullo of Illinois.

Committee on Standards of Official Conduct: Mr. Hefley of Colorado.

Committee on Transportation and Infrastructure: Mr. Young of Alaska.

Committee on Veterans' Affairs: Mr. Chris Smith of New Jersey.

Committee on Ways and Means: Mr. Thomas of California.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMPOSITION OF MEMBERS OF THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that, notwithstanding the requirement of clause 11(a)(1) of Rule X, the Permanent Select Committee on Intelligence be composed of not more than 20 Members, Delegates, or the Resident Commissioner, of whom not more than 11 be from the same party.

The SPEAKER pro tempore (Mr. REHBERG). Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

APPOINTMENT OF MEMBERS TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. Without objection, and pursuant to clause 11 of rule XX and clause 11 of rule I, the Chair announces the Speaker's appointment of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. GOSS, Florida, Chairman,
Mr. BEREUTER, Nebraska,
Mr. BOEHLERT, New York,
Mr. GIBBONS, Nevada,
Mr. LAHOOD, Illinois,
Mr. CUNNINGHAM, California,
Mr. HOEKSTRA, Michigan,
Mr. BURR, North Carolina,
Mr. EVERETT, Alabama,
Ms. HARMAN, California,
Mr. HASTINGS, Florida,
Mr. REYES, Texas,
Mr. BOSWELL, Iowa,
Mr. PETERSON, Minnesota,
Mr. CRAMER, Alabama,
Ms. ESHOO, California,
Mr. HOLT, New Jersey,
Mr. RUPPERSBERGER, Maryland.

There was no objection.

APPOINTMENT OF MEMBER TO THE JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Without objection, and pursuant to 15 U.S.C. 1024(a), the Chair announces the Speaker's appointment of the following Member of the House to the Joint Economic Committee:

Mr. SAXTON, New Jersey.

APPOINTMENT OF HON. MAC THORNBERRY OR HON. ROY BLUNT TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JANUARY 27, 2003

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 8, 2003.

I hereby appoint the Honorable MAC THORNBERRY or, if not available to perform

this duty, the Honorable ROY BLUNT to act as Speaker pro tempore to sign enrolled bills and joint resolutions through January 27, 2003.

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

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Ms. PRYCE of Ohio. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 8) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 8

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, January 8, 2003, Thursday, January 9, 2003, or Friday, January 10, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, January 27, 2003, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, January 9, 2003, through Friday, January 24, 2003, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee in the motion to recess or adjourn, or until Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

CONDITIONAL ADJOURNMENT OF THE HOUSE TO FRIDAY, JANUARY 10, 2003

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, January 10, 2003, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 8, in which case the House will stand adjourned pursuant to that concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

AUTHORIZING SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS DURING FIRST SESSION OF 108TH CONGRESS

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that during the first session of the 108th Congress, the Speaker and majority leader and minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

THE ECONOMY

The SPEAKER pro tempore. The gentleman from New Jersey (Mr. PALLONE) has 22 minutes remaining.

Mr. Speaker, I do intend now to wrap up the evening. I want to thank the gentlewoman from California again for coming down here and for the remarks that she made. I just wanted to, if I could, just briefly summarize or make some of the points that were made in this Washington Post opinion by Jonathan Weisman about the cost of the war and the impact of the war, because I think that as much as the gentlewoman and I are hoping that there is not going to be a war and that somehow we manage to peacefully resolve the situation in Iraq, the bottom line is it is hovering over us.

□ 2245

We know that a lot of troops have already been sent over there, that a lot of supplies have already been sent there, and that there is a real possibility that this could occur in the next few weeks.

I just wanted to read some sections, if I could, of Mr. Weisman's opinion. He said, ''President Bush is plowing ahead with an ambitious 10-year, $674 billion economic stimulus plan even as U.S. troops pour into the Persian Gulf region preparing for war.

''The president's determination to push more tax cuts as the nation prepares for war has struck some economists as folly, since the economic shock of war would likely dwarf the impact of Bush's stimulus plan.''

It says, ''The Cost to the Treasury of a war with Iraq could be as low as $100 billion over the next decade or as high as $1.6 trillion.''

''If energy prices spike up, it wouldn't take much to offset all of this stimulus.'' It goes on to say, ''If the war lasted even 6 to 12 weeks, stock prices would continue to fall, interest rates would rise and economic growth would slow by 1¾ percent.''

''The best policy right now is to wait, to see what happens ahead, and to plan in the background some contingency plans, just in case we have an adverse outcome.'' ''But for the President's critics the timing and boldness of the Bush plan presents a target,'' and of course this is what we have been saying. ''Whenever the President talks about war, he talks about a spirit of shared sacrifice; but for rich people, shared sacrifice appears to be accepting tax cuts, and for the poor, it seems to be accepting cuts in social spending.''

Then we have a quote from one of our favorite Members, the gentleman from New York (Mr. RANGEL). He says, and I think it is very appropriate, and he is, of course, the ranking member on our tax-writing committee, the Committee on Ways and Means, he says, ''Never in a time of war have we reduced the tax burden on the most privileged.'' That is basically what is going on here.

I think if we listen to what Mr. Weisman says, he is basically saying that this plan is too ambitious, and it is so long-term and has such an impact on the deficit that it is folly, given what we might face in a potential war against Iraq.

If we look at the Democratic plan, it is much smaller. It has only just a little over $100 billion impact over 10 years, and it is targeted to small businesses so we invest in new proposals, new job creation here at home.

We give a tax rebate, a relatively small one, to consumers, up to $600 for a couple, to try to get the economy going quickly. But the bottom line is, we do not do anything long-term to have a major impact on the deficit, and we are spending a relatively small amount of money with a big impact over the short term. So I think that that plan fits into the potential if you have a conflict or a war.

Mr. Speaker, I yield to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I want to request from the gentleman from New Jersey (Mr. PALLONE) if we can do a side-by-side chart on the cost of waging war in Iraq. I understand we have several thousand troops already over in the Middle East, and possibly the dispute with North Korea might require us to commit dollars.

I would like to see a chart with the cost of war and the cost of nationbuilding if we are trying to create a new regime. What is our commitment going to be to this new regime that we have called for? I can tell the Members from my own experience as the ambassador to the Federated States of Micronesia, they were a trust territory until 1986. In 1986, we signed a compact of free association with them that was to last 15 years. It has cost us $5 billion, and we are getting ready to sign on another 20 years.

Now, I saw taxpayers' dollars go into the ocean. I was there. I knew. We had to close down some programs because that money was going into people's pockets, and into building homes for the very wealthy and the families of the very wealthy. We were not monitoring it.

I came back here many times saying, give me not only audits but oversight and follow-up; get the FBI out here, because our money is being taken. I could not get anyone to listen. I left; the problem got worse. Ask the current ambassador.

What is going to happen in Afghanistan in the long run and in Iraq in the long run? We talked about the axis of evil, so let us talk about Iran, too, and let us talk about North Korea. We did not say that; the President stood on this floor and talked about the axis of evil. Getting rid of the evil means changing those who are running those countries now. What is our obligation as Congress, as the Federal Government, and taxpayers? All this has to be

taken into consideration in terms of the proposed tax cuts.

If we talk about homeland security, how do we secure our own home if we cannot even educate our children, if we cannot even improve our infrastructure, if we cannot set out a budget for first responders? In my own city of Los Angeles we only have 9,000 police officers, as compared to Giuliani's New York with 30,000. We have 2 million people.

So are we sincere about protecting our homeland? That means not the home land, that means America's people. What is our plan for seriously doing that? I just wanted to put that out as we go about looking at the budget. I think it is very important to be heard. That is why I said it.

Mr. PALLONE. I appreciate it. Mr. Speaker, I think it all goes back to the same thing, which is as the Democrats we are talking about a short-term 2003 plan that does not spend a lot of money relatively and put the government in deficit, and that is specifically directed to jumpstart the economy.

But what the President and the Republicans have proposed does not really even address the short-term economic needs in order to turn the economy around. It is just a long-range plan to basically provide more tax cuts for wealthy people: the stock dividends; the proposal to make the tax cuts permanent in another 10 years.

If we look at that in the context of what the budget needs are, as the gentlewoman says, in this war on terrorism both at home or abroad, we have to wonder where all this money is going to come from and what the consequences are going to be in terms of the deficit.

Ms. WATSON. We are cutting our revenue base, and we are fighting a war over 10,000 miles away that we really do not need to fight, we really do not need to fight.

Mr. PALLONE. I have been hesitating to talk about whether the war is just or necessary, but I think the bottom line is if it is going to be fought or whether it is going to be fought, we have to think about the costs of it. This President's economic plan makes absolutely no sense in the context of whether it is a war against Iraq or the other axis of evil, or just the war against terrorism and homeland security. It really does not.

Ms. WATSON. Let me say, we are a member of the United Nations. We went to the Security Council. They have their inspectors out there. If they do not find what they are looking for, it needs to go back to the Security Council.

We are working on an assumption, and North Korea says, we have your bomb. The monies that we give them for food and so on, does it really get to the people? If it did, why do we have such massive starvation over in North Korea? And I do not see why we are treating them any differently than we are treating Iraq.

Where is our commitment? How do we secure the United States? A country is only as strong as its people, and we cannot let the general public forget that. I thank the gentleman.

Mr. PALLONE. We need to continue. I thank the gentlewoman.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KIND (at the request of Ms. PELOSI) for today on account of personal business.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today and the balance of the week on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KUCINICH) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

(The following Members (at the request of Mr. FEENEY of Florida) to revise and extend their remarks and include extraneous material:)

Mr. PENCE, for 5 minutes, today.

Mr. DEMINT, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

Mr. FLAKE, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. TANCREDO, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 23. An act to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002 and for a transition period for individuals receiving compensation when the program under such act ends.

ADJOURNMENT

Mr. PALLONE. Mr. Speaker, pursuant to House Concurrent Resolution 8 of the 108th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. REHBERG). Pursuant to the previous order of the House of today, the House stands adjourned until 2 p.m. Friday, January 10, 2003, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 8, in which case the House shall stand adjourned until 2 p.m. on Monday, January 27, 2003, pursuant to House Concurrent Resolution 8.

Thereupon (at 10 o'clock and 55 minutes p.m.), pursuant to House Concurrent Resolution 8, 108th Congress, and its previous order, the House adjourned until Monday, January 27, 2003, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

111. A letter from the Chief, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule — 2002 Farm Bill Regulations — Marketing Assistance Loans and Loan Deficiency Payments for Peanuts, Pulse Crops, Wheat, Feed Grains, Soybeans and Other Oilseeds (RIN: 0560-AG72) received November 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

112. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Tolerance Exemptions for Active and Inert Ingredients for Use in Antimicrobial Formulations (Food-Contact Surface Sanitizing Solutions) [OPP-2002-0278; FRL-6824-2] received November 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

113. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pyriproxyfen; Pesticide Tolerance for Emergency Exemption [OPP-2002-0314; FRL-7281-2] received November 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

114. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pyrithiobac Sodium (sodium 2-chloro-6[(4,6-dimethoxypyrimidin-2-yl)thio]benzoate); Pesticide Tolerance [OPP-2002-0005; FRL-7279-5] received November 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

115. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Cyromazine; Pesticide Tolerance [OPP-2002-0237; FRL-7274-8] received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

116. A communication from the President of the United States, transmitting his requests for FY 2003 budget amendments for the Departments of Agriculture, Health and Human Services, the Interior, Labor, and the Treasury; the Corps of Engineers; as well as the Equal Employment Opportunity Commission and the Federal Trade Commission; (H. Doc. No. 108—18); to the Committee on Appropriations and ordered to be printed.

117. A letter from the Under Secretary, Department of Defense, transmitting the Department's USTRANSCOM Personal Property Pilot Programs Evaluation Report; to the Committee on Armed Services.

118. A letter from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting the Board's final rule — Transactions between

Member Banks and their Affiliates [Regulation W; Docket No. R-1103] received December 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

119. A letter from the Vice Chairman, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Australia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

120. A letter from the Senior Vice President, Congressional Affairs, Export-Import Bank of the United States, transmitting the annual report to Congress on the operations of the Export-Import Bank of the United States for Fiscal Year 2002, pursuant to 12 U.S.C. 635g(a); to the Committee on Financial Services.

121. A letter from the Secretary, Department of Education, transmitting the annual report of the National Advisory Committee on Institutional Quality and Integrity for Fiscal Year 2002, pursuant to 20 U.S.C. 1145(e); to the Committee on Education and the Workforce.

122. A letter from the President and Chief Executive Officer, Corporation for Public Broadcasting, transmitting the annual report on the provision of services to minority and diverse audiences by public broadcasting entities and public telecommunications entities, pursuant to Public Law 100—626, section 9(a) (102 Stat. 3211); to the Committee on Energy and Commerce.

123. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''The State Children's Health Insurance Program: a Summary Evaluation of States' Early Experience with SCHIP''; to the Committee on Energy and Commerce.

124. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Primary Drinking Water Regulations: Minor Revisions to Public Notification Rule, Consumer Confidence Report Rule and Primacy Rule [FRL-7413-9] (RIN: 2040-AD06) received November 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

125. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Control of Air Pollution From New Motor Vehicles: Amendments to the Tier 2 Motor Vehicle Emission Regulations [AMS-FRL-7416-7] (RIN: 2060-AI23) received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

126. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans for Texas: Transportation Control Measures Rule [TX-127-1-7555; FRL-7416-5] received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

127. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; One-hour Ozone Attainment Demonstration for the New Hampshire Portion of the Boston-Lawrence-Worcester, MA-NH Ozone Nonattainment Area [NH-049-7174a; A-1-FRL-7418-5] received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

128. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; One-hour Ozone Attainment Demonstration for the Massachusetts portion of the Boston-Lawrence-Worcester, MA-NH Ozone Nonattainment Area [MA069-7205a; A-1-FRL-7418-6] received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

129. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revision to Operating Permits Program in Washington [FRL-7415-2] received November 26, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

130. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [CA 262-0371; FRL-7413-1] received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

131. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry [FRL-7416-9] (RIN: 2060-AJ57) received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

132. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — NESHAP: Standards for Hazardous Air Pollutants for Hazardous Waste [FRL-7424-2] (RIN: 2050-AE79) received December 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

133. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans North Carolina: Approval of Revisions to Miscellaneous Regulations Within the North Carolina State Implementation Plan [NC 102-200304(a); FRL-7425-2] received December 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

134. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans for Mississippi: Infectious Waste Incinerator Requirements [MS 23-1-200242(a); FRL-7424-3] Recieved December 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

135. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Low Emission Vehicle Program [MA087-7215a; A-1-FRL-7418-7] received December 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

136. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Notice and Request for Comment Regarding Textile Corporate Leniency Policy [Billing Code 6750-01P] received December 13, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

137. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule — Rules and Regulations Under the Textile Fiber Products Identification Act [Billing Code: 6750-01P] received December 4, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

138. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Material Control and Accounting Amendments (RIN: 3150-AG69) received December 30, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

139. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the FY 2001 Inventory of Programs, produced by the Interagency Working Group; to the Committee on International Relations.

140. A communication from the President of the United States, transmitting a report on the status of the world intellectual property organization copyright treaty and the world intellectual property organization performances and phonograms treaty; to the Committee on International Relations.

141. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, ''Audit of Advisory Neighborhood Commission 5C for Fiscal Years 1999, 2000, 2001, and 2002, Through June 30, 2002,'' pursuant to D.C. Code section 47—117(d); to the Committee on Government Reform.

142. A letter from the Assistant Secretary, Policy, Managment and Budget, Department of the Interior, transmitting the Department's inventory of commercial activities prepared in accordance with the Federal Activities Reform (FAIR) Act of 1998; to the Committee on Government Reform.

143. A letter from the Archivist, National Archives and Records Administration, transmitting the Administration's Commercial Activities Inventory and Inherently Governmental Inventory; to the Committee on Government Reform.

144. A letter from the Administrator, Office of Management and Budget, transmitting a copy of the report, ''Stimulating Smarter Regulation: 2002 Report to Congress on the Costs and Benefits of Federal Regulations and Unfunded Mandates on State, Local and Tribal Entities,'' pursuant to 2 U.S.C. 1538; to the Committee on Government Reform.

145. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Bipartisan Campaign Reform Act of 2002 Reporting [Notice 2002-26] received December 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

146. A letter from the Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Five Carbonate Plants from the San Bernardino Mountains in Southern California (RIN: 1018-AI27) received December 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

147. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Deinandra conjugens (Otay tarplant) (RIN: 1018-AH00) received December 17, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

148. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Extend the Interim Groundfish Observer Program Through December 31, 2007, and Amend Regulations for the North Pacific Groundfish Observer Program [Docket No. 020814193-2282-

02; I.D. 070102C] (RIN: 0648-AQ05) received December 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

149. A letter from the Secretary, Department of Transportation, transmitting the Department's proposed legislation entitled, ''Title 46 Codification Act of 2002''; to the Committee on the Judiciary.

150. A letter from the Acting Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Annual Report on Civil Works Activities for Fiscal Year 2001; to the Committee on Transportation and Infrastructure.

151. A letter from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Retention of Current Monetary Threshold for Reporting Rail Equipment Accidents/Incidents During Calendar Year 2003 and Until Further Amended [FRA-1998-4898, Notice No. 5] (RIN: 2130-AB57) received December 31, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

152. A letter from the Trial Attorney, Department of Transportation, transmitting the Department's final rule — U.S. Locational Requirement for Dispatching of U.S. Rail Operations [FRA Docket No. FRA-2001-8728, Notice No. 3] (RIN: 2130-AB38) received December 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

153. A letter from the Acting Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Withdrawal of Certain Federal Human Health and Aquatic Life Water Quality Criteria Applicable to Vermont, the District of Columbia, Kansas and New Jersey [FRL-7416-3] received December 2, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

154. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Disclaimers, Fraudulent Solicitation, Civil P enalties [Notice 2002-25] received December 11, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

155. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Coordinated and Independent Expenditures [Notice 2002-17] received December 20, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. WELDON of Florida (for himself, Mr. STUPAK, Mr. SENSENBRENNER, Mr. KUCINICH, Mr. SMITH of Texas, Mr. DOYLE, Mr. CHABOT, Mr. SANDERS, Mr. CANNON, Mr. HALL, Mr. KELLER, Mr. FLAKE, Ms. HART, Mr. DELAY, Mrs. MYRICK, Mr. BACHUS, Mr. TAYLOR of Mississippi, Mr. LUCAS of Kentucky, Mr. MURTHA, Mr. BLUNT, Mr. MCINTYRE, Mr. ORTIZ, Mr. MOLLOHAN, Mr. FLETCHER, Mr. BILIRAKIS, Mr. NORWOOD, Mr. PITTS, Mr. SHIMKUS, Mr. STEARNS, Mr. SMITH of New Jersey, Mr. VITTER, Mr. GOODE, Mr. WOLF, Mr. STENHOLM, Mr. BRADY of Texas, Mr. JOHN, Mr. SOUDER, Mr. PETERSON of Minnesota, Mr. HOEKSTRA, Mr. KILDEE, Mr. ADERHOLT, Mr. SKELTON, Mr. WICKER, Mr. COSTELLO, Mr. LEWIS of Kentucky, Mr. TURNER of Texas, Mr. SAM JOHNSON of Texas, Mr. MCNULTY, Mr. EHLERS, Mr. RAHALL, Mr. LIPINSKI, Mr. SHUSTER, Mr. GOODLATTE, Mr. PICKERING, Mr. BURTON of Indiana, Mr. HUNTER, Mr. CANTOR, Mr. NETHERCUTT, Mr. GUTKNECHT, Mr. HAYWORTH, Mr. MILLER of Florida, Mr. MCCRERY, Mr. RYUN of Kansas, Mrs. JO ANN DAVIS of Virginia, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. LINDER, Mr. MICA, Mr. SHADEGG, Mr. TERRY, Mr. COLLINS, Mrs. MUSGRAVE, Mr. KENNEDY of Minnesota, Mr. PENCE, Mr. ROGERS of Michigan, Mr. TIBERI, Mr. RYAN of Wisconsin, Mr. FORBES, Mr. KING of Iowa, Mr. EVERETT, Mr. AKIN, Mr. OSBORNE, Mr. TANCREDO, Mr. JONES of North Carolina, Mr. CAMP, Mr. DUNCAN, Mr. CRENSHAW, Mr. PETERSON of Pennsylvania, Mr. KING of New York, Mr. WAMP, Mr. FOSSELLA, Mr. COMBEST, Mr. HAYES, Mr. TIAHRT, Mr. BURNS, Mr. HOSTETTLER, Mrs. EMERSON, Mr. ISSA, Mr. MANZULLO, Mr. CRANE, Mr. FEENEY, Mr. BUYER, and Mr. FERGUSON):

H.R. 234. A bill to amend title 18, United States Code, to prohibit human cloning; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina (for himself, Mr. DELAY, Mr. BLUNT, Mr. HAYES, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. HALL, Mr. DEMINT, Mr. GUTKNECHT, Mr. KENNEDY of Minnesota, and Mr. WELDON of Florida):

H.R. 235. A bill to amend the Internal Revenue Code of 1986 to protect the religious free exercise and free speech rights of churches and other houses of worship; to the Committee on Ways and Means.

By Mr. FATTAH (for himself, Mr. GEORGE MILLER of California, Mr. CONYERS, Ms. CORRINE BROWN of Florida, Mr. JACKSON of Illinois, Mr. RUSH, Mr. HOLDEN, Mr. SERRANO, Ms. WATSON, Mr. TOWNS, Mr. HOEFFEL, Mr. REYES, Mr. ISRAEL, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Mr. CROWLEY, Mr. HINCHEY, Mr. SCOTT of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OLVER, Mr. DELAHUNT, Mr. FILNER, Mr. OWENS, Ms. WOOLSEY, Mr. ACEVEDO-VILA, Mr. RAHALL, Mr. BRADY of Pennsylvania, Mr. NEAL of Massachusetts, Mrs. MCCARTHY of New York, Mr. DOYLE, Mr. MCNULTY, Mr. LYNCH, Mr. MEEHAN, Mr. HONDA, Mrs. CHRISTENSEN, Ms. ROYBAL-ALLARD, Mr. DAVIS of Alabama, Mr. GUTIERREZ, Mr. FORD, Mrs. JONES of Ohio, Mr. DAVIS of Illinois, Mr. CLAY, Mr. CLYBURN, Ms. JACKSON-LEE of Texas, Mr. RANGEL, Mr. JEFFERSON, Ms. NORTON, Mr. THOMPSON of Mississippi, Ms. LEE, and Mr. WATT):

H.R. 236. A bill to provide for adequate and equitable educational opportunities for students in State public school systems, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BURTON of Indiana (for himself, Mr. KUCINICH, Mr. DUNCAN, Mr. PAUL, Mrs. MALONEY, Mr. KING of New York, and Mr. PLATTS):

H.R. 237. A bill to repeal certain amendments to the National Vaccine Injury Compensation Program; to the Committee on Energy and Commerce.

By Mr. BOEHLERT (for himself and Mr. HALL):

H.R. 238. A bill to provide for Federal energy research, development, demonstration, and commercial application activities, and for other purposes; to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARY G. MILLER of California (for himself, Mrs. MALONEY, Mr. OXLEY, Mr. KANJORSKI, Mr. LEACH, Mrs. KELLY, Mr. MCHUGH, Mr. TOOMEY, Mr. SOUDER, Ms. HART, and Mr. PLATTS):

H.R. 239. A bill to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields; to the Committee on Financial Services.

By Mr. MICA:

H.R. 240. A bill to amend title 38, United States Code, to require Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private health-care practitioners in the case of veterans who, after having made an appointment to see a Department of Veterans Affairs physician to obtain such a prescription, have been waiting for longer than 30 days, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SMITH of New Jersey (for himself and Mr. EVANS):

H.R. 241. A bill to amend title 38, United States Code, to repeal the two-year limitation on the payment of accrued benefits that are due and unpaid by the Secretary of Veterans Affairs upon the death of a veteran or other beneficiary under laws administered by the Secretary; to the Committee on Veterans' Affairs.

By Mr. ISSA (for himself, Mr. FARR, Mr. NETHERCUTT, and Mr. MEEHAN):

H.R. 242. A bill to make technical corrections in patent law; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Mr. BAIRD, Mr. LEWIS of California, Ms. LOFGREN, Mr. MCDERMOTT, Mr. ENGLISH, and Mr. INSLEE):

H.R. 243. A bill to amend title 23, United States Code, relating to the use of high occupancy vehicle lanes by hybrid vehicles; to the Committee on Transportation and Infrastructure.

By Mr. ISSA (for himself, Mr. THOMPSON of California, Mr. OSE, Mr. MATSUI, Mr. GEORGE MILLER of California, Ms. LEE, Ms. ESHOO, Mr. MCKEON, Mr. SCHIFF, Ms. ROYBAL-ALLARD, Ms. MILLENDER-MCDONALD, Mr. ROYCE, Mr. LEWIS of California, Mr. CALVERT, Mrs. DAVIS of California, Mr. HUNTER, Mrs. NAPOLITANO, Mr. HERGER, Mr. DOOLITTLE, Mr. POMBO, Mr. RADANOVICH, Mr. THOMAS, Mr. GALLEGLY, Mr. DREIER, Mr. GARY G. MILLER of California, Mrs. BONO, Mr. ROHRABACHER, Mr. COX, Mr. CUNNINGHAM, Mr. NUNES, Mrs. CAPPS, Mr. HONDA, Mrs. TAUSCHER, Mr. DOOLEY of California, Mr. BECERRA, Ms. LOFGREN, Mr. CARDOZA, Ms. WATSON, and Mr. LANTOS):

H.R. 244. A bill to amend the Clean Air Act to permit the exclusive application of California State regulations regarding reformulated gas in certain areas within the State; to the Committee on Energy and Commerce.

By Mr. FLETCHER (for himself, Mr. ETHERIDGE, Mr. TANNER, Mr. BISHOP of Georgia, Mr. BOUCHER, Mr. LEWIS of Kentucky, Ms. MCCARTHY of Missouri, Mr. LUCAS of Kentucky, Mr. WAMP, Mr. WHITFIELD, Mr. PRICE of North Carolina, and Mr. ROGERS of Kentucky):

H.R. 245. A bill to replace the existing Federal price support and quota programs for tobacco with price support and quota programs designed to assist the actual producers of tobacco, to compensate quota holders for the loss of tobacco quota asset value, to provide assistance for active tobacco producers, including those producers who forgo obtaining a tobacco production license, during the transition of the new programs, and for other purposes; to the Committee on Agriculture.

By Mr. REGULA:

H.R. 246. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and realted agencies for the fiscal year ending September 30, 2003, and for other purposes; to the Committee on Appropriations.

By Mr. WOLF:

H.R. 247. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2003, and for other purposes; to the Committee on Appropriations.

By Mr. ALLEN (for himself, Mr. STARK, Mr. PALLONE, Mr. BROWN of Ohio, Mr. MICHAUD, Mr. SANDERS, Mr. BERRY, Mr. DAVIS of Florida, Mr. KUCINICH, and Mrs. CAPPS):

H.R. 248. A bill to amend the Public Health Service Act and the Homeland Security Act of 2002 to strike unrelated provisions concerning changes to the National Vaccine Injury Compensation Program and liability for vaccine manufacturers; to the Committee on Energy and Commerce.

By Mr. ALLEN:

H.R. 249. A bill to amend title II of the Social Security Act to provide an exception to the nine-month duration of marriage requirement for widows and widowers in cases in which the marriage was postponed by legal impediments to the marriage caused by State restrictions on divorce from a prior spouse institutionalized due to mental incompetence or similar incapacity; to the Committee on Ways and Means.

By Mr. FARR (for himself, Mr. UDALL of Colorado, and Mr. HONDA):

H.R. 250. A bill to amend the Peace Corps Act to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government, and for other purposes; to the Committee on International Relations.

By Mr. ANDREWS:

H.R. 251. A bill to protect small businesses from increased tariffs and other retaliatory actions taken by the United States during a trade dispute; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 252. A bill to amend the Internal Revenue Code of 1986 to extend the period for filing for a credit or refund of individual income taxes to 7 years; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself and Mr. BLUMENAUER):

H.R. 253. A bill to amend the National Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made; to the Committee on Financial Services.

By Mr. BEREUTER (for himself, Mr. BONILLA, Mr. GONZALEZ, Mr. HINOJOSA, Mr. OSE, Mr. ROYCE, Mr. REYES, Mr. RODRIGUEZ, Mr. GRIJALVA, and Mr. ORTIZ):

H.R. 254. A bill to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and for other purposes; to the Committee on Financial Services.

By Mr. BEREUTER:

H.R. 255. A bill to authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska; to the Committee on Resources.

By Mr. BOUCHER (for himself and Mr. GOODE):

H.R. 256. A bill to provide for premium assistance for COBRA continuation coverage for certain individuals and to permit States to provide temporary Medicaid coverage for certain uninsured employees; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURNS (for himself, Mr. HAYES, Mr. MCINTYRE, Mr. PICKERING, Mr. KINGSTON, Mr. ROGERS of Alabama, Mr. GOODE, Mr. CRAMER, and Mr. BISHOP of Georgia):

H.R. 257. A bill to provide emergency disaster assistance to agricultural producers that incurred 2002 crop losses due to damaging weather or related condition and to provide emergency disaster assistance to livestock producers in counties that received a primary disaster designation by the Secretary of Agriculture in calendar year 2001 or 2002, and for other purposes; to the Committee on Agriculture.

By Mr. CANTOR (for himself, Mr. GOODE, Mr. SCHROCK, Mr. TOM DAVIS of Virginia, Mr. GOODLATTE, Mr. SCOTT of Virginia, Mr. FORBES, Mr. MORAN of Virginia, Mr. BOUCHER, Mrs. JO ANN DAVIS of Virginia, and Mr. WOLF):

H.R. 258. A bill to ensure continuity for the design of the 5-cent coin, establish the Citizens Coinage Advisory Committee, and for other purposes; to the Committee on Financial Services.

By Mr. CONYERS (for himself, Mr. FROST, Mr. RANGEL, Ms. JACKSON-LEE of Texas, Ms. WATERS, Mr. CLYBURN, Mr. DAVIS of Illinois, Mr. BROWN of Ohio, Mr. RUSH, Mr. OWENS, Ms. KILPATRICK, Mr. WYNN, Mr. JACKSON of Illinois, Mr. HASTINGS of Florida, Mr. FATTAH, Ms. LEE, Mr. CUMMINGS, Mr. BRADY of Pennsylvania, Mr. FORD, Mrs. JONES of Ohio, Ms. SCHAKOWSKY, Mr. LEWIS of Georgia, Ms. NORTON, Mr. MORAN of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. KUCINICH):

H.R. 259. A bill to secure the Federal voting rights of persons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. NADLER, Mr. ACKERMAN, Ms. CORRINE BROWN of Florida, Mr. DELAHUNT, Ms. KILPATRICK, Ms. LEE, Mr. MARKEY, Ms. SCHAKOWSKY, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. KENNEDY of Rhode Island, Ms. LOFGREN, Mr. MEEHAN, Mr. TOWNS, Mr. WEXLER, Mr. DEUTSCH, Mr. FRANK of Massachusetts, Ms. DEGETTE, Mr. PAYNE, Mr. STARK, Mr. BERMAN, Mr. DAVIS of Florida, Mr. CLAY, Ms. NORTON, Mr. HOLT, Mr. GUTIERREZ, and Mr. MCDERMOTT):

H.R. 260. A bill to extend Brady background checks to gun shows, and for other purposes; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. GORDON, Mr. TANNER, and Mr. DAVIS of Tennessee):

H.R. 261. A bill to amend the Internal Revenue Code of 1986 to allow residents of States with no income tax a deduction for State and local sales taxes; to the Committee on Ways and Means.

By Mr. COX (for himself, Mr. FOLEY, Ms. HART, Ms. LOFGREN, Mr. FILNER, Mr. DREIER, Mr. SHADEGG, Mr. TOWNS, Mr. MCKEON, Mr. SENSENBRENNER, Mr. OWENS, Mr. WILSON of South Carolina, Mr. CUNNINGHAM, Mr. OSE, Mr. SANDERS, Ms. CORRINE BROWN of Florida, Mr. BURTON of Indiana, Mr. CALVERT, Mr. ROTHMAN, Mr. ISSA, Mr. GARY G. MILLER of California, Mr. KUCINICH, Mr. PENCE, Mr. PITTS, Mr. PASCRELL, Mr. POMBO, Mr. ROHRABACHER, Mr. ROYCE, Mr. TANCREDO, Mr. TIBERI, Mr. WALDEN of Oregon, Mr. GILLMOR, Mr. DUNCAN, Mr. FOSSELLA, Ms. MILLENDER-MCDONALD, Mr. GILCHREST, Mr. WEXLER, Mr. VISCLOSKY, Mr. ENGEL, Mr. PAYNE, Mr. PLATTS, Mr. DOYLE, Mr. EVANS, Mr. KENNEDY of Minnesota, Mr. JONES of North Carolina, Mr. KNOLLENBERG, Mr. KING of New York, and Mr. QUINN):

H.R. 262. A bill to allow a custodial parent a bad debt deduction for unpaid child support payments, and to require a parent who is chronically delinquent in child support to include the amount of the unpaid obligation in gross income; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 263. A bill to amend title 38, United States Code, to improve access to medical services for veterans seeking treatment at Department of Veterans Affairs outpatient clinics with exceptionally long waiting periods; to the Committee on Veterans' Affairs.

By Mr. DUNCAN:

H.R. 264. A bill to amend title II of the Social Security Act to provide for payment of lump-sum death payments upon the death of a spouse; to the Committee on Ways and Means.

By Ms. DUNN (for herself, Mr. DICKS, Mr. LARSEN of Washington, Mr. HASTINGS of Washington, Mr. SMITH of Washington, and Mr. BAIRD):

H.R. 265. A bill to provide for an adjustment of the boundaries of Mount Rainier National Park, and for other purposes; to the Committee on Resources.

By Mr. EHLERS (for himself and Mr. GILCHREST):

H.R. 266. A bill to establish the National Invasive Species Council, and for other purposes; to the Committee on Resources.

By Mr. ENGLISH:

H.R. 267. A bill to amend the Internal Revenue Code of 1986 to provide an incentive to ensure that all Americans gain timely and equitable access to the Internet over current and future generations of broadband capability; to the Committee on Ways and Means.

By Mr. EHLERS:

H.R. 268. A bill to authorize appropriations for the United States Weather Research Program, and for other purposes; to the Committee on Science.

By Mr. ENGLISH:

H.R. 269. A bill to amend the Internal Revenue Code of 1986 to restructure and replace the income tax system of the United States to meet national priorities, and for other purposes; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN (for himself, Mr. PALLONE, Mrs. MCCARTHY of New York, Mr. CROWLEY, Mr. HINCHEY, Mr. MCNULTY, Mrs. KELLY, Mr. PAYNE, Mr. KING of New York, and Mr. SANDERS):

H.R. 270. A bill to require the Secretary of Veterans Affairs to replace with a more equitable formula the current formula, known as the Veterans Equitable Resource Allocation (VERA), for the allocation of funds appropriated to the Department of Veterans Affairs for medical care to different geographic regions of the Nation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRELINGHUYSEN (for himself, Mrs. KELLY, Mr. HINCHEY, and Mr. KING of New York):

H.R. 271. A bill to require the Secretary of Veterans Affairs to modify the formula, known as the Veterans Equitable Resource Allocation (VERA) system, for the allocation of funds appropriated to the Department of Veterans Affairs for medical care to different geographic regions of the Nation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GIBBONS:

H.R. 272. A bill to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries; to the Committee on Resources.

By Mr. GILCHREST (for himself and Mr. TAUZIN):

H.R. 273. A bill to provide for the eradication and control of nutria in Maryland and Louisiana; to the Committee on Resources.

By Mr. GILCHREST:

H.R. 274. A bill to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge; to the Committee on Resources.

By Mr. GILLMOR (for himself and Mr. TIBERI):

H.R. 275. A bill to amend the Securities and Exchange Act of 1934 to require improved disclosure of corporate charitable contributions, and for other purposes; to the Committee on Financial Services.

By Mr. GOODE (for himself, Mr. JONES of North Carolina, and Mr. PAUL):

H.R. 276. A bill to repeal section 658 of Public Law 104-208, commonly referred to as the Lautenberg amendment; to the Committee on the Judiciary.

By Mr. GOODE (for himself, Mr. JONES of North Carolina, and Mr. TANCREDO):

H.R. 277. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to assign members of the Army, Navy, Air Force, and Marine Corps, under certain circumstances and subject to certain conditions, to assist the Department of Homeland Security in the performance of border protection functions; to the Committee on Armed Services, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES:

H.R. 278. A bill to terminate the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida:

H.R. 279. A bill to amend the Small Business Act to include drought in the definition of disaster for purposes of the disaster loan program administered by the Small Business Administration; to the Committee on Small Business.

By Mr. HOBSON (for himself, Mr. PORTMAN, Mr. REGULA, Mr. LATOURETTE, Mr. BOEHNER, Mr. TURNER of Ohio, Mr. TIBERI, Mr. NEY, Mr. BROWN of Ohio, Mr. OXLEY, Mrs. JONES of Ohio, Ms. KAPTUR, and Mr. GILLMOR):

H.R. 280. A bill to establish the National Aviation Heritage Area, and for other purposes; to the Committee on Resources.

By Mr. HOBSON (for himself, Mr. BOEHNER, Mr. BROWN of Ohio, Mr. CHABOT, Mr. GILLMOR, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KUCINICH, Mr. LATOURETTE, Mr. NEY, Mr. OXLEY, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. REGULA, Mr. STRICKLAND, Mr. TIBERI, Mr. RYAN of Ohio, and Mr. TURNER of Ohio):

H.R. 281. A bill to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the ''Tony Hall Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. HOEKSTRA (for himself, Mr. TANCREDO, and Mr. SOUDER):

H.R. 282. A bill to amend the Internal Revenue Code of 1986 to allow a credit for contributions for the benefit of elementary and secondary schools; to the Committee on Ways and Means.

By Mr. HONDA (for himself, Ms. JACKSON-LEE of Texas, Mrs. TAUSCHER, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HOEFFEL, Ms. NORTON, Ms. LOFGREN, and Mr. ETHERIDGE):

H.R. 283. A bill to establish the Nanoscience and Nanotechnology Advisory Board; to the Committee on Science.

By Mr. HOUGHTON (for himself and Mr. NEAL of Massachusetts):

H.R. 284. A bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes; to the Committee on Ways and Means.

By Mr. HOUGHTON (for himself, Mr. SAM JOHNSON of Texas, Mr. PORTMAN, and Mr. RAMSTAD):

H.R. 285. A bill to amend the Internal Revenue Code of 1986 to simplify certain rules relating to the taxation of United States businesses operating abroad, and for other purposes; to the Committee on Ways and Means.

By Mr. HOUGHTON (for himself, Mr. BARTLETT of Maryland, Mr. COX, Mr. CRANE, Mr. TOM DAVIS of Virginia, Mr. DOOLEY of California, Ms. DUNN, Mr. ENGLISH, Mr. FILNER, Mr. FOLEY, Mr. GILLMOR, Mr. HAYWORTH, Mr. HERGER, Mr. HONDA, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON of Texas, Ms. LOFGREN, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RAMSTAD, and Mr. SESSIONS):

H.R. 286. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of incentive stock options and employee stock purchase plans; to the Committee on Ways and Means.

By Mr. HUNTER:

H.R. 287. A bill to prohibit the exportation of natural gas from the United States to Mexico for use in electric energy generation units near the United States border that do not comply with air quality control requirements that provide air quality protection that is at least equivalent to the protection provided by requirements applicable in the United States; to the Committee on International Relations.

By Mr. INSLEE:

H.R. 288. A bill to amend title 23, United States Code, to establish programs to enhance roadway safety and improve transportation efficiency in the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. KAPTUR (for herself and Mr. DINGELL):

H.R. 289. A bill to expand the boundaries of the Ottawa National Wildlife Refuge Complex and the Detroit River International Wildlife Refuge; to the Committee on Resources.

By Mrs. KELLY:

H.R. 290. A bill to expand research regarding inflammatory bowel disease, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. KELLY:

H.R. 291. A bill to amend title 18, United States Code, to increase the mandatory minimum penalties provided for possessing, brandishing, or discharging a firearm during and in relation to a crime of violence or drug trafficking crime; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 292. A bill to amend title 4, United States Code, to add National Korean War Veterans Armistice Day to the list of days on which the flag should especially be displayed; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 293. A bill to amend title 18, United States Code, to prohibit taking a child hostage in order to evade arrest; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 294. A bill to amend title 38, United States Code, to improve the automobile assistance program for disabled veterans; to the Committee on Veterans' Affairs.

By Mrs. KELLY:

H.R. 295. A bill to amend the Internal Revenue Code of 1986 to require group health plans to provide coverage for reconstructive surgery following mastectomy, consistent with the Women's Health and Cancer Rights Act of 1998; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 296. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. KIRK):

H.R. 297. A bill to require any amounts remaining in a Member's Representational Allowance at the end of a fiscal year to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on House Administration.

By Mr. KING of New York (for himself and Mr. ENGEL):

H.R. 298. A bill to posthumously award congressional gold medals to government workers and others who responded to the attacks on the World Trade Center and the Pentagon and perished and to people aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash, to require the Secretary of the Treasury to mint coins in commemoration of the Spirit of America, recognizing the tragic events of September 11, 2001, and for other purposes; to the Committee on Financial Services.

By Mr. KING of New York:

H.R. 299. A bill to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the ''Gerard A. Fiorenza Post Office Building''; to the Committee on Government Reform.

By Mr. KING of New York (for himself, Mr. ISTOOK, Mr. PAUL, Mr. NORWOOD, Mr. DOOLITTLE, Mr. DUNCAN, Mr. CRANE, Mr. FLAKE, Mr. DEAL of Georgia, Mr. HAYWORTH, Mr. WELDON of Florida, Mr. BARTLETT of Maryland, Mr. ROHRABACHER, Mr. TANCREDO, Mr. EVERETT, Mrs. CUBIN, Mr. HALL, Mr. COBLE, Mr. PLATTS, Mr. WICKER, Mr. RYUN of Kansas, Mr. BUYER, Mr. NEY, Mr. SAM JOHNSON of Texas, Mr. AKIN, Mr. GOODLATTE, Mr. GOODE, Mr. BURR, and Mr. FORBES):

H.R. 300. A bill to provide that Executive Order 13166 shall have no force or effect, and to prohibit the use of funds for certain purposes; to the Committee on Government Reform.

By Mr. KNOLLENBERG:

H.R. 301. A bill to amend the Internal Revenue Code of 1986 to eliminate the tax on the net capital gain of taxpayers other than corporations; to the Committee on Ways and Means.

By Mr. MCINTYRE:

H.R. 302. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives and job training grants for communities affected by the migration of businesses and jobs to Canada or Mexico as a result of the North American Free Trade Agreement; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. EVANS, Mr. WHITFIELD, Mr. FILNER, Mr. ROSS, Mr. HASTINGS of Washington, Mr. PAYNE, Mr. BARTLETT of Maryland, Mr. JONES of North Carolina, Mr. MILLER of Florida, Mr. RODRIGUEZ, Mr. NADLER, Mr. EDWARDS, Mr. BOOZMAN, Mr. KENNEDY of Minnesota, Mr. BONILLA, Mr. SHAW, Mrs. WILSON of New Mexico, Mr. LEVIN, Mr. GOODLATTE, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. OSBORNE):

H.R. 303. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of their years of military service and disability compensation from the Department of Veterans Affairs for their disability; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCNULTY:

H.R. 304. A bill to authorize the President to award the Medal of Honor posthumously to Henry Johnson for acts of valor during World War I; to the Committee on Armed Services.

By Mr. MCNULTY:

H.R. 305. A bill to establish the Kate Mullany National Historic Site in the State of New York, and for other purposes; to the Committee on Resources.

By Mr. GARY G. MILLER of California (for himself, Mr. CALVERT, and Mr. DOOLEY of California):

H.R. 306. A bill to amend the Safe Drinking Water Act to provide procedures for claims relating to drinking water; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas (for himself, Mr. OSBORNE, Mr. LUCAS of Oklahoma, Mr. JOHNSON of Illinois, Mr. MCINTYRE, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. BOSWELL, Mr. BEREUTER, Mr. LAHOOD, Mr. SHIMKUS, Mr. GOODE, Mr. RYUN of Kansas, Mr. STUPAK, Mr. LATOURETTE, Mr. MOORE, Mr. WELLER, Mr. UDALL of New Mexico, Mrs. MUSGRAVE, Mrs. CUBIN, Mr. WALDEN of Oregon, Mr. REHBERG, and Mr. PETERSON of Pennsylvania):

H.R. 307. A bill to provide emergency disaster assistance to agricultural producers to respond to severe crop losses and livestock losses incurred in 2001 and 2002, and for other purposes; to the Committee on Agriculture.

By Mr. NADLER:

H.R. 308. A bill to provide for the resolution of certain labor issues relating to the merger of the Metro-North Railroad and the Long Island Rail Road; to the Committee on Transportation and Infrastructure.

By Mr. NUNES:

H.R. 309. A bill to direct the Secretary of the Interior to conduct a study to determine the feasibility of increasing the capacity of water storage, increasing power generation, improving water supply reliability and quality, improving water management efficiency, and improving ecosystem function and flood control on the San Joaquin River through the construction of a reservoir at Temperance Flat and other reasonable measures; to the Committee on Resources.

By Mr. OSBORNE (for himself, Mr. BEREUTER, Mr. POMEROY, Mr. PAUL, Mr. NETHERCUTT, Mr. FLAKE, Mr. WAMP, Mr. KENNEDY of Minnesota, Mr. WHITFIELD, Mr. GREEN of Wisconsin, Mr. WILSON of South Carolina, Mr. FROST, Mr. SMITH of Michigan, Mrs. EMERSON, Mr. REHBERG, Mr. LEWIS of Kentucky, and Mr. SOUDER):

H.R. 310. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence; to the Committee on Ways and Means.

By Mr. PENCE (for himself, Mr. TOOMEY, Mrs. MYRICK, Mrs. JO ANN DAVIS of Virginia, Mr. GOODE, Mr. PITTS, Mr. KING of Iowa, Mr. CHOCOLA, Mr. RYUN of Kansas, Mr. TANCREDO, Mr. AKIN, Mr. WILSON of South Carolina, Mr. PEARCE, Mr. HOSTETTLER, Mr. HOEKSTRA, Mr. FEENEY, Mr. SOUDER, Mr. FLAKE, Mr. BURTON of Indiana, Mr. TERRY, Mr. TIAHRT, Mr. SHADEGG, Mr. SESSIONS, Mr. OTTER, Mr. ADERHOLT, Mr. WELDON of Florida, Mr. RYAN of Wisconsin, Mr. BARRETT of South Carolina, Mr. DEMINT, Mr. CULBERSON, Mr. DOOLITTLE, Mr. GARRETT of New Jersey, and Mr. SULLIVAN):

H.R. 311. A bill to amend the Internal Revenue Code of 1986 to provide a 10 percent maximum capital gains tax for individuals; to the Committee on Ways and Means.

By Mr. PETRI (for himself, Mr. KIRK, and Mr. FRANKS of Arizona):

H.R. 312. A bill to amend the Internal Revenue Code of 1986 to allow a dividends paid deduction; to the Committee on Ways and Means.

By Mr. RAHALL (for himself and Mr. NEY):

H.R. 313. A bill to modify requirements relating to allocation of interest that accrues to the Abandoned Mine Reclamation Fund; to the Committee on Resources.

By Mr. ROYCE (for himself, Mr. KANJORSKI, Mr. JONES of North Carolina, Mr. PAUL, Mr. SHERMAN, Mr. MEEKS of New York, and Mrs. MALONEY):

H.R. 314. A bill to amend the Fair Debt Collection Practices Act to exempt mortgage servicers from certain requirements of the Act with respect to federally related mortgage loans secured by a first lien, and for other purposes; to the Committee on Financial Services.

By Mr. SAXTON:

H.R. 315. A bill to amend the Internal Revenue Code of 1986 to remove the requirement of a mandatory beginning date for distributions from individual retirement plans; to the Committee on Ways and Means.

By Mr. SHIMKUS (for himself, Ms. MCCARTHY of Missouri, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. KIRK, and Mr. LIPINSKI):

H.R. 316. A bill to eliminate certain restrictions on the availability of credits under title III of the Energy Policy Act of 1992 for the use of biodiesel fuel, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHIMKUS:

H.R. 317. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991, relating to a rural access project in Mt. Vernon, Illinois; to the Committee on Transportation and Infrastructure.

By Mr. SHIMKUS (for himself, Ms. MCCARTHY of Missouri, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. KIRK, and Mr. MANZULLO):

H.R. 318. A bill to amend title 23, United Sates Code, to require consideration under the congestion mitigation and air quality improvement program of the extent to which a proposed project or program reduces sulfur or atmospheric carbon emissions, to make renewable fuel projects eligible under that program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STUPAK:

H.R. 319. A bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT:

H.R. 320. A bill to amend the Internal Revenue Code of 1986 to allow expanded penalty-free withdrawals from certain retirement plans during periods of unemployment for any employee of an air carrier or of a manufacturer of aircraft or parts or components of aircraft; to the Committee on Ways and Means.

By Mr. TOOMEY:

H.R. 321. A bill to establish limits on medical malpractice claims, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS:

H.R. 322. A bill to amend title XIX of the Social Security Act to assure coverage for legal immigrant children and pregnant women under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce.

By Mr. VISCLOSKY (for himself, Mr. LYNCH, Mr. WYNN, Mr. OBERSTAR, and Mr. STUPAK):

H.R. 323. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide for joint trusteeship of single-

employer pension plans; to the Committee on Education and the Workforce.

By Mr. VITTER:

H.R. 324. A bill to restore the consent of Congress to the Northeast Interstate Dairy Compact and to grant the consent of Congress to the Southern Dairy Compact, a Pacific Northwest Dairy Compact, and an Intermountain Dairy Compact; to the Committee on the Judiciary.

By Mr. VITTER:

H.R. 325. A bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit against income tax for individuals who purchase a residential safe storage device for the safe storage of firearms; to the Committee on Ways and Means.

By Mr. VITTER:

H.R. 326. A bill to amend the Internal Revenue Code of 1986 to eliminate the double taxation of dividends; to the Committee on Ways and Means.

By Mr. WHITFIELD:

H.R. 327. A bill to authorize the President to award the Medal of Honor posthumously to Garlin Murl Conner for acts of valor during World War II; to the Committee on Armed Services.

By Mr. WHITFIELD (for himself, Ms. DEGETTE, Mr. DREIER, Ms. PELOSI, Mr. RADANOVICH, Ms. ESHOO, Mr. SHIMKUS, and Mr. GUTIERREZ):

H.R. 328. A bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000; to the Committee on Energy and Commerce.

By Mrs. WILSON of New Mexico:

H.R. 329. A bill to improve mathematics and science instruction in elementary and secondary schools by authorizing the Secretary of Education to make grants for regional workshops designed to permit educators to share successful strategies for such instruction; to the Committee on Education and the Workforce.

By Mrs. WILSON of New Mexico (for herself, Mr. BLUNT, Mr. BURR, Mr. FOSSELLA, Mr. NORWOOD, Mrs. TAUSCHER, Mr. WAMP, and Mr. WHITFIELD):

H.R. 330. A bill to extend indemnification authority under section 170 of the Atomic Energy Act of 1954, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina:

H.R. 331. A bill to amend title 10, United States Code, to provide that military retired pay for nonregular service shall be paid without regard to the age of a person otherwise eligible for such retired pay, rather than commencing when an otherwise eligible person attains age 60; to the Committee on Armed Services.

By Mr. WILSON of South Carolina:

H.R. 332. A bill to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era to assess the suitability and feasibility of designating the study area as a unit of the National Park System; to the Committee on Resources.

By Mr. WU (for himself, Mr. HONDA, Mr. MATSUI, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Ms. BORDALLO, Mr. HINCHEY, Mr. SCHIFF, Ms. WATSON, Mr. SERRANO, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Ms. LOFGREN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLUMENAUER, Mr. WYNN, and Ms. MILLENDER-MCDONALD):

H.R. 333. A bill to amend the Higher Education Act of 1965 to authorize grants for institutions of higher education serving Asian Americans and Pacific Islanders; to the Committee on Education and the Workforce.

By Mr. SKELTON (for himself, Ms. PELOSI, Ms. HARMAN, Mr. MURTHA, Mr. SPRATT, Mr. DICKS, Mr. WAXMAN, Mr. EVANS, Mr. SNYDER, Mr. DELAHUNT, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. ISRAEL, Mrs. MCCARTHY of New York, Mr. TURNER of Texas, Mr. BROWN of Ohio, Mr. ENGEL, Mr. MCNULTY, Mr. GEORGE MILLER of California, Mr. OBERSTAR, Mr. BOYD, Mr. SERRANO, Mr. EDWARDS, Mr. HOLDEN, Mr. ROTHMAN, Mr. ROSS, Mr. THOMPSON of California, Mr. RAHALL, Mr. KILDEE, Mrs. DAVIS of California, Mr. CARSON of Oklahoma, Ms. LOFGREN, Ms. KILPATRICK, Mr. LAMPSON, Mr. JOHN, Mr. TANNER, Mr. HOLT, Mr. ETHERIDGE, and Mr. ORTIZ):

H.J. Res. 12. A joint resolution commending the members of the United States Armed Forces; to the Committee on Armed Services.

By Ms. PRYCE of Ohio:

H. Con. Res. 8. A concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. GOODE (for himself, Mr. BACHUS, Mrs. JO ANN DAVIS of Virginia, Mr. JONES of North Carolina, Mr. LEWIS of Kentucky, and Mrs. MYRICK):

H. Con. Res. 9. Concurrent resolution urging the President to negotiate a new base rights agreement with the Government of the Republic of Panama in order for United States Armed Forces to be stationed in Panama for the purposes of defending the Panama Canal; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida:

H. Con. Res. 10. A concurrent resolution condemning the Democratic People's Republic of Korea for its failure to comply with the Treaty on the Non-Proliferation of Nuclear Weapons and the U.S.-North Korea Agreed Framework of 1994; to the Committee on International Relations.

By Mr. MCNULTY:

H. Con. Res. 11. A concurrent resolution expressing the sense of Congress regarding the primary author and the official home of ''Yankee Doodle''; to the Committee on Government Reform.

By Mr. CLYBURN:

H. Res. 22. A resolution electing certain ranking minority members to standing committees; considered and agreed to.

By Mr. CLYBURN:

H. Res. 23. A resolution designating minority membership on certain standing committees of the house; considered and agreed to.

By Ms. PRYCE of Ohio:

H. Res. 24. A resolution electing chairmen of certain standing committees of the House.

By Mr. OSBORNE (for himself, Mr. KELLER, Ms. MCCOLLUM, Mrs. DAVIS of California, Mr. FORD, Mr. WAXMAN, Mr. BEREUTER, Mr. CARSON of Oklahoma, Mr. BAIRD, Mr. ETHERIDGE, and Mr. NEAL of Massachusetts):

H. Res. 25. A resolution supporting efforts to promote greater awareness of the need for youth mentors and increased involvement with youth through mentoring; to the Committee on Education and the Workforce.

By Mr. VITTER:

H. Res. 26. A resolution honoring the contributions of Catholic schools; to the Committee on Education and the Workforce.

By Mr. WYNN:

H. Res. 27. A resolution concerning the establishment of a permanent United Nations security force; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ALLEN:

H.R. 334. A bill for the relief of Nancy B. Wilson; to the Committee on the Judiciary.

By Mr. WILSON of South Carolina:

H.R. 335. A bill for the relief of Jaya Gulab Tolani and Hitesh Gulab Tolani; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. HILL, Mr. EVANS, Mr. GORDON, and Mr. UDALL of New Mexico.

H.R. 20: Mr. SWEENEY.

H.R. 24: Mr. MEEHAN.

H.R. 33: Mr. HALL, Mr. PICKERING, Mr. STUPAK, Mr. CARSON of Oklahoma, and Mr. MCINNIS.

H.R. 34: Mr. DAVIS of Florida, Mr. ALLEN, Mr. ROGERS of Michigan, and Mr. SMITH of Washington.

H.R. 41: Mr. BLUMENAUER, Mr. MCGOVERN, Mr. BACA, Mr. HALL, Mr. Engle, Mr. ALLEN, Mr. STENHOLM, Mr. BAIRD, Mr. SCHIFF, and Mr. KILDEE.

H.R. 47: Mr. FALEOMAVAGEA.

H.R. 49: Mr. HEFLEY, Mr. FEENEY, Mr. BARTON of Texas, Mr. WILSON of South Carolina, Mr. CRANE, Mr. WELLER, Mr. AKIN, Mr. GRAVES, Mr. KIRK, and Mr. WALDEN of Oregon.

H.R. 57: Mrs. JO ANN DAVIS of Virginia, Mr. BACHUS, Mr. SIMPSON, Mr. BAKER, Mrs. EMERSON, and Mr. OXLEY.

H.R. 111: Mr. MCNULTY, Mr. WALDEN of Oregon, Mr. SMITH of Washington, Mr. ALLEN, Mr. SCHIFF, Mr. PLATTS, and Mrs. CUBIN.

H.R. 127: Mr. HONDA, Mr. TOWNS, Ms. LOFGREN, Mr. SERRANO, Mr. FROST, Mr. PASCRELL, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 156: Mr. ENGLISH.

H.R. 160: Mr. STUPAK.

H.R. 167: Mr. DEUTSCH and Mrs. KELLY.

H.R. 172: Mr. MCNULTY.

H.R. 179: Mr. SMITH of Michigan.

H.R. 182: Mr. HOEFFEL, Ms. NORTON, and Mr. BEREUTER.

H.R. 218: Mr. DINGELL, Mr. NEY, Mr. ANDREWS, Mr. COMBEST, Mrs. EMERSON, Mr. LOBIONDO, Mr. LUCAS of Oklahoma, Mr. CARSON of Oklahoma, Mr. SKELTON, Mr. PALLONE, Mr. PASCRELL, Mr. HOLT, and Mr. RYAN of Wisconsin.

H.J. Res. 3: Mrs. CAPPS, Mr. BOOZMAN, Mr. BASS, Mr. KIRK, Mr. HOUGHTON, Mr. TURNER of Ohio, Mr. BEREUTER, Mr. SCOTT of Georgia, Mr. KINGSTON, Mr. WILSON of South Carolina, Mr. SHERWOOD, Mr. ROGERS of Michigan, Mr. HAYWORTH, Mr. GORDON, Mr. ANDREWS, Mr. THORNBERRY, Mr. SIMMONS, Mr. HOBSON, Mr. ISTOOK, Mr. SHAW, Mr. BISHOP of Georgia, Mr. SAXTON, Mr. STENHOLM, Mr. SMITH of New Jersey, Mr. LOBIONDO, and Mr. SESSIONS.

H. Res. 17: Mr. HILL.

H. Res. 21: Mr. CONYERS and Mr. KUCINICH.

EXTENSIONS OF REMARKS

THE CHILDREN'S ACCESS TO TECHNOLOGY ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise today to reintroduce the Children's Access to Technology Act providing the disadvantaged children of this country with the technology they need to succeed in life. My legislation will provide Title I schools with additional financial resources to modernize their Internet delivery tools. Specifically, this legislation will utilize any unspent e-rate funding to provide Title I schools with a maximum $25,000 award to modernize their Internet labs.

Mr. Speaker, the e-rate program has been very effective in bringing the Internet to libraries and classrooms across America. As a strong supporter of that program, I was disturbed to learn that crucial e-rate funding was going unspent because recipients were not following through with their paperwork confirming receipt of service. The Universal Service Administrative Company (USAC) is working to improve the timely utilization of authorized grants to approved school and library systems, but there will always be some unexpended funds in the program.

Because any unspent e-rate funding is lost at the end of each program year, my legislation will create a new funding mechanism, using any unspent monies, that will allow Title I schools to update their computer hardware. Specifically, the legislation directs the Federal Communications Commission (FCC) to establish a lottery system for Title I schools to enter and be eligible to receive up to $25,000 to modernize their computer hardware.

In light of President Bush's commitment to strengthen and streamline the e-rate program, I believe we must ensure that all funding made available through the USAC be spent on improving our children's access to new and innovative technology. While I understand USAC has taken steps to speed the grant process and close the unexpended funding gap, I still believe there will always be some unallocated funding at the end of each program year. In these instances, my legislation will provide an additional benefit to truly needy schools that are struggling to improve the delivery of Internet services to their students.

Our children are our future; without innovating new approaches to provide better tools in our classroom, the now-passable digital divide will become an impenetrable digital barrier, unbreachable no matter how much funding we throw at the problem.

Mr. Speaker, this is a complimentary piece of education legislation when compared with President Bush's proposals and will further enhance the educational opportunities of our children.

NOTCH BABY HEALTH CARE RELIEF ACT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, today I am again introducing legislation to assist the over 6 million senior citizens who have been negatively impacted the Social Security Amendments of 1977. Seniors born between the years of 1917 and 1926—the Notch Babies—have received lower Social Security monthly payments that those seniors born shortly before or after this ten year period. My legislation, the Notch Baby Health Care Relief Act, will offset the reduction in Social Security benefits by providing a tax credit for Medicare Part B premiums.

The approach taken in this bill is different than taken by my Notch Baby Act of 2001 or in any other Notch bill that has been introduced. This legislation is particularly noteworthy because it was suggested to me by one of my constituents—adjust Medicare Part B premiums for senior citizens born between the years 1917 and 1926, their spouses and their widows or widowers. The bill also eliminates the Medicare Part B premium late enrollment penalty for these individuals.

As health care expenses can take up a large portion of a senior's retirement income, this tax credit can go a long way to both correct the inequity caused by the Notch and to help seniors meet their health care needs. I urge my colleagues to review the Notch Baby Heath Care Relief Act, to discuss this legislation with the seniors in their districts, and to join me in cosponsoring this important legislation.

HONORING THE CONCLUSION OF ALAMEDA BOARD OF EDUCATION TRUSTEE ANNA ELEFANT'S TENURE ON THE SCHOOL BOARD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I rise to honor Anna Elefant on the completion of her second term as trustee of the Alameda Board of Education.

An eight-year veteran on the school board, Ms. Elefant has the maximum number of terms allowed under district term limits. In 1997 and 2001 she served as Board President, and as Board Chair of the successful 2001 ''Measure A'' School Parcel Tax Campaign.

Ms. Elefant has also served the Board as a member of the Superintendent's Woodstock Child Development Center Advisory Team, as Board Representative to the California School Age Families' Education program at Island High School, as Board Chair of the search for a new superintendent of schools in 2000, and as Board Representative to the City of Alameda Economic Task Force.

Ms. Elefant is a passionate advocate of educational excellence. She has supported innovative programs such as year-round education, developmental education, and open enrollment for special programs.

A persistent lobbyist, she has worked at state and local levels to increase funding for the Alameda Unified School District. In November of 2001 she successfully rallied the community to pass the city's first school funding parcel tax. She provided courageous leadership to settle a historic 3–year closed salary contract,, and helped district employee groups in rebuilding trust in the district.

The mother of three children attending Alameda public schools, Ms. Elefant was the first PTA co-president of Bay Farm Elementary School when it opened its doors in 1992.

I am honored to commend Anna Elefant for her years of service to the Alameda Board of Education. A dedicated member of the Board of Education, Elefant has continually worked to expand the District's vision of meeting the educational needs of all students.

SOCIAL SECURITY PRESERVATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. PAUL. Mr. Speaker, I rise to protect the integrity of the Social Security trust fund by introducing the Social Security Preservation Act. The Social Security Preservation Act is a rather simple bill which states that all monies raised by the Social Security trust fund will be spent in payments to beneficiaries, with excess receipts invested in interest-bearing certificates of deposit. This will help keep Social Security trust fund monies from being diverted to other programs, as well as allow the fund to grow by providing for investment in interest-bearing instruments.

The Social Security Preservation Act ensures that the government will keep its promises to America's seniors that taxes collected for Social Security will be used for Social Security. When the government taxes Americans to fund Social Security, it promises the American people that the money will be there for them when they retire. Congress has a moral obligation to keep that promise.

The return of massive federal deficits, and the accompanying pressure for massive new raids on the trust fund, make it more important than ever that Congress protect the trust fund from big spending, pork-barrel politics. I call upon all my colleagues, regardless of which proposal for long-term Social Security reform they support, to stand up for America's seniors by cosponsoring the Social Security Preservation Act.

IN SUPPORT OF THE LABOR RELATIONS FIRST CONTRACT NEGOTIATIONS ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise today in support of the Labor Relations First Contract Negotiations Act.

The National Labor Relations Act guarantees the right of employees to organize and bargain collectively to improve living standards and working conditions. The right to organize is a basic civil right, and unions are an avenue to equity, fair treatment, and economic stability for working people. Free enterprise includes the freedom to organize as a unit to bargain collectively. Unfortunately, current law hinders this ability. To remedy this serious situation, I have introduced the Labor Relations First Contract Negotiations Act.

My legislation requires mediation and, if necessary, binding arbitration of initial contract negotiation disputes. Under this proposed bill, if an employer and a newly elected representative have not reached a collective bargaining agreement within 60 days of the representative's certification, the employer and the representative will jointly select a mediator to help them reach an agreement. If they cannot agree on a mediator, one will be appointed for them by the Federal Mediation and Conciliation Service. In the event that the parties do not reach an agreement in 30 days, the remaining issues may be transferred to the Federal Mediation and Conciliation Service for binding arbitration. Let us make sure that everyone has a fair opportunity to negotiate a collective bargaining agreement. I urge my colleagues to join me in cosponsoring this legislation.

THE ANSONIA POP WARNER JUNIOR PEEWEE CHEERLEADERS ON THEIR TRIP TO THE NATIONAL CHAMPIONSHIPS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Ms. DELAURO. Mr. Speaker, it is with the greatest pride that I rise today to extend my sincere congratulations and very best wishes to the Ansonia Pop Warner Junior PeeWee Cheerleaders as they make their way to Orlando, Florida to compete in the National Championships. The Junior PeeWee Cheerleaders join the Ansonia Coppers Midget Football team who are also in Orlando for their National Championship game. The Ansonia community certainly has cause for celebration with the tremendous accomplishments of these young people.

A squad of eighteen girls between the ages of eight and ten, the Ansonia Junior PeeWee Cheerleaders have worked very hard over the last several months to be able to compete in this year's competitions. Coming together in August, the girls practiced for two hours four nights a week and, after the start of the school year, three nights a week. This fall, the squad was able to perform live, cheering for the Ansonia Coppers every Sunday.

The dedication and commitment these girls have demonstrated is truly inspiring. They have worked so hard to master the required high-level tumbling skills and the necessary symmetry of their movements. The girls haven't missed a beat, even when, during the regional competition, a judge accidently stopped their music halfway through their routine. In Orlando, the girls will face seventeen other teams. They should certainly be very proud of what they have already been able to accomplish and I have no doubt that they will represent Ansonia and Connecticut well in the Championships.

I am also pleased to recognize Judy Banks, a Pop Warner cheerleading coach for thirteen years, who has worked with the girls since August of this year. Her leadership and energy has been the driving force behind the success of the Ansonia Junior PeeWee Cheerleaders. In addition, I would also extend a note of thanks and appreciation to the parents and volunteers whose support has enabled the girls to practice and travel for their competitions. Without their efforts, the success of the Ansonia Junior PeeWee Cheerleaders would not be possible.

I am thrilled to join the Ansonia community in extending my sincere congratulations and very best wishes to the Ansonia Pop Warner Junior PeeWee Cheerleaders as they head to their National Championship competition. I, as well as the entire community, will be rooting for you! Win or lose, you have made us very proud!

INTRODUCTION OF LEGISLATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, I rise today to introduce the Notch Baby Act of 2003, which would create a new alternative transition computation formula for Social Security benefits for those seniors born between 1917 and 1926. These seniors, who are generally referred to as ''Notch Babies,'' have been receiving lower monthly Social Security benefits than seniors born the years just prior to or after this ten year period.

There are those who dispute the existence of a Notch problem. However, take into consideration the following example presented in a 1994 report by the Commission on Social Security Notch issue. There are two workers who retired at the same age with the same average career earnings. One was born on December 31, 1916 and the other was born on January 2, 1917. Both retired in 1982 at the age of 65. The retiree born 1917 received $110 a month less in Social Security benefits than did the retiree born just two weeks before in 1916. Also take into consideration that there are currently millions of seniors in our Nation who are faced with this painfully obvious inequity in the Social Security benefit computation formula.

By phasing in an improved benefit formula over five years, the Notch Baby Act of 2003 will restore fairness and equality in the Social Security benefit computation formula for the Notch Babies. For once and for all this legislation would put to rest the Notch issue, and it would put an end to the constant barrage of mailings and fundraising attempts, which target our Nation's seniors in the name of Notch reform. Our seniors deserve fairness and equality in the Social Security system. They deserve an end to the repeated Congressional stalling on this issue. I urge my colleagues in the House to discuss this issue with the seniors in their districts, and to join me in ensuring that the Notch issue is addressed in the 108th Congress.

HONORING SAN LORENZO UNIFIED SCHOOL BOARD OF EDUCATION MEMBER BETTY MOOSE'S TENURE ON THE SCHOOL BOARD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I rise today to honor Betty Moose for twenty-one years of exemplary service to the San Lorenzo Unified School District as a member of the Board of Education.

First elected to the Board in 1981, Betty was elected by her fellow Board members to serve as president of the Board from December 2000 to December 2001. Previously, she was vice-president and clerk of the Board.

As a Board Member, Betty has been strongly committed to helping children in all aspects of their development and education. She has proudly represented the San Lorenzo Unified School District on numerous local and state committees and commissions. She is especially pleased with her accomplishments as a 17–year member of the Hayward Area Shoreline Planning Agency and as a member of the San Leandro Collaborative for Children, Youth, and their Families.

Betty has also worked on the San Lorenzo Unified School District Drug Advisory Council, the Citizens Advisory Committee to the Sheriff, the San Lorenzo Area Youth Advisory Commission, and the California School Boards Association Legislative Network.

An active and dynamic community activist, Betty has served on the boards of many organizations. She has been president of the San Lorenzo Area Friends of the Library, the Gray Panthers of Southern Alameda County, and the San Lorenzo Heritage Society. She is a member and first co-chair of the National Women's Political Caucus of Southern Alameda County.

Betty has also served as Vice-President of the Fairmont Hospital Campus Service League and the Church Women United of the Eden Area and Chair of the Alameda County Consumer Affairs Commission and the San Lorenzo Youth Resource Group. Betty's other memberships include the Eden Area League of Women Voters and the California Women's Association for Education reform.

Betty has been married to Claude C. Moose for 56 years, and the couple has lived in San Lorenzo for 50 years. Their five children attended San Lorenzo schools, and graduated from Arroyo High School.

I am honored to commend Betty Moose for her years of service to the San Lorenzo Board of Education. Although San Lorenzo will no longer have the benefit of Betty's wisdom and experience as a School Board member, I know she will continue to be involved in the

community. We look forward to her continued contributions. I value her longtime friendship and appreciate all she does for others.

''SAY 'NO' TO UNESCO'' ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. PAUL. Mr. Speaker, I rise today to introduce a bill expressing the sense of the Congress that the United States should not rejoin the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

Mr. Speaker, in 1984 President Ronald Reagan withdrew the United States from membership in that UNESCO, citing egregious financial mis-management, blatant anti-Americanism, and UNESCO's general anti-freedom policies. President Reagan was correct in identifying UNESCO as an organization that does not act in America's interest, and he was correct in questioning why the United States should fund 25 percent of UNESCO's budget for that privilege.

Those calling for the United States to rejoin UNESCO claim that the organization has undertaken fundamental reforms and therefore the United States should re-join. It is strange that in the 18 years since the United States left UNESCO, we only started reading about the beginnings of reform in the year 2000. Are we to believe that after nearly two decades of no change in UNESCO's way of mis-managing itself things have changed so much in just two years? Is it worth spending $60 million per year on an organization with such a terrible history of waste, corruption, and anti-Americanism?

Mr. Speaker, even if UNESCO has been ''reforming'' its finances over the past two years, its programmatic activities are still enough to cause great concern among those of us who value American sovereignty and honor our Constitution. Consider the following as a partial list of UNESCO's ongoing highly questionable activities:

UNESCO meddles in the education affairs of its member-countries and has sought to construct a U.N.-based school curriculum for American schools.

UNESCO has been fully supportive of the United Nations' Population Fund (UNFPA) in its assistance to China's brutal coercive population control program.

UNESCO has designated 47 U.N. Biosphere Reserves in the United States covering more than 70 million acres, without Congressional consultation.

UNESCO effectively bypasses Congressional authority to manage federal lands, by establishing management policies without Congressional consultation of approval.

Mr. Speaker, I hope all members of this body will join me in opposing renewed U.S. membership in the United Nations Educational, Scientific, and Cultural Organization by co-sponsoring this ''Say 'No' to UNESCO'' act.

HONORING WILLIAM H. CARBONE FOR HIS CONTRIBUTIONS TO THE CONNECTICUT JOB CORPS CENTER

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the Connecticut Job Corps Center in honoring one of our community's most active leaders and my dear friend, William H. Carbone. For his outstanding contributions and invaluable assistance, Bill will receive an honorary membership in the Job Corps Alumni Association as the Connecticut Job Corps Center celebrates the graduation of eighty students.

Since its inception only six years ago, the Connecticut Job Corps Center has helped hundreds of students between the ages of sixteen and twenty-four develop the skills and training they need to obtain jobs that will allow them to provide for themselves and their families. By building partnerships with businesses throughout Greater New Haven, students who successfully complete the Center's rigorous program have access to real careers.

Upon the announcement of its opening in 1996, the Center found an immediate advocate and resource in Bill Carbone. Knowing that young people who have access to job training and a job are likely to stay away from the state's correctional system, Bill initially contacted the Center in an effort to provide a positive step for young people completing the Alternative Incarceration Program. Through this effort, three Job Corps Judicial Liaisons have guided nearly two hundred young people to successfully participate in the Connecticut Job Corps Center's judicial program. Many of these young people have attained their GED, completed vocational training, obtained jobs and so much more. Bill's efforts have created invaluable opportunities for these young people, giving them one of life's most precious gifts—hope.

Our communities would not be the same without the generosity and compassion of those who dedicate themselves to enriching the lives of others. Throughout his career, Bill has worked hard to ensure that some of our community's most vulnerable citizens have access to opportunity. The Greater New Haven area is certainly fortunate to have an individual like Bill working on our behalf. He is a true community treasure.

It is with my deepest thanks and appreciation that I rise today to join the Connecticut Job Corps Center in paying tribute to William H. Carbone. His unwavering support and tireless efforts have touched countless lives and has left an indelible mark on this community.

IN SUPPORT OF THE LOW INCOME FAMILIES FLOOD INSURANCE ACCESS ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, in June of 2001, Texas and other States witnessed the damage wrought by Tropical Storm Allison after it swept through Texas and up the East Coast, and the importance of the National Flood Insurance Program (NFIP) really hit home. Thousands of my constituents suffered substantial flood damage to their homes and businesses, but many of these losses were mitigated because they had federal flood insurance.

Unfortunately, not all my constituents who needed flood insurance could afford to purchase a policy. Because of a recent redraw of Houston's Flood Insurance Rate Map (FIRM) many of my low-income folks were brought into the 100-year flood plain, but could not afford the insurance. As a consequence of my constituents' experience, I rise today to introduce the Low Income Families Flood Insurance Access Act.

This legislation helps bridge the insurance gap between those that can afford a flood policy and those that cannot. The bill would provide discounted flood insurance over a five-year term for low-income homeowners or renters whose primary residence is placed within a Special Flood Hazard Area (flood plain) by a redraw of the Flood Insurance Rate Map (FIRM). If their property is worth no more than $75,000, they would be eligible to receive a 50% discount on their flood insurance premiums for a five-year period.

It also provides for limited retroactivity if their residence is placed within the flood plain within two years of the enactment of the legislation; otherwise, the five years would begin upon the placement of the property within the flood plain. I hope that this legislation will not only increase participation in the National Flood Insurance Program (NFIP), but make this program more affordable for the economically disadvantaged. It provides an incentive for those who are most vulnerable to huge losses in floods to get the protection they need at a price they can afford.

The NFIP plays a crucial role in lessening the impact of a major flooding disaster, but to make the program operate most effectively we need greater participation. I believe my legislation will extend the helping hand associated with flood insurance down to those people in greatest need of assistance.

Mr. Speaker, I hope that we can speed this bill through the 108th Congress.

MILITARY RETIREE HEALTH CARE TASK FORCE ACT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, I am here today to introduce the Military Retiree Health Care Task Force Act of 2003. This legislation will establish a Task Force that will look into all of the health care promises and representations made to members of the Uniformed Services by Department of Defense personnel and Department literature. The Task Force will submit a comprehensive report to Congress which will contain a detailed statement of its findings and conclusions. This report will include legislative remedies to correct the great injustices that have occurred to those men and women who served their country in good faith.

Let us not forget why we are blessed with freedom and democracy in this country. The sacrifices made by those who served in the military are something that must never be overlooked. Promises were made to those who served in the Uniformed Services. They were told that their health care would be taken care of for life if they served a minimum of twenty years of active federal service.

Well, those military retirees served their time and expected the government to hold up its end of the bargain. They are now realizing that these were nothing more than empty promises. Those who served in the military did not let their country down in its time of need and we should not let military retirees down in theirs. It's time military retirees get what was promised to them and that's why I am introducing this legislation.

SHRIMP IMPORTATION FINANCING FAIRNESS ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. PAUL. Mr. Speaker, I rise to introduce the Shrimp Importation Financing Fairness Act. This bill aids America's struggling domestic shrimping industry by placing a moratorium on restrictive regulations affecting the shrimping industry. This bill also prevents tax dollars from going to the domestic shrimping industry's major foreign competitors.

The United States domestic shrimping industry is a vital social and economic force in many coastal communities across the United States, including several in my congressional district. A thriving shrimping industry benefits not only those who own and operate shrimp boats, but also food processors, hotels and restaurants, grocery stores, and all those who work in and service these industries. Shrimping also serves as a key source of safe domestic foods at a time when the nation is engaged in hostilities abroad.

Given the importance of a strong shrimping industry to so many Americans, it seems strange that the federal government continues to burden shrimpers with excessive regulations. For example, the federal government has imposed costly regulations, dealing with usage of items such as by catch reduction devices and turtle excluder devices (TEDS), on the industry. The mandatory use of these devices results in a significant reduction in the amount of shrimp caught by domestic shrimpers, thus damaging their competitive position and market share.

Many members of Congress have let the National Marine Fisheries Service, which is the lead federal agency with responsibility to regulate the domestic shrimp industry, know of their displeasure with the unreasonable regulatory burden imposed upon the industry. In response, the agency held briefings with House and Senate staffers as well as industry representatives to discuss how the agency's actions are harming shrimpers.

However, even after hearing first-hand testimony from industry representatives and representatives of communities whose economies rely on a thriving shrimping industry, the agency refuses to refrain from placing regulatory encumbrances upon the domestic shrimping industry. Therefore it is up to Congress to protect this industry from overzealous regulators. The Shrimp Importation Financing Fairness Act provides this protection by placing an indefinite moratorium on all future restrictive regulations on the shrimping industry.

Seven foreign countries (Thailand, Vietnam, India, China, Ecuador, Indonesia, and Brazil) have taken advantage of the domestic shrimping industry's government-created vulnerabilities. These countries each exported in excess of 20,000,000 pounds of shrimp to the United States in the first 6 months of 2002. These seven countries account for nearly 70 percent of all shrimp consumed in the United States in the first six months of this year and nearly 80 percent of all shrimp imported to this country in the same period!

Adding insult to injury, the federal government is forcing American shrimpers to subsidize their competitors! Since 1999, the United States Government has provided more than $1,800,000,000 in financing and insurance for these foreign countries through the Overseas Private Investment Corporation (OPIC). Furthermore, according to the latest available figures, the U.S. current exposure relative to these countries through the Export-Import Bank totals some $14,800,000,000. Thus, the United States taxpayer is providing a subsidy of at least $16,500,000,000 to the home countries of the leading foreign competitors of American shrimpers! Of course, the American taxpayer could be forced to shovel more money to these countries through the International Monetary Fund (IMF).

Many of the countries in question do not have free-market economics. Thus, the participation of these countries in United States-supported international financial regimes amounts to a direct subsidy by American shrimpers to their international competitors. In any case, providing aid to any of these countries indirectly grants benefits to foreign shrimpers because of the fungibility of money.

In order to ensure that American shrimpers are not forced to subsidize their competitors, the Shrimp Importation Financing Fairness Act ends all Export-Import and OPIC subsidies to the seven countries who imported more than 20 million pounds of shrimp in the first six months of 2002. The bill also reduces America's contribution to the IMF by America's pro rata share of any IMF aid provided to one of those seven countries.

Mr. Speaker, it is time for Congress to rein in regulation-happy bureaucrats and stop subsidizing the domestic shrimping industry's leading competitors. Otherwise, the government-manufactured depression in the price of shrimp will decimate the domestic shrimping industry and the communities whose economies depend on this industry. I, therefore, hope all my colleagues will stand up for shrimpers by cosponsoring the Shrimp Importation Financing Fairness Act.

HONORING THE ANSONIA COPPERS ON THEIR TRIP TO THE NATIONAL CHAMPIONSHIPS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Ms. DELAURO. Mr. Speaker, it is with the greatest pride that I rise today to extend my very best wishes to the Ansonia Coppers Junior Midget Football team as they head to the National Championships in Orlando. This group of 24 have worked hard throughout the regular and post seasons for this tremendous opportunity. In addition, their loudest cheering section, the Junior Pee Wee Girls will be on their way to their National Championship competition as well. The Ansonia community certainly has reason to celebrate the accomplishments of these fine young people!

The Ansonia Coppers, a team made up of twenty four boys, ages eleven through thirteen, are undefeated and have played through four rounds of post season games for the opportunity to play in the National Championships. Throughout this season, the Coppers have not only defeated every challenger they have faced, but, more importantly, they have learned one of life's most valuable lessons—teamwork. Football, like all sports, teaches us the value of team work, practice, comradery, and commitment to excellence. These skills will serve these young people well as they begin to make a difference in the world. Working together, they have already accomplished so much. I have every confidence that they will celebrate a great victory in Orlando.

The Ansonia Coppers are members of the Pop Warner Midget Football League which is unique in that all of their support comes from volunteers. From coaches to travel, almost every aspect of the team's playing is due to the support of community volunteers. It is with great pleasure that I also recognize Head Coach Ron Commune, Assistant Coaches Bob Jones, Bill Mikita, Mike Simon, Carl Williams, and Jay Frattalone, and Team Mom Michelle Spader—all of whom have worked hard to give these young people the chance to play! Without their efforts, the success of the Ansonia Coppers would not be possible.

I am thrilled to join the Ansonia community in extending my sincere congratulations and very best wishes to the Ansonia Coppers as they head to their National Championship game. I, as well as the entire community, will be rooting for you! Win or lose, you have made us very proud!

IN SUPPORT OF THE HUD HOUSING AND SECURITY FLEXIBILITY ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I would like to call to the attention of the House an innovative program created by the Houston office of the Department of Housing and Urban Development (HUD) in conjunction with local law enforcement agencies in the Houston area. This program, utilizing grant money from the Operation Safe Home program, hires off-duty law enforcement officers to provide security and patrol housing complexes and apartments that are owned by or receive funds from HUD. This program has been a great success, and has made residents feel safer and more secure in their homes.

Unfortunately, this program turned out to be too innovative. Although this initiative has been an unqualified success, it turns out that HUD did not have the authority to make these

types of security decisions. I believe that we should allow our local communities and those who know them best the flexibility to pursue the solutions that will decrease violence, drug use, and other crimes that plague much of the public housing in our nation today. I do not believe that Americans who need assistance with housing costs should be forced to live in fear.

That is why I am reintroducing the HUD Housing Security and Flexibility Act. This legislation would allow HUD to hire local law enforcement agencies for these purposes. It authorizes offices that receive or administer funds under either of the aforementioned programs to enter into contracts with police departments and other agencies. These contracts would be limited to three years in length, and would be solely for security, patrols, or other protective services at HUD-owned or -assisted housing.

Mr. Speaker, I feel that this legislation will go a long way towards eliminating crime in our public housing, and making Americans feel safer in their homes. I hope that the Congress will take up this important legislation during the 108th Congress.

PROTECT OUR FLAG

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment for the protection of our nation's flag. The flag is a revered symbol of America's great tradition of liberty and democratic government, and it ought to be protected from acts of desecration that diminish us all.

As you know, there have been several attempts to outlaw by statute the desecration of the flag. Both Congress and state legislatures have passed such measures in recent years, only to be overruled later by decisions of the Supreme Court. It is clear that nothing short of an amendment to the Constitution will ensure that Old Glory has the complete and unqualified protection of the law.

The most common objection to this kind of amendment is that it unduly infringes on the freedom of speech. However, this objection disregards the fact that our freedoms are not practiced beyond the bounds of common sense and reason. As is often the case, there are reasonable exceptions to the freedom of speech, such as libel, obscenity, trademarks, and the like. Desecration of the flag is this kind of act, something that goes well beyond the legitimate exercising of a right. It is a wholly disgraceful and unacceptable form of behavior, an affront to the proud heritage and tradition of America.

Make no mistake, this constitutional amendment should be at the very top of the agenda of this Congress. We owe it to every citizen of this country, and particularly to those brave men and women who have stood in harm's way so that the flag and what it stands for might endure. I urge this body to take a strong stand for what is right and ensure the protection of our flag.

HONORING THE CONCLUSION OF ALAMEDA BOARD OF EDUCATION TRUSTEE BERRESFORD BINGHAM'S TENURE ON THE SCHOOL BOARD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I rise today to honor Berresford ''Berry'' Bingham on the completion of his second term as trustee of the Alameda Board of Education.

An eight-year veteran on the school board, Berry has served the maximum number of terms allowed under district term limits. In 1998 he served as Board President, and he was chair of the District Base Reuse Committee, which monitored the impact on Alameda Schools of the closure of the Alameda Naval Air Station.

The First African-American elected to the Alameda Board of Education, Berry has served as president-elect of the California School Board Association (CSBA) Black Caucus and as a member of CSBA's statewide Parent Task Force. He is also the first Alameda School Board Member to serve in the CSBA Delegate Assembly, where he served four years.

A long time advocate for quality education, Berry has served as Board Representative in negotiating joint agreements with the City of Alameda regarding increased developers' fees, as a Board Member of the Alameda Education Foundation, and as Board Representative to the Oakland-Alameda Regional Occupational Program Advisory Board. Also, he has served as a member of the Urban School Board Council in Sacramento.

Berry is a passionate advocate for innovative educational programs, and he has pushed for district accountability in improving student performance. He holds the district to high academic standards for all students, and he is a tireless supporter of the role of early-childhood education in laying the foundation for academic success.

A deeply caring, ''hands-on'' board member, Berry has made himself accessible to the community at any time of the day or night. When Alameda's Woodstock Child Development Center was at risk of closing due to a large budget deficit, Berry contributed his monthly Board stipend to help offset expenses.

The father of three Alameda public school graduates, Berry is past PTA president of Woodstock Elementary School and Chipman Middle School.

A courageous school board member, Berry never wavered in making decisions that put students first. I am honored to commend Berresford ''Berry'' Bingham for his years of dedicated service to the Alameda Board of Education.

IDENTITY THEFT PREVENTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. PAUL. Mr. Speaker, today I introduce the Identity Theft Prevention Act. This act protects the American people from government-mandated uniform identifiers that facilitate private crime as well as the abuse of liberty. The major provision of the Identity Theft Prevention Act halts the practice of using the Social Security number as an identifier by requiring the Social Security Administration to issue all Americans new Social Security numbers within five years after the enactment of the bill. These new numbers will be the sole legal property of the recipient and the Social Security administration shall be forbidden to divulge the numbers for any purposes not related to Social Security administration. Social Security numbers issued before implementation of this bill shall no longer be considered valid federal identifiers. Of course, the Social Security Administration shall be able to use an individual's original Social Security number to ensure efficient administration of the Social Security system.

Mr. Speaker, Congress has a moral responsibility to address this problem because it was Congress which transformed the Social Security number into a national identifier. Thanks to Congress, today no American can get a job, open a bank account, get a professional license, or even get a driver's license without presenting their Social Security number. So widespread has the use of the Social Security number become that a member of my staff had to produce a Social Security number in order to get a fishing license!

One of the most disturbing abuses of the Social Security number is the congressionally-authorized rule forcing parents to get a Social Security number for their newborn children in order to claim them as dependents. Forcing parents to register their children with the state is more like something out of the nightmares of George Orwell than the dreams of a free republic which inspired this nation's founders.

Congressionally-mandated use of the Social Security number as an identifier facilitates the horrendous crime of identity theft. Thanks to Congress, an unscrupulous person may simply obtain someone's Social Security number in order to access that person's bank accounts, credit cards, and other financial assets. Many Americans have lost their life savings and had their credit destroyed as a result of identity theft—yet the federal government continues to encourage such crimes by mandating use of the Social Security number as a uniform ID!

This act also forbids the federal government from creating national ID cards or establishing any identifiers for the purpose of investigating, monitoring, overseeing, or regulating private transactions between American citizens, as well as repealing those sections of the Health Insurance Portability and Accountability Act of 1996 that require the Department of Health and Human Services to establish a uniform standard health identifier. By putting an end to government-mandated uniform IDs, the Identity Theft Prevention Act will prevent millions of Americans from having their liberty, property and privacy violated by private-and-public sector criminals.

In addition to forbidding the federal government from creating national identifiers, this legislation forbids the federal government from blackmailing states into adopting uniform standard identifiers by withholding federal funds. One of the most onerous practices of Congress is the use of federal funds illegitimately taken from the American people to bribe states into obeying federal dictates.

Mr. Speaker, of all the invasions of privacy proposed in the past decade, perhaps the most onerous is the attempt to assign every American a ''unique health identifier''—an identifier which could be used to create a national database containing the medical history of all Americans. As an OB/GYN with more than 30 years in private practice, I know the importance of preserving the sanctity of the physician-patient relationship. Oftentimes, effective treatment depends on a patient's ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given to their doctor will be placed in a government accessible database?

Some members of Congress may claim that the federal monitoring of all Americans will enhance security. However, the fact is that creating a surveillance state will divert valuable resources away from investigating legitimate security threats into spying on innocent Americans, thus reducing security. The American people would be better served if the government focused attention on ensuring our borders are closed to potential terrorists instead of coming up with new ways to violate the rights of American citizens.

Other members of Congress will claim that the federal government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that in a constitutional republic, the people are never asked to sacrifice their liberties to make the job of government officials easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those members who suggest that Congress can ensure that citizens' rights are protected through legislation restricting access to personal information, the only effective privacy protection is to forbid the federal government from mandating national identifiers. Legislative ''privacy protections'' are inadequate to protect the liberty of Americans for several reasons:

First, it is simply common sense that repealing those federal laws that promote identity theft is more effective in protecting the public than expanding the power of the federal police force. Federal punishment of identity thieves provides cold comfort to those who have suffered financial losses and the destruction of their good reputation as a result of identity theft.

Federal laws are not only ineffective in stopping private criminals, but have not even stopped unscrupulous government officials from accessing personal information. After all, laws purporting to restrict the use of personal information did not stop the well-publicized violations of privacy by IRS officials or the FBI abuses by the Clinton and Nixon administrations.

Just last month, thousands of active-duty soldiers and veterans had their personal information stolen, putting them at risk of identity theft. Imagine the dangers if thieves are able to obtain the universal identifier, and other personal information, of millions of Americans simply by breaking, or hacking, into one government facility or one government database?

Second, the federal government has been creating proprietary interests in private information for certain state-favored special interests. Perhaps the most outrageous example of phony privacy protection is the ''medical privacy'' regulation, which allows medical researchers, certain business interests, and law enforcement officials' access to health care information, in complete disregard of the Fifth Amendment and the wishes of individual patients! Obviously, ''privacy protection'' laws have proven greatly inadequate to protect personal information when the government is the one providing or seeking the information.

The primary reason why any action short of the repeal of laws authorizing privacy violations is insufficient is because the federal government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the federal government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson's advice and ''bind (the federal government) down with the chains of the Constitution.''

Mr. Speaker, those members who are unpersuaded by the moral and constitutional reasons for embracing the Identity Theft Prevention Act should consider the opposition of the American people toward national identifiers. The overwhelming public opposition to the various ''Know-Your-Customer'' schemes, the attempt to turn driver's licenses into National ID cards, as well as the numerous complaints over the ever-growing uses of the Social Security number, show that American people want Congress to stop invading their privacy. Furthermore, according to a survey by the Gallup company, 91 percent of the American people oppose forcing Americans to obtain a universal health ID. Several other recent polls show most Americans remain skeptical that a national ID card would enhance their security or preserve their liberty.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the federal government's unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers threaten all Americans by exposing them to the threat of identity theft by private criminals and abuse of their liberties by public criminals, while diverting valuable law enforcement resources away from addressing real threats to public safety. In addition, national identifiers are incompatible with a limited, constitutional government. I, therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Identity Theft Prevention Act.

IN SUPPORT OF THE LAW ENFORCEMENT OFFICERS FLAG MEMORIAL ACT OF 2002

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Law Enforcement Officers Flag Memorial Act of 2002. I am deeply sad that Harris County, where my hometown of Houston is located, is leading the Nation in the grim category of peace officers killed according to the National Law Enforcement Officers' Fund.

Peace officers and their families know better than anyone the perils and risks involved in their job. Yet every day, they put on a badge and make our Nation a safer place. While we should never forget these officers, we also need to remember their spouses, their children and friends who miss them dearly. Our hearts go out to those survivors who are trying to cope with saying good-bye to a loved one. We are indebted to the survivors for the courage of these officers, and we share their grief and offer kind words knowing that it is a poor substitute for their loss.

Every day, ordinary men and women make an extraordinary commitment when they put on a badge that symbolizes the oath they take to protect and serve. The badge also makes them a target. Every day, they leave their families behind not knowing if they will come home tonight.

Mr. Speaker, I invite my colleagues to join me as a cosponsor of the Law Enforcement Officers' Flag Memorial Act of 2002. This legislation seeks to honor slain law enforcement officers by providing their families a Capitol-flown U.S. flag.

While a Capitol flag is a meaningful and true symbol of our nation's gratitude, Congress should continue to make sure that we keep our commitment to the law enforcement community by providing funding for more officers, better equipment, and advanced training. Doing so not only saves the lives of officers, but it makes our families, our homes, and our neighborhoods a safer place.

DEFEND THE RIGHT TO LIFE

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment for the protection of the right to life. Tragically, this most basic of human rights has been disregarded, set aside, abused, spurned, and sometimes altogether forgotten. Even more tragically, the United States government has been a willing partner in this affair, and the sad consequence is the sacrifice of something far more important than just principle.

One of the things that sets America apart from the rest of the world is the fact that in this country, everyone is equal before the law. Regardless of race, religion, or background, each person has fundamental rights that are guaranteed by the law. However, we too often overlook the rights of perhaps the most vulnerable among us—the unborn. When abortion is legal and available on demand, then where are the rights of the unborn? When abortion is sanctioned and sometimes paid for by the government, then how do we measure the degree to which life has been cheapened? When an innocent life is taken before its time, then how can one say that this is justice in America?

My amendment would establish beyond a doubt the fundamental right to life. Congress has an obligation to do what it has failed to do for so long, fully protect the unborn. I urge this body to move forward with this legislation to put an end to a most terrible injustice.

HONORING SUPERVISOR MEL VARRELMAN UPON HIS RETIREMENT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Mel Varrelman as he retires from the Napa County Board of Supervisors. Mel's tenure as a Napa County Supervisor is a model for all those who are in public office and for all those who value community service.

During my service in Congress and the California State Senate, I have consistently turned to Mel for advice, assistance, and friendship. Since Mel was first elected to the St. Helena City Council in 1976 and then to the Board of Supervisors in 1982, he has represented his district, which includes my home in St. Helena, with sincerity, pragmatism and vision. Whether being on the winning side or the losing side of votes, Mel always cast his vote in the way he believed would improve the lives of his constituents. He has repeatedly demonstrated that true leadership often requires taking an unpopular position before time is eventually allowed to prove its benefits to all.

Mel shares a passion for agriculture and open space, particularly in the Napa Valley. Mel's steadfast commitment to the preservation of open space and agricultural lands in Napa County has allowed our Valley to remain as both an economic engine for the region and as one of the most beautiful places in the country. During, his tenure, Mel helped enact measures including a landmark plan to require a vote of the people to rezone land, a hillside ordinance, a 160-acre minimum parcel requirement for agriculture, watershed and open space lands, a groundwater ordinance and a viewshed ordinance.

As a private citizen, Mel has also contributed to the well being of those in our community. As an accountant and certified financial planner, he has helped individuals and small businesses navigate the tax code and the confusing world of finance. I often seek Mel's analysis of how national tax and fiscal policy will affect the lives of the hardworking people of the First Congressional District.

In addition to serving on the Board of Supervisors, Mel also serves on the Napa County Emergency Medical Care Committee, the Upper Valley Waste Management Agency, the Napa County Transportation Planning Agency, the Local Agency Formation Commission and the Government Finance Committee of the California State Association of Counties.

Mel lives in my hometown of St. Helena with his wife, Rose. They have two great children and are wonderful neighbors.

Mr. Speaker, I am honored today to recognize Napa County Supervisor and my friend Mel Varrehman for his tremendous contributions to the Napa Valley and its residents. Even as Mel retires as the District 3 Supervisor, I am confident that he will continue to provide leadership in Napa County for many years to come.

RECOGNITION OF VINCENT KRASINSKI

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. McCARTHY of New York. Mr. Speaker, I rise in recognition of Vincent Krasinski, a highly respected and influential member of the Glaziers Local Union 1087 who recently announced his retirement. In his 32 years as a member, Vincent was a leading voice for labor in Nassau and Suffolk County, and New York City. He joined the union in 1970 and quickly became a leader. First, he was elected to the LU 1087 executive board in 1979 and then being elected in 1987 as a Business Agent for LU 1087.

Vincent proudly served his country in the United States Air Force during the Vietnam War from 1969 to 1970. Upon returning from his tour of duty he married Jennifer, his wife of almost 33 years. They have two wonderful children, Jennifer and Laurie, and are the proud grandparents of Vincent, Alyssia, Chloe and Casey.

While serving as a member of the union's executive board, and raising a family, Vincent still found time to work on many political campaigns for labor friendly candidates. I am proud to say I am one of them. He has volunteered his time for the St. Francis Hospital Heart Center in Roslyn, New York and currently sits on Bob Gaffney's Labor Advisory Board.

Vincent Krasinski is responsible for the current strength of LU 1087. He leaves behind a strong legacy and is a good example of the difference one person can make. I applaud Vincent for his dedication to our community and thank him on behalf of the people of not only for the 4th Congressional District, but the rest of Nassau and Suffolk County and New York City who benefitted from his hard work and commitment.

IN SUPPORT OF THE LOW-INCOME HOME ENERGY ASSISTANCE EQUITY ACT OF 2002

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Low-Income Home Energy Assistance (LIHEAP) Equity Act of 2002. Most people associate LIHEAP with home heating assistance to needy families in the wintertime, and that is an extremely important purpose of the program. However, while many people are in danger each year because they cannot afford to properly heat their homes, many across the South but also all over the country are in danger every year because they cannot afford to cool their homes.

I am introducing this legislation to bring parity to the LIHEAP program between regions that are more likely to use LIHEAP for heating and for cooling. My hometown of Houston can see many consecutive days of above 100 degree temperatures, combined with high humidity. This is a potentially lethal combination for the poor, often elderly, residents who cannot afford an air conditioner or afford to pay the electricity bill. In addition, the Northern part of the country sees too many preventable heat related deaths.

According to the National Weather Service, heat related deaths and injuries far outpaced cold related deaths and injuries. In 2000, there were 158 heat related deaths and 26 cold related deaths. In addition, there were over 400 heat related injuries also in 2000. In 2001, the difference was even more pronounced with 166 heat related fatalities and 4 cold related fatalities.

It is time Congress and the LIHEAP program recognize the dangerous reality the heat waves pose in this country and begin to offer residents in danger from hot weather as much energy assistance as we offer to residents in danger from cold weather. Let us work together to bring some equity to LIHEAP and prevent more, senseless, fatalities of the elderly, infirm, and children who cannot afford air conditioning. I urge my colleagues to support the Low-Income Home Energy Assistance (LIHEAP) Equity Act of 2002.

BALANCED FEDERAL BUDGET

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, this afternoon I fulfill the pledge I made to the citizens of southern Missouri to introduce and work tirelessly to pass an amendment to the Constitution of the United States, that requires a balanced Federal budget. Over the course of the past several decades, fiscal irresponsibility has produced a Federal debt that is fast approaching $5 trillion. That's trillion, with a 't,' Mr. Speaker. A debt of $5 trillion is a mind-boggling figure, but it can be placed in a much clearer perspective. A child born today immediately inherits nearly $20,000 of debt, owed directly to Uncle Sam. The same is true for every American. The era of continuing annual budget deficits must end, and it is clear that the only way to restore conservative fiscal values to the Nation's budget is to pass the balanced budget amendment to the Constitution.

The stakes in this debate could not be more important. The fiscal future of the United States hinges on the ability of Congress and the President to make the difficult choices required to balance the Federal budget. It's more than debating trillion dollar figures. It's about making our economy stronger and providing every working American family with a better chance to make ends meet. A balanced budget will strengthen every sector of our economy with lower interest rates that will help families stretch each paycheck further. Home mortgages, automobiles, and a better education will become more affordable to every working family, making the American Dream closer to reality for all.

Mr. Speaker, I am committed to working with my colleagues in the new Congress to see that the balanced budget constitutional amendment is passed and sent to the States for ratification. A constitutional amendment is certainly no substitute for direct action on the part of the Congress. However, we have seen time and time again instances where those who object to conservative fiscal responsibility

find convenient excuses to deny the American people a balanced budget. An unbreakable enforcement mechanism is clearly needed to ensure that those who would continue to spend our children's future further into debt are not able to do so.

I also want to make plain that the Social Security trust fund has no place in this debate. The independent trust fund is a sacred trust between generations and must never be used to balance the budget or hide the true size of the deficit.

Commonsense conservatives in Congress and the American people are committed to balancing the budget. I look forward to working throughout this session with all of my colleagues and the White House to pass the balanced budget constitutional amendment on a bipartisan basis. The obligations we owe to hard working American families, their children, and our Nation's future generations deserve nothing less than decisive action to preserve our future by balancing the budget. A constitutional amendment will ensure this outcome.

HONORING THE RETIREMENT OF SAN LEANDRO CITY COUNCILMEMBER GARRY LOEFFLER

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I rise today to recognize San Leandro City Councilmember Garry Loeffler on his retirement after 8 years of distinguished service on the Council and a lifetime of leadership in the San Leandro Unified School District.

First elected to the City Council in 1994, Loeffler has served on many committees dedicated to improving the city, including Disaster Council, Rules and Communications, School Liaison, Finance, Human Relations, and Facilities.

He is a strong supporter of the Seniors Commission, and a founding member of the San Leandro Collaborative for Families and Youth. Beyond the Council, Loeffler is active on regional groups including the Association of Bay Area Governments and the League of California Cities.

Dedicated to education, Loeffler was Principal or Vice-Principal of six of San Leandro's eight elementary schools during his 33-year career in education. Prior to his teaching career, he served active duty in the Army from 1963 until 1965. He remained in the Army Reserves until 1983, retiring as Lieutenant Colonel.

I am honored to congratulate Garry Loeffler on his retirement. The City of San Leandro is a better place today thanks to his years of dedicated service.

RECOGNITION OF CARLO CARRIERE

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. McCARTHY of New York. Mr. Speaker, I rise in recognition of Carlo Carriere, a highly respected and influential member of the Glaziers local Union 1087 who recently announced his retirement. In his 32 years as a member, Carlo was a leading voice for labor. He joined the union as an apprentice in 1970 and quickly became a leader.

Carlo proudly served his country in the United States Army from 1966 to 1968 where he attained the rank of Staff Sergeant. After the terrorist attacks of 9/11, he again served his country by leading a contingent of Glaziers in rescue and clean up of the World Trade Center site.

As a member of LU 1087, Carlo was elected District Council Delegate in 1973 and just three years later was elected to the Executive Board in 1976. He continued his accession in 1982 when he was elected as Vice President of the LU 1087. During his tenure as Vice President Carlo, became a Business Representative and was elected Chairman of the National Glaziers and Glass Workers Apprenticeship Program in 1990. He also served as a Trustee to the Union Funds beginning in 1986. In 1995 he was elected Business Manager of LU 1087. Just one year later, upon the full affiliation of LU 1087 with District Council 9, Carlo was appointed Assistant Secretary-Treasurer.

Carlo Carriere is responsible for the current strength of LU 1087. He leaves behind a strong legacy and is a good example of the difference one person can make. I applaud Carlo for his dedication to our community, and thank him on behalf of the people of the 4th Congressional District who have benefitted from his hard work and commitment.

INTRODUCTION OF THE KEEPING CHILDREN AND FAMILIES SAFE ACT OF 2003

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HOEKSTRA. Mr. Speaker, today I introduce the ''Keeping Children and Families Safe Act of 2003'' to reauthorize the Child Abuse Prevention and Treatment Act (CAPTA), the Adoption Opportunities program, the Abandoned Infants Act, and the Family Violence Prevention and Services Act (FVPSA).

Unfortunately, last Congress the House and Senate were unable to reach agreement on all issues pertaining to the reauthorization of CAPTA and its related programs and acts. The bill I am introducing today once again puts forth our bipartisan effort and ongoing commitment to ensuring that programs aimed at the prevention of child abuse and neglect continue.

The Keeping Children and Families Safe Act of 2003 supports the continued provision of important federal resources for identifying and addressing the issues of child abuse and neglect, and supports effective methods of prevention and treatment. It also continues local projects with demonstrated value in eliminating barriers to permanent adoption and in addressing the circumstances that often lead to infant abandonment.

This bill emphasizes the prevention of child abuse and neglect before it occurs. It retains language promoting partnerships between child protective services and private and community-based organizations to ensure that services are more effectively provided, and retains important language supporting public education on child abuse and neglect by strengthening the public's understanding of the role of the child protection system and appropriate methods for public reporting of suspected incidents of child maltreatment.

This bill also continues to foster cooperation between parents and child protective services workers by requiring case workers to inform parents of the allegations made against them, and improves the training opportunities and requirements for child protective services personnel regarding the extent and limits of their legal authority and the legal rights of parents and guardians.

Lastly, this bill ensures the safety of foster and adoptive children by requiring states to conduct criminal background checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household.

Mr. Speaker, I urge my colleagues on both sides of the aisle to back this important bipartisan legislation that supports improved services for children and families in the prevention and treatment of child abuse, neglect and family violence.

DESIGNATING ''GOD BLESS AMERICA'' AS OUR NATIONAL HYMN

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise today to reintroduce a simple piece of legislation that will provide all Americans with another important national symbol which they can lean on during times of national stress. The legislation will designate ''God Bless America'' as our National Hymn. The first words of this song, ''God Bless America, land that I love,'' say it all. They are simple, direct, and they truly reflect the spirit of our country during this latest challenge.

Although nothing can surpass the importance or meaning of the ''Star Spangled Banner'' as our preeminent national anthem, ''God Bless America'' is almost always the second song our citizens fall to in times of great national tragedy. America's unofficial national anthem was composed by Irving Berlin, an immigrant who left Siberia for America when he was only five years old.

While originally written for a musical in 1918, Berlin realized that this was more than a light-hearted musical number. So he set it aside for a more appropriate time. That time came shortly before the Second World War. Berlin released ''God Bless America'' in November of 1938.

As the nation prepared to enter World War II, it was evident that the whole country—from the mountains, to the prairies, to the oceans white with foam—would need to stay strong, to protect our home sweet home.

''God Bless America'' unified all Americans with its simple sentiment, and it unifies us again today.

This song is the heart and soul of our country, and we should honor it by designating it as our National Hymn.

Thank you Mr. Speaker.

INTRODUCTION OF THE CITIZENS INVOLVEMENT IN CAMPAIGNS (CIVIC) ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. PETRI. Mr. Speaker, today, I am introducing legislation to establish a program of limited tax credits and tax deductions to get average Americans involved in the political process. My bill, the Citizens Involvement in Campaigns (CIVIC) Act, will broaden the base of political contributors and limit the influence of big money donors in federal elections.

Members of Congress can be forgiven for being exhausted by the recent debates over campaign finance reform that last year concluded with passage of the Bipartisan Campaign Reform Act (BCRA). Although that legislation will curb some of the worst abuses of our current campaign system, such as the unlimited soft money loophole, the reality is that special interests and high-income donors still will have a disproportionate level of influence in our political system. We cannot stop here, with the job only partly complete.

As the next step in the process of campaign finance reform, we need to take a fresh look at innovative approaches, including ways that encourage, and not restrict, people's participation in our campaigns. Toward this end, I have been advocating tax credits and deductions for small political contributions for many years. An updated tax credit system would be a simple and effective means of balancing the influence of big money donors and bringing individual contributors back to our campaigns. The impact of this counterweight will reduce the burden of raising money, as well as the appearance of impropriety that accompanies the money chase.

Most would agree that the ideal way to finance political campaigns is through a broad base of donors. But, as we are all painfully aware, the economic realities of modern-day campaigning lead many candidates to focus most of their efforts on collecting funds from a few large donors. This reality alienates many Americans from the political process.

The concept of empowering small donors is not a new idea. For example, from 1972 to 1986, the federal government offered a tax credit for small political contributions. This provided an incentive for average Americans to contribute to campaigns in small amounts while simultaneously encouraging politicians to solicit donations from a larger pool of contributors. Currently, six geographically and politically diverse states (Oregon, Minnesota, Ohio, Virginia, Arkansas, and Arizona) offer their own tax credits for political contributions. These state-level credits vary in many respects, but all share the same goal of encouraging average Americans to become more involved.

The CIVIC Act can begin the process of building this counterweight for federal elections. This bill is designed to encourage Americans who ordinarily do not get involved in politics beyond casting a vote every two or four years (that is, if they bother to vote at all) to become more active participants in our political process.

The CIVIC Act will reestablish and update the discontinued federal tax credit. Taxpayers can choose between a 100 percent tax credit for political contributions to federal candidates or national political parties (limited to $200 per taxable year), or a 100 percent tax deduction (limited to $600 per taxable year). Both limits, of course, are doubled for joint returns. As long as political parties and candidates promote the existence of these credits, the program can have a real impact and aid in making elections more grassroots affairs than they are now.

A side benefit of this legislation will be to strengthen political parties, which, many feel, have been weakened by the passage of BCRA. Under the CIVIC Act, only federal candidates and national party committees count as eligible recipients for purposes of the tax benefits. This will allow the parties to tap new sources of revenue and begin to replace the massive soft-money donations that have been cut off.

In conclusion, a limited tax credit for political contributions can be a bipartisan, cost-efficient method for helping balance the influence of large money donors in the American electoral process. Instead of driving away most Americans from participation in political life, we can invite them in. It seems to me that this will be a fruitful way to clean up our system, while at the same time convincing Americans that they actually have a meaningful stake in elections.

VOLUNTARY SCHOOL PRAYER

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. I rise today to introduce a constitutional amendment to ensure that students can choose to pray in school. Regrettably, the notion of the separation of church and state has been widely misrepresented in recent years, and the government has strayed far from the vision of America as established by the Founding Fathers.

Our Founding Fathers had the foresight and wisdom to understand that a government cannot secure the freedom of religion if at the same time it favors one religion over another through official actions. Their philosophy was one of even-handed treatment of the different faiths practiced in America, a philosophy that was at the very core of what their new Nation was to be about. Somehow, this philosophy is often interpreted today to mean that religion has no place at all in public life, no matter what its form. President Reagan summarized the situation well when he remarked, ''The First Amendment of the Constitution was not written to protect the people of this country from religious values; it was written to protect religious values from government tyranny.'' And this is what voluntary school prayer is about, making sure that prayer, regardless of its denomination, is protected.

There can be little doubt that no student should be forced to pray in a certain fashion or be forced to pray at all. At the same time, a student should not be prohibited from praying, just because he/she is attending a public school. This straightforward principle is lost on the liberal courts and high-minded bureaucrats who have systematically eroded the right to voluntary school prayer, and it is now necessary to correct the situation through a constitutional amendment. I urge my colleagues to support my amendment and make a strong statement in support of the freedom of religion.

HONORING THE MEMORY OF WAYNE OWENS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HASTINGS of Florida. Mr. Speaker, it is with a heavy heart that I rise today to honor the memory of our colleague and good friend Congressman Wayne Owens. His death on December 18, 2002, was, indeed, unexpected. Today, we are left with a void that will undoubtedly remain unfilled for a long time to come.

A four term Member of Congress, Wayne Owens experienced this institution from the inside during two very trying times in American history. As a member of the House Committee on the Judiciary, in 1973, Congressman Owens voted to recommend the impeachment of then President Richard M. Nixon. Additionally, in 1991, during his final term in the House of Representatives, Congressman Owens joined with 44 of his Democratic colleagues to sue then President George H. W. Bush to prevent him from taking offensive action against Iraq without first obtaining a Congressional declaration of war or ''other explicit authority from the Congress.'' While the suit only succeeded to delay war for a brief period, it reaffirmed the Congress' constitutional authority to make war.

Congressman Owens remained a continued advisor to many of us still serving today long after he left the House of Representatives in 1992. In 1989, Congressman Owens cofounded the Center for Middle East Peace and Economic Cooperation where he quickly became a leading voice advocating a peaceful solution to a historically deadly conflict. Many of us were often left in true admiration of his passion and commitment to educating policy makers and public citizens that peace in the Middle East is not a pipe dream, but rather a real possibility. During my tenure on the House Committee on International Relations, I often sought Congressman Owens advice and guidance, especially when considering legislation affecting the Middle East. While Middle Eastern leaders continue down the difficult path toward peace, Congressman Owens' voice of reason and understanding will truly be missed.

Mr. Speaker, the United States must work harder to fulfill the aspirations of peace that Wayne Owens sought for so long. Peace in the Middle East is not a pipe dream. Wayne Owens knew that and the Center that he founded is evidence. Without doubt, it would be a fitting legacy to the memory of Wayne Owens for Middle Eastern leaders to recommit themselves today to a life of peace, harmony, and coexistence. Congressman Owens wouldn't have wanted it any other way.

RECOGNIZING CHICO STATE UNIVERSITY POLITICAL SCIENCE PROFESSOR CHARLES M. PRICE ON THE OCCASION OF HIS RETIREMENT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the significant achievements of Charles M. Price, a retiring political science professor at Chico State University in Chico, California.

Dr. Price began his outstanding work at Chico State in 1965. During the 37 years that followed, he taught through some of our Nation's most turbulent times. The assassinations of President Kennedy, Martin Luther King Jr. and Robert Kennedy, the Vietnam War, the civil rights movement and 9/11. These events shook the world and drastically impacted our college-aged youth. However, rather than allow frustration and confusion to rob his students of their confidence in government, Dr. Price used his unique talents to uplift and inspire students. He taught his students hope for a better tomorrow through our government, not in spite of it.

Dr. Price is a frequently sought-after commentator on direct democracy, California government and politics. His articles appear regularly in both local and national newspapers and the textbook he authored is the leading text on California government. He has received many accolades including several university merit awards. Yet as impressive as Dr. Price's resume is, his legacy lays in the civic involvement he has evoked from his students.

For over 10 years, Dr. Price served as director of the California Assembly Fellows program where students were able to gain a deep and thorough understanding of California's state government. He created and directs the Chico State University Sacramento Internship program, which provides Chico State students the opportunity to secure political internships and often jobs in politics. Several of Dr. Price's students have moved on to hold public office.

To have so many students become politically active is rare for many political science professors. For Dr. Price, it is the norm.

I earned my undergraduate degree from Chico State University. There, I had the privilege of being one of Dr. Price's political science students. The encouragement and motivation I received was profound as Dr. Price taught my class that we could, and should, make a difference in government. Dr. Price has the ability to make you believe that you can reach out and touch government; he made me believe I could get involved.

Mr. Speaker, for his invaluable contributions to Chico State University, his students Californian state government and our Nation, it is most appropriate that we honor Dr. Charles M. Price.

ELIMINATING THE 24-MONTH WAITING PERIOD FOR MEDICARE

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, more than 56 million Americans currently live with some kind of disability. These disabilities include blindness, paralysis, mental illness, hearing loss, physical ailments, and a host of other conditions.

The federal government has recognized the unique challenges faced by these Americans by allowing qualified disabled individuals to receive health insurance under the Medicare program. Unfortunately, the law includes a 24 month waiting period before disabled individuals can qualify for coverage.

This waiting period poses a serious problem for many newly disabled Americans. Faced with the loss of their employment due to their disability, their situation is only made worse because they cannot access the health care services they need. The Medicare program was designed to help people in need—not make their situations worse by denying them necessary health care.

That is why I am introducing legislation to eliminate the 24-month waiting period under the Medicare program. This legislation would allow individuals to enroll in Medicare immediately upon their disability determination. This is a necessary change in the law which will help countless Americans access the health care they need upon becoming disabled.

APPLES DON'T FALL FAR FROM THE TREE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I commend to your attention the following editorial, "No interest like self-interest," written by Alexandra Pelosi.

Ms. Pelosi is a television news producer who co-directed the documentary "Journeys with George," a behind the scenes look at George W. Bush's 2000 presidential campaign. She is also the daughter of the House Democratic Leader, Representative NANCY PELOSI.

It is clear that apples don't fall far from the tree. The values, commitment and leadership NANCY PELOSI exemplifies resound here in the eloquent words of her daughter. I commend Alexandra Pelosi for her straightforward insight. She is right to call on the President to put the common good ahead of self-interest and to challenge all Americans to the same.

The following is a reprinted version of Ms. Pelosi's editorial that appeared in the San Francisco Chronicle on December 3, 2002:

NO INTEREST LIKE SELF-INTEREST

Watching President Bush on television this election cycle at those staged, made-for-TV photo-ops as he stumped for the congressional candidate du jour made me nostalgic.

Back in 2000, when I was an NBC News producer covering his campaign, then candidate Bush sat down with me and my absentee ballot during the primaries. This is the pitch Bush made to me, a declared Democrat, for why I should vote for him: "You're in a key position. You happen to know me, you can read me like a book, you are able to share thoughts with the people of NBC in such a way that no one else will. And if I lose, you're out of work baby, you're off the plane, baby. It's in your interests." He appealed to my ambition and my pocketbook. He didn't push my country's interest—but rather, my own.

His pitch struck me as a cynical appeal to the personal good over the public good. So I asked, "But is that why people are supposed to vote? Are they supposed to vote just for themselves? What about the little people? I have a good job, I have a good life. BUT what about the people who really need my vote: the hungry, the unemployed, the homeless?" He didn't really have an answer for me, all he had to give me was a kiss.

A lot has changed since Bush became president. A new patriotic fervor and a spirit of sacrifice swept the nation after Sept. 11. Remember the endless lines of New Yorkers celebrating the rescue workers near Ground Zero, the generous donations coming in from across our country? America showed the kind of selfless spirit that has defined some of the best moments of our history. We were "stronger, more united." Remember?

If the days after Sept. 11 taught us anything, it was that the American way of "me first, me only" just isn't going to make it in the new millennium. We were willing to admit that "what is good for you, may not be good for your country." It felt like a new day was dawning.

So when I saw Bush campaigning last month, I was surprised to see him using his old line. Here is the pitch he made to the people of New Hampshire for why they should vote for JOHN SUNUNU, the Republican senator-elect: "It doesn't matter whether you're a Republican or Democrat or independent, it's in your interest, it's in your personal interest and it's in your state interest that you have one of your own be the chairman of one of the most vital committees in the United States Senate."

These midterm elections made me wonder. Have we learned nothing in the last two years? What happened to the Sept. 11 lesson of selflessness and sacrifice?

The political commentators love to marvel at how President Bush has grown up in office. And people who see "Journeys With George" always ask me about how he has "risen to the occasion." For evidence of his evolution, they point to the scene in my movie that takes place 60 days before the 2000 presidential election. I ask Bush how he changed during the campaign. "I started out as a cowboy," he says. "And I'm now a statesman."

"Are you?" I ask.

For a second, he bristles at my impertinence, then says, "If you have to ask, I think we're in trouble."

There's a difference between a cowboy and a statesman. A cowboy is a rodeo performer or a wild loner roaming the land just looking out for himself. A statesman looks out for and leads us all.

As he did in 2000, Bush went state to state in 2002, bringing the message to America that a vote for one of his hand-picked candidates was "in their interest." Apparently, that tactic worked, for now he has a pliant Republican Congress, ready to do the bidding of a population acting only in its own self-interest.

I thought we'd all grown a little since Sept. 11, that we've embraced our inner statesman. But have we? And if I have to ask, I think we're in trouble.

INTRODUCTION OF THE MUSEUM AND LIBRARY SERVICES ACT OF 2003

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HOEKSTRA. Mr. Speaker, today I am introducing a bill to reauthorize federal assistance to museums and libraries through fiscal year 2009. The Museum and Library Services Act of 2003 maintains the modest but essential federal support for museums and libraries across the country; authorizes funds for the one federal agency—the Institute of Museum and Library Services—devoted exclusively to museums and libraries; and encourages model cooperation between museums and libraries.

Last Congress, the Committee on Education and the Workforce reported H.R. 3784, the Museum and Library Services Act of 2002. That bill had 94 cosponsors, was supported by the Administration, and was endorsed by the American Library Association, the Chief Officers of State Library Agencies and the American Association of Museums.

The Museum and Library Services Act of 2003 makes several modifications to current law to streamline and strengthen museum and library services, and will help build on the bipartisan progress made by the Committee during the 107th Congress.

Generally, this legislation authorizes the federal library and museums program under the Institute of Museum and Library Services. Specifically, the Museum and Library Services Act of 2003: Requires the Director of the Institute of Museum and Library Services to establish procedural standards for making grants available to museums and libraries (ensuring that the criteria are consistent with the statutory purposes); Prohibits projects that are determined to be obscene from receiving funding; Ensures that library activities are coordinated with activities under the No Child Left Behind Act of 2001; Consolidates museum and library advisory board activities under a single statute; Authorizes the IMLS Director to issue National Awards for Library Service and National Awards for Museum Service; and Ensures that administrative funds are also used to conduct annual analyses of the impact of museum and library services to evaluate and identify needs and trends of services provided under funded programs.

The Museum and Library Services Act of 2003 makes common sense reforms to authorized museum and library activities, includes provisions important to Members on both sides of the aisle and reauthorizes a program that should be supported by the Congress.

I hope that my colleagues on both sides of the aisle cosponsor the Museum and Library Services Act of 2003. 1 look forward to completing this legislation this Congress so we can ensure that our nation's museums and libraries are getting the best assistance we are able to provide from the federal level.

COMMENDING THE PEOPLE AND GOVERNMENT OF KENYA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to express my total support for the people and the newly elected government of Kenya. The hard work and perseverance on the part of the people of Kenya is commendable, as they march along the difficult road of peace and democracy. In much of the developing world, we have witnessed, time and again, countries whose efforts have fallen short of that needed to fully implement a democratic tradition.

The determined Kenyan voters ignored unseasonably heavy rains and provided a solid mandate to the new president, the parliament, and local councilors throughout the country. It is refreshing to see the change of government at the ballot box of free and fair elections and not at the end of rifles. Local and international observers who witnessed the election of President Mwai Kibaki described it as the fairest in Kenya's 39–year history. I urge this body to support and commend the Kenyans for the positive measures they have taken to establish a solid democratic foundation.

This body, the House of Representatives, along with the Senate and the executive branch should provide assistance to this country as it continues to build its economy and political institutions.

INTRODUCTION OF THE GERIATRIC CARE ACT OF 2003

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise today to reintroduce the Geriatric Care Act of 2003, an important piece of legislation which will help our nation prepare for the health care pressures associated with the aging of the baby boom generation.

Americans are living longer than ever, with the average life expectancy rising to 80 years old for women and 74 years old for men. While this is generally a positive development, there are costs associated with the aging of America. As seniors live longer, they face greater risks of disease and disabilities, such as Alzheimer's, diabetes, cancer, stroke, and heart disease.

Geriatricians are physicians who are uniquely trained to help care for the aging and elderly. By promoting a comprehensive approach to health care, including wellness and preventive care, geriatricians can help seniors live longer and healthier lives.

It is critical that our nation have a sufficient number of geriatricians to help manage the aging of the baby-boom generation. Unfortunately, there are currently only 9,000 certified geriatricians, and that number is expected to decline dramatically in the coming years. Of the approximately 98,000 medical residency and fellowship positions supported by Medicare in 1998, only 324 were in geriatric medicine and geriatric psychiatry. The Alliance for Aging Research estimates that the United States will need approximately 36,000 geriatricians to counter the aging population. We must do more to promote geriatric residency programs.

There are two barriers preventing physicians from entering geriatrics: insufficient Medicare reimbursements for the provision of geriatric care and inadequate training dollars and positions for geriatricians.

A MedPac survey found that Medicare's low reimbursement rates serve as a major obstacle to recruiting new geriatricians. Due to their higher level of chronic disease and multiple prescriptions, seniors require additional care to ensure proper diagnosis and treatment. Medicare's reimbursement rates do not factor the complex needs of elderly patients. Because geriatricians treat seniors exclusively, they are especially affected by Medicare's low reimbursement rates.

Additionally, the Balanced Budget Act placed limits on the numbers of residents a hospital can have, based on 1996 numbers. This cap serves as a disincentive for some hospitals, and has caused them to eliminate or reduce their geriatric Graduate Medical Education (GME) programs.

The legislation I am introducing today would remedy both of these problems, so that America is prepared for the aging baby boom generation. The Geriatric Care Act would modemize the Medicare fee schedule to more accurately reflect the cost of providing care for seniors. It also would allow for additional geriatric residency slots, so that we can develop an adequate supply of geriatricians for the next generation.

I urge all of my colleagues to join me as cosponsors of this legislation. Thank you, Mr. Speaker, I yield back the balance of my time.

INTRODUCTION OF THE MEDICARE MARKET ACQUISITION DRUG PRICE ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I rise today to introduce the Medicare Market Acquisition Drug Price Act. This bill would correct a long-standing and well-documented problem with the way Medicare pays for the few outpatient prescription drugs it covers today. This bill would save the government billions of dollars and lower cost-sharing for Medicare beneficiaries who are paying a substantial share of the industry's bloated prices today. Congress should enact this bill immediately.

This problem must be resolved—this year—whether or not we succeed in creating a new Medicare prescription drug benefit. We have had hearings, we have had GAO and Inspector General reports, and we have had bipartisan consensus that this is a problem, but due to pharmaceutical industry efforts, we have had no congressional action. This problem was not addressed in the prescription drug legislation passed by the House Republican leadership last Congress. In the absence of congressional action, the Centers for Medicare and Medicaid Services, CMS, at the Department of Health and Human Services recently took modest steps to trim overpayments resulting from the current system. I applaud

CMS's efforts and urge them to take any actions within their authority to ensure that Medicare pays reasonable prices for drugs.

However, the ultimate solution to this problem requires legislation. Despite the House Republican leadership's persistent neglect of the issue, I believe there is bipartisan consensus that Medicare should not continue to pay exorbitant prices for prescription drugs. I urge my colleagues to join me in supporting this bill.

Medicare currently pays for only a limited number of outpatient drugs, generally ones that a patient cannot self-administer, such as chemotherapy drugs. Medicare spends over $5 billion every year on these drugs. Under current rules, Medicare vastly over-pays for these drugs, because it bases payments on the artificially high ''average wholesale price,'' AWP, reported by the drug's manufacturer—regardless of the actual price a provider pays for the drug. There is abundant evidence that drug manufacturers have boosted their own drug sales and increased their profits, at great taxpayer expense, by manipulating the AWP of their drugs. Simply put, drug manufacturers report inflated prices, sell providers the drugs for much less, and then encourage providers to bill Medicare for the maximum allowable amount—95 percent of the inflated AWP reported by the manufacturer.

This bill offers a straightforward solution to this problem. It would require Medicare payments to be based on the actual market prices at which manufacturers sell their drugs. This price, called the average acquisition price, would be verifiable. The Secretary would have the authority to audit drug companies' reports. Drug companies would be subject to steep fines for deliberately filing false or incomplete information.

Mr. Speaker, the current Medicare AWP rules are a sham and must be changed. Consider the following:

The General Accounting Office has described the AWT as ''neither 'average' nor 'wholesale;' it is simply a number assigned by the product's manufacturer.'' The GAO found that Medicare's payments for physician-administered outpatient drugs were at least $532 million higher than providers' potential acquisition costs in 2000. Similarly, the GAO found that Medicare paid at least $483 million more for supplier-billed drugs than suppliers' potential acquisition costs in 2000. Some drugs were available at prices averaging less than 15 percent of the manufacturer's reported AWP, while Medicare continued to pay 95 percent of AWP.

In a real-life example, Mr. Bob Harper of Florida wrote to me about the high costs of one of his wife's chemotherapy drugs, Leucovorin. According to a September 2001 GAO report, this drug is widely available for just 14.4 percent of the AWP. Yet beneficiaries can be charged as much as 19 percent of the AWP—more than the actual price of the drug. Mr. Harper stated that his wife is being charged a co-payment of $155.27 for 36 treatments, or a total out-of-pocket charge of $5,589.72 for this drug. As Mr. Harper said, ''This is outrageous!''

The Office of the Inspector General, OIG, at the Department of Health and Human Services found that Medicare could save $761 million per year by paying the actual wholesale prices available to physicians and suppliers for just 24 of the outpatient drugs currently covered by Medicare.

Numerous states, consumer groups, and private health plans have sued drug manufacturers for fraudulently inflating Medicare drug prices.

These suits follow on the heels of a record Medicare and Medicaid fraud settlement by TAP Pharmaceutical Products. In October 2001, TAP pleaded guilty to a charge of conspiracy to violate federal law. TAP agreed to pay $875 million—the largest criminal fine ever levied by the government for health care fraud—to settle the suit, in which the government alleged the company artificially inflated the AWP of the company's prostate cancer drug Lupron.

In October 2002, the OIG issued draft compliance program guidance to pharmaceutical companies. This guidance specifically highlighted pharmaceutical companies' manipulation of the average wholesale price as fraudulent behavior: ''A pharmaceutical manufacturer's purposeful manipulation of the AWP to increase its customers' profits by increasing the amount the Federal health care programs reimburse its customers implicates the anti-kickback statute.''

Mr. Speaker, the problem is well known. The solution is straightforward. Both the GAO and the OIG have recommended that we revise Medicare's drug payment policies to reflect actual market prices, accounting for rebates and other discounts available from manufacturers. That is exactly what this bill does.

Manufacturers would be required to report the actual average market acquisition prices for their drugs as a condition for Medicare coverage of those drugs. Each manufacturer would have to certify the accuracy of its reports and the Secretary of HHS would be empowered to audit price information to verify the accuracy of the reports. Drug manufacturers would be subject to unlimited civil monetary penalties for filing false reports and would be subject to a penalty of $100,000 for each day they fail to provide timely information.

The bill is also carefully crafted to ensure that the reimbursement revisions will not adversely impact Medicare beneficiaries' access to care. First, to ensure these drugs are available in areas of the country where providers must purchase covered drugs at prices above the average, the actual reimbursement level to providers would be set 5 percent above the average acquisition price. Second, Medicare would pay dispensing fees to reflect differences in the costs of dispensing different drugs and biologics. Third, the bill would ensure continued access to cancer treatment. Oncologists have argued that inflated AWP reimbursements are necessary to compensate for the administration of cancer medicines. This bill would correct this anomaly by revising Medicare payments for oncology services to appropriately account for these indirect costs, in accordance with GAO recommendations.

Mr. Speaker, I sincerely hope that Congress will act to provide a meaningful Medicare prescription drug benefit this year. On top of the many other serious concerns I have with the so-called drug benefit bills offered by the Republican leadership in recent years, I am deeply disappointed that they have not addressed the abuses of the current AWP system. We must not shirk our responsibility to ensure that Medicare properly pays for the limited outpatient prescription drugs it already covers. There is no need for taxpayers to continue to fill pharmaceutical companies' coffers with the ill-gotten gains of the current AWP system. I hope all of my colleagues will join me in passing this important legislation.

PASS 21ST CENTURY WATER COMMISSION ACT

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. LINDER. Mr. Speaker, over the past year, major newspapers reported almost daily on water problems, as over half of the United States experienced drought conditions. Rivers and wells dried up, aquifers were challenged by saltwater intrusion, and fish, wildlife, and crops were threatened. In many states, the droughts continue today, with no relief in sight. Even without the problems caused by drought, projected population growth for the United States indicates that water demand will continue to increase in coming years. It is critical that states across the nation find ways to store more fresh water to meet growing needs.

Water resources managers will be faced with unavoidable, life-threatening challenges in the 21st century, and we must prepare for these challenges now through extensive research and coordination of objectives among all levels of water management—federal, state, local, and the private sector. I am introducing a bill today to begin this process.

My bill would create the ''21st Century Water Commission'' to recommend strategies for meeting 21st century water challenges. The commission, composed of seven members appointed by the President, is charged with assessing future water supply and demand, evaluating federal water programs and the coordination of federal agencies, and researching contemporary technologies for increasing fresh water resources. The commission would also make recommendations for conserving fresh water, storing excess water for use in times of drought, and repairing aging, leaky infrastructures.

The legislation I am introducing today is designed to bring our nation's premier water experts and managers together to the discussion table to share their ideas for the future. This bill is in no way intended to federalize our nation's water policies; it should create a resource and a research engine to enable local communities to better solve their water problems.

In John Steinbeck's novel, East of Eden, the narrator observes, ''It never failed that during the dry years the people forgot about the rich years, and during the wet years they lost all memory of the dry years. It was always that way.'' I have been told over and over again that the United States only reevaluates its water policies when a crisis hits. But failure to plan for future water shortages is a recipe for disaster. We must begin now to advance the science and knowledge that will be necessary to deal with 21st century water challenges.

Last March, EPA Administrator Christie Whitman expressed that, ''Water is going to be the biggest environmental issue that we face in the 21st century, in terms of both quantity and quality.'' I couldn't agree more. Mr. Speaker, we must begin working today to meet this challenge, by passing the ''21st Century Water Commission Act.''

INTRODUCTION OF THE AMERICAN WORKER TEMPORARY RELIEF ACT

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. TIAHRT. Mr. Speaker, today I am introducing the American Worker Temporary Relief Act, legislation which will extend for 13 weeks unemployment compensation for those Americans whose benefits expired on December 28. If enacted, this bill will enable approximately 800,000 Americans—including 6,000 laid-off workers in my state of Kansas—to begin receiving benefits again.

The American Worker Temporary Relief Act is an important step in helping our workers through these tough economic times. Many have been severely affected by a lingering recession and the economic effects of the September 11, and we, as elected representatives of the people, cannot turn our backs on them.

While this measure is important for immediate relief, I must emphasize its title, ''The American Worker Temporary Relief Act.'' Make no mistake: This is short term aid. I believe the best and most responsible approach Congress can take is to adopt policies designed to get our economy growing again. We should work to create a climate in which businesses, especially small businesses, can grow and create jobs that America needs. We should work to guarantee that hard-working Americans are able to keep more of their money to spend in our economy.

I represent the Fourth District of Kansas, which includes Wichita, the Aviation Capital of the World. In the greater Wichita area, we have had in excess of 10,000 layoffs in the aircraft manufacturing industry as a result of the downturn following the attacks on September 11, and have, by far, the highest unemployment rate of any area in the state. And while many of these laid-off workers will benefit from the bill I am introducing today, they have been unable to qualify for additional unemployment benefits available to other high unemployment states due to the relative economic health of other areas in our state.

While I am truly grateful that other parts of my state have been spared the high unemployment which is prevalent in the Wichita-area, I believe we must review the formula for determining the qualifications for more benefits when a particular area has been hard hit. In the coming weeks, I will be introducing legislation to fundamentally change the procedure for dispersing, unemployment benefits.

Under the current formula, hard-hit areas of a particular state often do not meet the ''trigger'' for unemployment benefits due to the more robust economic health of the rest of the state. This policy change, if enacted, will guarantee that unemployment assistance will not be contingent on an overall state unemployment rate, but a more localized approach designed to assist areas of greatest need.

Mr. Speaker, this change will undoubtedly take time. I look forward to working with my colleagues to correct this unjust method of measuring econonmic hardship and I will seek their support as we work to provide assistance for those areas most in need.

In the meantime, I urge my colleagues to support legislation to extend the unemployment benefits of all Americans whose assistance lapsed on December 28. Support the American Worker Temporary Relief Act.

FLAG PROTECTION AMENDMENT

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. CUNNINGHAM. Mr. Speaker, I rise today to reintroduce legislation which would amend the Constitution to prevent desecration of the American flag. This measure is identical to H.J. Res. 36, which I sponsored in the last session of Congress, and language adopted by the House four times. It is necessary to restore protections for the symbol of our nation and all its honored traditions, which were sadly wiped away in the 1989 Supreme Court ruling on Texas v. Johnson.

In that fateful 5–4 ruling, the Court cast aside longstanding national laws and 48 state laws recognizing the flag's special status and honoring its place in American society—ruling that its desecration is protected under the First Amendment. For those who see our flag as a revered symbol of freedom and the great sacrifices that were made to sustain it at home and abroad, that decision was a horrible affront—and the call to action was immediate.

Inspired to preserve our national trademark and unalloyed symbol of unity, Congress quickly moved to pass a law restoring flag protections. But in its 5–4 ruling on United States v. Eichman in 1990, the Supreme Court once again found that flag protections were inconsistent with free expression rights accorded under the First Amendment. That ruling made it clear that restoration of flag protections would require a Constitutional Amendment.

Since that ruling, the House has four times passed a Flag Protection Constitutional Amendment with well over the two-thirds majority required. The Senate has also acted, failing to achieve the two-thirds votes necessary to move the amendment forward to the states for ratification by a mere handful of votes. Since that time, our nation has endured some of its most difficult challenges and we have been reminded once again how important the flag is in unifying our nation, demonstrating our resolve and honoring those who have sacrificed to protect the lives and liberties of the American people.

Each color on the flag, each star and each stripe evokes emotion in me, and together they stand as a symbol of everything I believed in about this country when I fought to defend it. When I heard that some in my country were opposing my military's involvement in Vietnam, that flag reminded me of our tolerance for differences and our endurance through unity. It was a steady symbol of the liberties we enjoy—a way of life that should be protected for future generations and defended for others who aspire to it. From the soldier deployed or detained abroad to the policemen and firefighters protecting citizens in communities, it has stood as a symbol of the country we love, the reason we serve and most important, the sacrifices that have been made.

There have been several major incidents of flag burning since the Court ruling in 1990. These incidents tear at me, and represent a direct attack on all I hold dear about this country. The Constitution was not designed to protect actions which jeopardize others' rights, and the government has long acted to restrict speech and conduct that could cause harm to others. Those who want to express their anger against this country have options that don't involve destroying the sacred symbol that belongs to all citizens.

At a time when we are faced with increasing youth violence and cultural breakdown, restoring our most recognized sign of unity would be a positive step in the right direction—providing a steady reminder that living free comes with responsibility to respect others. Since 9–11, the flag has come to represent even more for all Americans and a reminder of those who were lost protecting us. Allowing its desecration is an insult to all those who perished.

Mr. Speaker, the state of Israel has laws protecting not only its flag, but the flags of its allies as well. It is inexplicable to me that the United States is being told by its courts to tolerate such acts of hatred and violence against its flag when our allies go to such great lengths to protect it. Over seventy-five percent of Americans consistently agree: the time to restore protections for our flag is long overdue. I ask my colleagues to join me in support of this Constitutional Amendment, and to move it back to the American people for speedy ratification.

TRIBUTE TO PUNCH WOODS, RETIRING EXECUTIVE DIRECTOR OF THE TUCSON COMMUNITY FOOD BANK

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. KOLBE. Mr. Speaker, I rise today to pay tribute to Punch Woods, the retiring Executive Director of the Tucson Community Food Bank who has served his community in this important role for the past 25 years.

Mr. Speaker, it is hard to imagine what Tucson would be like without the contributions Punch has made to helping people who are hungry and needy. Just as important, however, has been his work to raise the awareness of the rest of the community, who do not suffer from hunger, of what it means to those who do. An entire generation of school children has grown up in southern Arizona bringing cans of food to school, to their Girl Scout meetings and even to birthday parties because of Punch's efforts. Now, many of them are parents themselves and are raising their kids to do the same.

I've had the privilege of serving on the Community Food Bank Board for some 20 years now. I don't know if I have contributed much to the work of the Food Bank over the years, but I know how much it has personally benefited to me. It has been so rewarding to be associated with an organization that is both compassionate and practical and to understand these are not mutually exclusive terms. We always say that we wish the Community Food Bank didn't have to be in business, and that is true. But hunger and poverty are—sadly—facts of life in our community today, and it is heartening to know that the Community Food Bank has been there to serve our families and neighbors in need with an ever-increasing array of services. The very fact that Punch

and I—one Democrat and one Republican—could work so well together to tackle the problems of hunger in our community is proof that there is no partisanship in these issues. But none of this could happen without his vision, dedication, determination and the personal sacrifices that he has made over the years.

Mr. Speaker, the Tucson Community Food Bank will not only survive but will grow even stronger because of the base that Punch Woods has built for it.

TRIBUTE TO ROBERT E. ''BOB'' BOWEN

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. CAPITO. Mr. Speaker, The Polymer Alliance Zone (Polymer) was developed in 1996 as a private/public partnership designed to promote the polymer industry in West Virginia. Polymer has been cited as one of West Virginia's most successful initiatives and has been emulated in the chemical and wood industries throughout the world.

One man, Robert E. ''Bob'' Bowen has served with great distinction as the Chairman of the Board of Directors since Polymer's inception. During that time, his leadership has brought the organization to a level of success that far exceeded all expectations, creating thousands of jobs and millions of dollars in new investments.

Mr. Bowen has leveraged resources from education, labor, management and government to bring worldwide recognition to Polymer and focus attention on the many opportunities available for companies and workers in West Virginia.

Mr. Bowen has dedicated countless hours toward facilitating and managing the many successes of the Polymer Alliance Zone, and has served as mentor to other alliances now forming among West Virginia industries.

After six years of successful leadership, Mr. Bowen is retiring as the Chairman of the Board of Directors. His vision and skill have secured the jobs of thousands of West Virginia families and growth for the future of many communities.

Mr. Speaker, I rise today to express the appreciation of the citizens of West Virginia to Robert E. ''Bob'' Bowen for the invaluable contribution he has made to our beloved state.

H.R. 100, THE SERVICEMEMBERS CIVIL RELIEF ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. SMITH of New Jersey. Mr. Speaker, today Mr. EVANS of Illinois and I are introducing H.R. 100, the Servicemembers Civil Relief Act, a bill to restate, clarify and strengthen the legal protections afforded our men and women who serve on active duty in our armed forces. This measure would modernize and rename the current Soldiers' and Sailors' Civil Relief Act, which has had only a few changes since it was passed during World War II. While it has always provided extremely important legal protections, this law is badly in need of comprehensive redrafting in modern legislative language so that it has a more inclusive name, is easier to understand and interpret, and, most importantly, provides updated protections to reflect the considerable changes in American society that have occurred over the past fifty years.

During the 107th Congress, I introduced H.R. 5111, a bill of the same name. H.R. 100 is a continuation of that initiative, and it may be possible to make more improvements as the new bill is considered. I think the timing of this legislation is important. Our Nation is engaged in a war against terrorism and once again contemplates the possibility of a war to prevent Saddam Hussein from developing weapons intended to terrorize the world. Our servicemembers need to know their elected representatives are working to reduce the burdens they and their loved ones face as they protect our freedoms and way of life. That is why we are introducing this bill on the first day of the 108th Congress.

Mr. Speaker, H.R. 100 is intended to make the Soldiers' and Sailors' Civil Relief Act (SSCRA) easier to understand by restating it in plain language, to incorporate generally accepted procedural practices, and to adjust its provisions to developments in American life since 1940. Major improvements to the SSCRA in H.R. 100 would:

1. Expand the SSCRA provision temporarily suspending legal proceedings that may prejudice the civil legal rights of military personnel to include administrative as well as judicial proceedings;

2. Add a section pertaining to Legal Representatives that clarifies the term ''servicemember,'' as used in the Act, and incorporates by reference the concept of a legal representative (the SSCRA is silent on this issue);

3. Establish a 90–day automatic stay of proceedings when military duty requirements materially affect the servicemember's ability to appear in a judicial or administrative proceeding;

4. Clarify the 6 percent interest rate cap by specifying that interest in excess of 6 percent per year is forgiven;

5. Improve eviction protections by precluding evictions from premises occupied by servicemembers for which the monthly rent does not exceed $1,700, rather than the current ceiling of $1,200;

6. Add leases to the provision protecting servicemembers who, prior to entry into military service, have entered an installment contract for the purchase of real or personal property by prohibiting creditors without court action from terminating contracts and repossessing property for nonpayment or breach occurring prior to or during military service;

7. Expand the termination of the real property leases provision by adding a clause stating that, if a servicemember while in military service executes a lease and thereafter receives military orders for a permanent change of station (PCS) move or a deployment order of 90 days or more, the servicemember can terminate the lease by giving the landlord written notice;

8. Clarify that protections regarding taxes on personal property include all forms of property owned by a servicemember or jointly held by a servicemember and the servicemember's spouse;

9. Add a provision that states ''a tax jurisdiction may not use the military compensation of the non-resident servicemember to increase the tax liability imposed on other income earned by the nonresident servicemember or spouse subject to tax by the jurisdiction''; and

10. Include legal services as a professional service specifically named under the provision that provides for suspension and subsequent reinstatement of existing professional liability insurance coverage for designated professionals serving on active duty.

Mr. Speaker, during the last Congress, with Public Law 107–330 we amended the Soldiers' and Sailors' Civil Relief Act to expand coverage to National Guard members activated under title 32 to respond to national emergencies declared by the President. Just in the past few days, some members of the reserve components have received notices that they will be called up for active duty, and Congress should consider more ways to encourage citizen service in the armed forces both by reducing its burdens and increasing its incentives. I hope to do that during this Congress. What was once called the Militia is now the National Guard and the Reserves, but the purpose remains the same, to give the people themselves the opportunity and responsibility to voluntarily contribute their time and talents to the national defense.

Mr. Speaker, I am hopeful that the House will consider and pass H.R. 100 early in this session. Our servicemembers should be uppermost in our minds and in our prayers during these dangerous times. As we depend on them, we must also do our part.

JUAN NEPOMUCENO SEGUIN POSTAGE STAMP

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise to introduce a resolution which urges the United States Postal Service to commission a postage stamp commemorating Juan N. Seguin, hero of Texas' War for Independence.

Juan Seguin believed in the freedoms that we enjoy today, many of which we take for granted.

He was fair minded, did not tolerate injustice, and fought for basic human rights for all people, despite the constant risk of imprisonment or death.

He was one of the key leaders of Texas' War for Independence.

As territorial governor of Texas, he protested the dismantling of the Mexican Republic of General Antonio Lopez de Santa Ana, and was the first to sound the alarm in response to Santa Ana's tyrannical actions.

He renounced General Santa Ana's overturning of the Mexican Constitution of 1824, which had granted all citizens and subjects of Mexico their basic human rights.

This was what the men in the Alamo were fighting to restore, as represented by the famous image of the Mexican flag with the number ''1824'' painted across the middle.

In October 1934, Seguin convened the first revolutionary meeting protesting the actions of Santa Ana's government.

Once the revolution was underway, he fought in the successful battle to retake San Antonio from General Martin Perfecto de Cos.

Later he was one of the 189 defenders of the Alamo, and his life was spared by Colonel William Travis' decision to send him with a request for reinforcements to Colonel James Fannin at Goliad, Texas.

He left on March 5, 1836, the day before the fall of the Alamo and the slaughter of its defenders.

He was able to rejoin the remainder of the Texas Army under General Sam Houston, and thus became the only man to fight at both the Alamo and San Jacinto.

Juan Seguin was a legendary leader in the Texas Revolution and an unsung hero of Texas. Though he is seldom given credit for his contributions, he helped establish the Texas that we are so proud of today.

I urge my colleagues to join me in support of this resolution.

STATEMENT AGAINST A PREVENTIVE WAR IN IRAQ

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. FRANK of Massachusetts. Mr. Speaker, on Monday night, literally on the eve of our swearing in as members of the 108th Congress, I spoke in Wellesley, Massachusetts at the Unitarian Universalist Society of Wellesley Hills at the invitation of that society. The topic they asked me to address was the potential war in Iraq, and I spoke to a crowd of several hundred people expressing my reasons for opposing a war in Iraq at this time. I was struck by the extremely large turnout—overflowing the hall—on a weeknight, and on a day when there had been a significant snowstorm, leaving the roads in difficult condition.

At the conclusion of the question and answer period, a representative of the society presented me with the attached statement, signed by approximately 160 people in the group. (I should note that the attendance at the meeting was much larger because not everyone who attended had been previously solicited to sign the statement.)

Mr. Speaker, given the grave nature of the question of whether or not to go to war, and the strong interest expressed by these citizens, I welcome their contribution to our debate and I ask that the Statement Against A Preventive War In Iraq presented by Members and Friends of the Unitarian Universalist Society of Wellesley Hills be printed here.

INTRODUCTION OF THE PUSH POLL DISCLOSURE ACT OF 2003

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. PETRI. Mr. Speaker, today, I am introducing legislation to increase the disclosure requirements for telephone ''push polls.'' As many candidates for public office have learned through personal experience, these push polls are not legitimate telephone surveys, but campaign devices designed to smear a candidate under the guise of a standard opinion poll.

Imagine a voter, who has been identified as a supporter of candidate X, being asked in a survey if this support would continue if it was learned that candidate X was guilty of a terrible indiscretion or an outright crime. It doesn't matter whether the allegations are true because the idea that candidate X is somehow unfit for office has been planted successfully. This is a telephone push poll.

My legislation, the Push Poll Disclosure Act of 2003, requires that each participant in a poll conducted for a candidate for a Federal office seeking the opinion of more that 1,200 households be told the identity of the survey's sponsor, It also requires further disclosures when a survey's results are not to be released to the public. In this case, the cost of the poll and the sources of its funding must be reported to the Federal Election Commission, along with a count of the households contacted and a transcript of the questions asked.

The Push Poll Disclosure Act of 2003 is a simple bill. It will not hinder the traditional use of polling, nor will it burden polling firms with excessive regulations. What this bill does do, however, is regulate push polls for what they are—campaign activities, and questionable ones at that. This legislation is noncontroversial and should be bipartisan, and its passage will make campaigns for Federal office a little bit cleaner.

INTRODUCTION OF THE FED UP HIGHER EDUCATION TECHNICAL AMENDMENTS ACT OF 2003

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. BOEHNER. Mr. Speaker, today I would like to join my colleague from California, the Chairman of the 21st Century Competitiveness Subcommittee, Representative HOWARD P. ''BUCK'' MCKEON, in reintroducing the FED UP Higher Education Technical Amendments Act. This bipartisan bill, cosponsored by Education & the Workforce Democrat committee members CAROLYN MCCARTHY (D–NY) and DAVID WU (D–OR), provides for technical amendments to the Higher Education Act, which will be up for reauthorization later this year.

Representative MCKEON, a leader in the House on higher education issues, along with the late Representative Patsy Mink (D–HI), initiated the FED UP process to make it easier for Hispanic-Serving Institutions to receive Federal aid, help college students avoid defaulting on their student loans, clarify that Federal scholarship aid can go to low-income and minority students for law school, and improve higher education access in other ways recommended by the higher education community.

The FED UP project is a unique effort, utilizing the Internet to get input directly from those most affected by current Federal higher education regulations—students and school officials themselves. The project solicited comments from student aid professionals from across the country in an effort to pinpoint unnecessary Federal rules and red tape that could be streamlined without jeopardizing the integrity of America's student financial assistance programs.

The response was phenomenal, both in terms of the number of comments received and in the reaction from the higher education community. Many of those responding commented that this is the first time Congress has put forward an effort to hear directly from those on the front lines of assisting students. Another said this is the way government should work, Congress listening to the experts and getting input, rather than just dictating a course of action. This bill is intended to address noncontroversial, budget neutral changes to the Higher Education Act that will assist in reducing red tape. It also clears the decks of clerical and technical problems within the act to set the stage for the Committee to begin the reauthorization process later this year.

This year I hope we can move this legislation through the floor in a swift manner. As part of an ongoing election-year effort to disrupt proceedings in the House, Democrat leaders in July 2002 blocked floor passage of the noncontroversial, bipartisan FED UP initiative. Twenty-seven House Democrats, including the late Representative Patsy Mink, broke with the Democratic leadership and joined Republicans in voting ''yes'' on the measure, which is also strongly backed by the higher education community.

This legislation was created in an effort to do what is right for students, institutions and others involved in providing higher education. The FED UP measure will help to untie the hands of students and institutions through a series of common-sense steps that will make a difference while paving the way for the reauthorization of the Higher Education Act in the 108th Congress.

INTRODUCTION OF THE FED UP HIGHER EDUCATION TECHNICAL AMENDMENTS ACT OF 2003

HON. HOWARD P. ''BUCK'' McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. MCKEON. Mr. Speaker, today, I am proud to join my colleague, the Chairman of the House Education and the Workforce Committee, John Boehner, in introducing the FED UP Higher Education Technical Amendments Act of 2003. This legislation is the result of a great deal of effort to improve the efficiencies and effectiveness of the Title IV student aid programs through the review of overly burdensome and outdated regulations.

During the 107th Congress, the House Education and the Workforce Committee launched the FED UP project (short for ''Upping the Effectiveness of our Federal Student Aid Programs) to identify and simplify burdensome regulations in the Higher Education Act of 1965 (HEA) that work against college students and personnel, The initiative, which was started to bring some sense to the regulations that students and the higher education community must deal with on a daily basis, received over 3,000 responses from college officials, administrators and other personnel who operate America's institutions of higher learning. After all of the responses were catalogued, the Department of Education initiated a negotiated rulemaking process to consider the regulatory changes included in the project, and have since published final regulations implementing many of the FED UP proposals.

These proposed amendments to the Higher Education Act of 1965 continue this effort to

identify and simplify burdensome regulations that work against college students and personnel, and are non-controversial and technical in nature. They provide for improvements that will reduce red tape for colleges and universities and will improve the financial aid process for students. Enacting these changes now will allow the House Education and Workforce Committee to address larger, more intricate proposals during the reauthorization of the HEA without being bogged down with technical and clerical issues.

This legislation provides for the streamlining and increased effectiveness of many provisions within the HEA. It reinstates two provisions beneficial to both students and institutions that expired on September 30, 2002. Specifically, schools with default rates under 10 percent for three consecutive fiscal years will be permitted to waive a 30–day delay requirement for first-year, first-time borrowers. Schools meeting the same low default rate standard would also be permitted to request one term loans in a single disbursement, rather than the required multiple disbursements. These provisions act as an incentive to schools to keep their default rates low and assist students in getting access to their loan funds on a timelier basis.

The FED UP Higher Education Technical Amendments Act of 2003 also corrects an error in an overly broad implementation of a provision affecting a student's eligibility for Title IV financial aid once convicted of a federal drug offense. Only those students enrolled and receiving Title IV aid when convicted will be affected once this correction is implemented.

A drafting error during the 1998 reauthorization of the HEA inadvertently removed the eligibility of not-for-profit foreign veterinary schools from participation in the Federal Family Education Loan (FFEL) Program. This legislation will correct that error and keep hundreds of students from losing their loan eligibility.

This legislation also provides clarification for financial aid officers in the return of Title IV funds. It clarifies how the return of Title IV funds should be implemented for schools utilizing clock hours, and what percentage of funds need to be included in any return. The language also makes clear that Leveraging Educational Assistance Partnership (LEAP) funds may be removed from the return of Title IV funds formula due to the mix of State and Federal funds at the school level. It clarifies that students who have been home schooled, and are treated as such under State law, are eligible for admittance into an institution of higher education as defined in the HEA and are eligible to receive financial aid. It also allows aid professionals to use professional judgment in determining financial need for a student who is declared a ward of the court.

This bill allows for the use of technology wherever possible to enhance and improve communication and the transfer of information. This includes reporting by States in providing information on teacher quality and providing students with voter registration materials.

This legislation allows student loan borrowers to receive more timely assistance from their lenders when they are seeking forbearance of loan payments. It allows a lender to accept a request for assistance over the telephone as long as a confirmation notice of the agreement reached is provided to the borrower and the borrower's file is updated. This eliminates the need for borrowers to sign paper documents requesting help and agreeing in writing to what they already have agreed to verbally.

The FED UP Higher Education Technical Amendments Act of 2003 corrects an administrative issue in the payment of insurance to lenders and reinsurance to guaranty agencies on borrower default claims when the borrower failed to establish eligibility for that loan. This change reinstates long-standing policy of the Department of Education in the payment of these specific claims, which was altered by a new reporting process put in place via a forms change.

This legislation allows Hispanic Serving Institutions (HSIs) to apply for HSI grants without having to wait two years in between applications. It also clarifies allowable uses of grant funds within the Thurgood Marshall Legal Educational Opportunity Program. It also provides clarification within the Federal TRIO programs that institutions with more than one campus may apply for separate grants to serve different populations at different campuses.

This legislation also provides clarification as to what items must be included within the annual report of the Department of Education's Performance Based Organization (PBO). Finally, the bill corrects the names of the authorizing committees throughout the HEA.

The FED UP Higher Education Technical Amendments Act of 2003 will take us one step closer to reducing burdensome rules and allow financial aid administrators and others in the higher education community to do their jobs more efficiently and effectively. Program integrity and service to students remain the priority and this legislation accomplishes both.

This legislation also brings forward, as an addition to FED UP, the provisions passed by the House of Representatives in the previous Congress that deal with the forgiveness of student loans for spouses of victims of the tragedy of September 11th and provides for the additional innovation of the delivery of post-secondary education by eliminating the rule prohibiting institutions of higher education from offering more than 50 percent of their coursework through distance education. This provision provides for a controlled look at increasing the availability of distance education, while protecting the integrity of the student aid programs.

We will be beginning the reauthorization of the Higher Education Act with this Congress and this is a very positive, productive and efficient first step. FED UP has accomplished its goal of streamlining the current regulatory system to the extent possible, while maintaining or improving program integrity, and I urge my colleagues to support this legislation.

INTRODUCTION OF THE SOCIAL SECURITY GUARANTEE PLUS ACT OF 2003

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. SHAW. Mr. Speaker, whether we live in prosperous or uncertain times, American families need economic security—the kind of economic security that Social Security provides. For 68 years, Social Security has protected workers and their families from falling into poverty if a breadwinner retires, suffers disability, or dies. Social Security has endured, unlike many other government programs, because its architects designed it to be owned by workers and to treat all workers fairly.

Social Security has evolved over the decades, strengthening its protections and finances along the way. However, our nation's demographics and economics are fundamentally changing, and Social Security's ability to continue meeting its promises is threatened. The Social Security Guarantee Plus Plan I am introducing today will enable Social Security to continue fulfilling its vital role in the lives of all Americans.

First, the Guarantee Plus Plan keeps intact the Social Security safety net. Promised benefits, including cost of living increases, are guaranteed for people receiving benefits today, tomorrow and for all future generations.

Second, the plan treats all workers fairly. Workers have paid into the system, it's their money, and we must protect and enhance their investment. It's not fair to workers to raise their payroll taxes or lower their benefits. Nor is it fair for the government to tell workers to work longer. That's why my plan does not raise taxes, does not lower benefits, and does not change the retirement age.

Third, Social Security payroll taxes belong to the workers who paid them. My plan gives workers a real ownership stake in Social Security by allowing them to choose to receive a tax cut to invest directly in prudent, individually-selected, market investments. For the first time, a nation of savers, not the government, will own and control the assets backing Social Security. Should an individual die before becoming eligible, the balance of their money will be passed along to their heirs.

Fourth, under my plan, Social Security can be counted on for the next 75 years, and beyond. Real assets guarantee current and future benefits, establishing a sound and sustainable financial footing. No longer will there be a need to periodically increase taxes or lower benefits to keep the program working.

Beyond keeping these promises to all Americans, we must also do more to improve Social Security for the women of our nation. Because of their longer life expectancies and lower earnings, women are more likely to suffer poverty in old age. Social Security is a vital safety net for these women. In addition, because benefits are based on earnings, women are disadvantaged when they choose to stay home to raise their children. The Guarantee Plus Plan protects our daughters, our mothers, our aunts and our grandmothers, not only by securing the future of Social Security and guaranteeing full benefits, but also by enhancing benefits for widows, divorced spouses, and working mothers. These benefits become available immediately in my bill.

Here's how the Social Security Guarantee Plus Plan works. The plan guarantees full, promised, current law benefits for all workers, whether you are 6 or 65. Just as companies must back your pension plan with real assets, the Guarantee Plus Plan saves Social Security by setting aside real assets, not IOUs, to prefund benefits. These assets are saved in each worker's own account, thereby providing workers the opportunity to create real wealth for themselves and their families.

Workers who choose to participate will receive a refundable credit of up to 4 percent of

their earnings to establish their own Social Security Guarantee Account. Workers, not the government, would select where to invest their Guarantee Account funds. The assets in these accounts would grow tax-free. No withdrawals would be permitted until a worker starts receiving benefits to ensure that the money is preserved for retirement.

At retirement or when the worker becomes disabled, a portion of the Guarantee Account is paid directly to the worker and the rest is used to help pay full, guaranteed Social Security benefits. But that's not all.

In addition to the much needed improvements in benefits for women I mentioned, my plan eliminates the retirement earnings penalty for all workers age 62 and older and reduces the so-called Government Pension Offset affecting spouse and survivor benefits to certain government workers.

Other plans may cost less, because they cut benefits or raise taxes. If our goal is to pay full promised benefits, boost women's benefits, and return Social Security to financial independence, the Guarantee Plus Plan is the lowest-cost proposal to date. The Guarantee Plus Plan does all this and pays for itself over the seventy five-year actuarial period, and that's confirmed by the Social Security Administration's Office of the Actuary. Even under the most conservative estimates, the Guarantee Plus Plan allows the new Social Security system to generate surplus cash in the Latter part of the century, actually adding black ink to the government's bottom tine.

My plan uses general revenues to fund the accounts. Even assuming borrowing for a transitional period, my plan pays back every borrowed dollar plus interest within the seventy five-year evaluation period. Not only would we pay off the mortgage on Social Security, we would leave workers with substantial account balances and the federal government with excess cash.

The Guarantee Plus Plan also meets or exceeds all of the President's principles for reform—pays promised benefits to retirees, near-retirees, and all workers; no tax increases; no government investing; fully preserves disability and survivor benefits; offers individually controlled, voluntary personal retirement accounts that will augment Social Security. In addition, my plan is consistent with the first option to establish personal accounts recommended by the President's Commission to Strengthen Social Security. My plan also accomplishes the objectives agreed to by the House during the 107th Congress to guarantee current law promised benefits, with cost-of-living adjustments to current and future retirees, without increasing taxes.

This past November, we witnessed yet another election cycle featuring Social Security as a key issue. Once again, Americans showed their willingness to explore new ideas to strengthen this vital program, since the old ways must be improved upon for future generations. Once again candidates who took a stand on ways to save Social Security not only held their own, they won. Yet, once again, not one penny has been invested in saving our nation's most successful retirement program. The result—while politicians debate, the price tag for saving Social Security only goes up and up.

From the time of Social Security's enactment until today, the history of the program's evolution has demonstrated that while everybody has his or her own ideas on how to strengthen the program, progress toward that goal is only achieved through bipartisan cooperation. It's tong past time for us to lay all our best thoughts on the table and work together to build on our success to make a stronger Social Security system that is an asset to all and not a liability to our children and grandchildren.

IN HONOR OF DR. WILLIAM CLAIBORN

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. MORAN of Virginia. Mr. Speaker, I rise today to acknowledge the accomplishments of Dr. William Claiborn during his 21 years of outstanding and dedicated service as Executive Director of the Alexandria Community Services Board and Director of Mental Health, Mental Retardation and Substance Abuse.

Over the course of his career, Dr. Claiborn has taken the Alexandria Community Services Board from an organization of four facilities to a nationally recognized provider serving over 4,000 Alexandrians in 63 facilities. Under his dynamic leadership, the Community Services Board has made many tremendous accomplishments. From creating a nationally recognized Sober Living Unit at the Alexandria Detention Center to establishing the Parent-Infant Education Program that assists infants with developmental disabilities and their families, Dr. Claiborn has consistently gone above and beyond the call of duty to help others.

Dr. Claiborn's extraordinary commitment to improving the lives of his fellow Alexandrians, Virginians and Americans suffering from mental health problems; mental retardation and substance abuse has been a true blessing to those in need. His work in partnering with state and regional leaders led to the development of new Medicaid rules in 1989, representing a major positive change in social policy. Dr. Claiborn also spearheaded a regional cooperative effort to provide funding and carry out the discharge of people from state hospitals into the care of the Community Services Boards, where they would receive better treatment and higher quality care.

Mr. Speaker, it is with the greatest pleasure that I recognize Dr. Claiborn today. He is a brilliant and exceptionally compassionate public servant who has devoted his life to the betterment of our society and the people of Alexandria, Virginia, a city in which he has long served. The benefits of Dr. Claiborn's tireless efforts on behalf of the less fortunate will resonate not only in the present, but throughout Alexandria's history for decades to come.

SPECIAL TRIBUTE TO CHARLES F. KURFESS FOR HIS YEARS OF DEDICATED PUBLIC SERVICE

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding gentleman, and good friend, from Ohio. The Honorable Charles Kurfess, from Bowling Green, is retiring from his current post as Common Pleas Judge in Wood County. His retirement marks the conclusion of a distinguished career dedicated to the service of others.

Mr. Speaker, upon his graduation from Bowling Green State University in 1951, Judge Kurfess was drafted into the Army where he was assigned to the Counter Intelligence Corp. He spent thirteen months in Tokyo and then returned home to enroll in law school at The Ohio State University.

While in law school at Ohio State, Chuck was elected to the Ohio House of Representatives. After ten years as a member of the House, Judge Kurfess was elected Speaker and served in that capacity for six years.

Judge Kurfess has had a significant impact on public policy in Ohio. He has also been a strong proponent of justice during his tenure on the bench. He has reached out nationally in an attempt to improve the lives of all citizens living in this great land. This is evidenced by his service as a Past President of the National Legislative Conference (now the National Conference of State Legislatures) and his service to Presidents Nixon and Ford on the Advisory Commission on Intergovernmental Relations. Serving his community, the state of Ohio and his country was not only Chuck's duty, but also his honor. These chances to give back to the public have brought him a lifetime of both personal and professional achievement. Judge Kurfess truly is a valued asset to Wood County and beyond.

Judge Kurfess has been a great resource and a true friend to everyone around him. Respected by his colleagues in the legislature and in the private sector, Chuck has shown the ability to improve the environment around him. He has been the recipient of many awards that reflect his service, to include being named the Outstanding Young Man of 1965 by the Bowling Green Jaycees, the Outstanding Freshman Representative by the Ohio Statehouse News Corp, he received the Distinguished Alumnus Award from Bowling Green State University, and was the recipient of the Distinguished Achievement Award for Contribution to Public Service from Wayne State University.

Judge Kurfess will be missed in the public arena, His wisdom, honesty and forthrightness are attributes to which all public servants should aspire. He has set an example for everyone on how to live a life of service, putting the greater interests of the community before one's own.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to Judge Charles F. Kurfess. Our communities are served well by having such honorable and giving citizens, like Charles, who care about their well being and stability. We wish Judge Kurfess, his wife Helyn and their three children all the best as we pay tribute to one of our nation's finest citizens.

TRIBUTE TO CLAUDIA GAMAR

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. DOOLITTLE. Mr. Speaker, today I wish to express warm thanks and congratulations to Claudia Gamar, the outgoing mayor of the City of Roseville, upon her retirement from the city council. After nine busy years of service on the council, including two terms as mayor, Claudia is able to enjoy private life once again.

Following her studies in journalism and business at the University of Nevada, Reno, and the Reno Business College, Claudia embarked on a business career by directing client relations and convention booking at various hotels and casinos in Reno. In 1980, she came to Roseville, California, as the owner and operator of Gamar & Associates, a marketing and public relations firm.

Since that time, Claudia has been a prominent part of Roseville's community fabric. Her civic involvement is manifest in her participation with numerous boards, commissions, business organizations, service clubs, and charitable causes. Most significantly, she committed herself to the sacrifices required of public officials when she was elected to the Roseville City Council in 1993.

Roseville has experienced the most dynamic phase of its history during Claudia's tenure. Under her leadership, the city has developed several outstanding public amenities, including the recently-dedicated Roseville Civic Center, the new Police Department headquarters, the Roseville Aquatics Center, the Roseville Sports Center, the Woodcreek Oaks Golf Course, and numerous parks. In addition to the fine city projects to which she contributed, Claudia has also helped to create an environment in Roseville that fosters high levels of private investment. For example, she personally traveled to Japan three times to meet with NEC officials regarding the company's $1 billion of assets in Roseville. Perhaps the most recognizable example of this probusiness attitude she helped foster is the 1.12 million square foot regional mall, known as the Roseville Galleria, which opened in the year 2000. Due to this aggressive economic development, the city is now regarded as one of the Sacramento region's premier retail centers and dining destinations.

Roseville, which was once a sleepy railroad town, is now a vibrant, well-planned community with award-winning parks, law enforcement, and city management. It is home to nationally-recognized, high-performing public schools. Its railroad past blends with its newer high-tech industry and thriving commercial centers. Its residential areas include dynamic new developments as well as historic neighborhoods. In short, Roseville is a model community with a bright horizon. My good friend Claudia Gamar is part of the reason why.

I join with a grateful community to thank her for her efforts. Now that she is somewhat removed from the immediate glare of public scrutiny, demands on her time, and strains on her privacy and family life, may she and her husband, Bill, find fulfillment in the quality of life she helped generate.

PRESIDENT CARTER'S NOBEL LECTURE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HOLT. Mr. Speaker, I rise today to call the attention of my colleagues to the powerful and eloquent lecture former President Carter delivered upon receiving the Nobel Peace Prize last December.

With the establishment of the Carter Center in 1982, President Carter embraced one of the humanity's loftiest and most widely shared goals—the alleviation of human suffering. The Carter Center has worked to virtually eliminate the crippling Guinea worm disease in Africa and treat millions of others who suffer from river blindness and trachoma. The Center's efforts to promote peace and democracy throughout the world are also well-known, monitoring elections in emerging democracies such as Sierra Leone and East Timor while promoting peaceful conflict resolution in places like the Sudan.

There is certainly little doubt that Jimmy Carter has earned the title of elder statesman and has become a voice of authority on foreign policy issues. His Nobel lecture was an affirmation of the principles that have guided his efforts for so many years. He articulated his vision of a world sharing the goals of ''peace, freedom, human rights, environmental quality, the alleviation of suffering, and the rule of law.'' But he also sounded a stern warning, a reminder that we live in a dangerous time that requires international cooperation and resolve, rather than preemptive unilateral action.

Mr. Speaker, I ask unanimous consent that the text of President Carter's Nobel lecture, delivered December 10, 2002, be placed in the RECORD.

NOBEL LECTURE

(By Jimmy Carter)

Your Majesties, Members of the Norwegian Nobel Committee, Excellencies, Ladies and Gentlemen:

It is with a deep sense of gratitude that I accept this prize. I am grateful to my wife Rosalynn, to my colleagues at The Carter Center, and to many others who continue to seek an end to violence and suffering throughout the world. The scope and character of our Center's activities are perhaps unique, but in many other ways they are typical of the work being done by many hundreds of nongovernmental organizations that strive for human rights and peace.

Most Nobel laureates have carried out our work in safety, but there are others who have acted with great personal courage. None has provided more vivid reminders of the dangers of peacemaking than two of my friends, Anwar Sadat and Yitzhak Rabin, who gave their lives for the cause of peace in the Middle East.

Like these two heroes, my first chosen career was in the military, as a submarine officer. My shipmates and I realized that we had to be ready to fight if combat was forced upon us, and we were prepared to give our lives to defend our nation and its principles. At the same time, we always prayed fervently that our readiness would ensure that there would be no war.

Later, as President and as Commander-in-Chief of our armed forces, I was one of those who bore the sobering responsibility of maintaining global stability during the height of the Cold War, as the world's two superpowers confronted each other. Both sides understood that an unresolved political altercation or a serious misjudgment could lead to a nuclear holocaust. In Washington and in Moscow, we knew that we would have less than a half hour to respond after we learned that intercontinental missiles had been launched against us. There had to be a constant and delicate balancing of our great military strength with aggressive diplomacy, always seeking to build friendships with other nations, large and small, that shared a common cause.

In those days, the nuclear and conventional armaments of the United States and the Soviet Union were almost equal, but democracy ultimately prevailed because of commitments to freedom and human rights, not only by people in my country and those of our allies, but in the former Soviet empire as well. As president, I extended my public support and encouragement to Andrei Sakharov, who, although denied the right to attend the ceremony, was honored here for his personal commitments to these same ideals.

The world has changed greatly since I left the White House. Now there is only one superpower, with unprecedented military and economic strength. The coming budget for American armaments will be greater than those of the next fifteen nations combined, and there are troops from the United States in many countries throughout the world. Our gross national economy exceeds that of the three countries that follow us, and our nation's voice most often prevails as decisions are made concerning trade, humanitarian assistance, and the allocation of global wealth. This dominant status is unlikely to change in our lifetimes.

Great American power and responsibility are not unprecedented, and have been used with restraint and great benefit in the past. We have not assumed that super strength guarantees super wisdom, and we have consistently reached out to the international community to ensure that our own power and influence are tempered by the best common judgment.

Within our country, ultimate decisions are made through democratic means, which tend to moderate radical or ill-advised proposals. Constrained and inspired by historic constitutional principles, our nation has endeavored for more than two hundred years to follow the now almost universal ideals of freedom, human rights, and justice for all.

Our president, Woodrow Wilson, was honored here for promoting the League of Nations, whose two basic concepts were profoundly important: ''collective security'' and ''self-determination.'' Now they are embedded in international law. Violations of these premises during the last half-century have been tragic failures, as was vividly demonstrated when the Soviet Union attempted to conquer Afghanistan and when Iraq invaded Kuwait.

After the second world war, American Secretary of State Cordell Hull received this prize for his role in founding the United Nations. His successor, General George C. Marshall, was recognized because of his efforts to help rebuild Europe, without excluding the vanquished nations of Italy and Germany. This was a historic example of respecting human rights at the international level.

Ladies and gentlemen:

Twelve years ago, President Mikhail Gorbachev received your recognition for his preeminent role in ending the Cold War that had lasted fifty years.

But instead of entering a millennium of peace, the world is now, in many ways, a more dangerous place. The greater ease of travel and communication has not been

matched by equal understanding and mutual respect. There is a plethora of civil wars, unrestrained by rules of the Geneva Convention, within which an overwhelming portion of the casualties are unarmed civilians who have no ability to defend themselves. And recent appalling acts of terrorism have reminded us that no nations, even superpowers, are invulnerable.

It is clear that global challenges must be met with an emphasis on peace, in harmony with others, with strong alliances and international consensus. Imperfect as it may be, there is no doubt that this can best be done through the United Nations, which Ralph Bunche described here in this same forum as exhibiting a ''fortunate flexibility''—not merely to preserve peace but also to make change, even radical change, without violence.

He went on to say: ''To suggest that war can prevent war is a base play on words and a despicable form of warmongering. The objective of any who sincerely believe in peace clearly must be to exhaust every honorable recourse in the effort to save the peace. The world has had ample evidence that war begets only conditions that beget further war.''

We must remember that today there are at least eight nuclear powers on earth, and three of them are threatening to their neighbors in areas of great international tension. For powerful countries to adopt a principle of preventive war may well set an example that can have catastrophic consequences.

If we accept the premise that the United Nations is the best avenue for the maintenance of peace, then the carefully considered decisions of the United Nations Security Council must be enforced. All too often, the alternative has proven to be uncontrollable violence and expanding spheres of hostility.

For more than half a century, following the founding of the State of Israel in 1948, the Middle East conflict has been a source of worldwide tension. At Camp David in 1978 and in Oslo in 1993, Israelis, Egyptians, and Palestinians have endorsed the only reasonable prescription for peace: United Nations Resolution 242. It condemns the acquisition of territory by force, calls for withdrawal of Israel from the occupied territories, and provides for Israelis to live securely and in harmony with their neighbors. There is no other mandate whose implementation could more profoundly improve international relationships.

Perhaps of more immediate concern is the necessity for Iraq to comply fully with the unanimous decision of the Security Council that it eliminate all weapons of mass destruction and permit unimpeded access by inspectors to confirm that this commitment has been honored. The world insists that this be done.

I thought often during my years in the White House of an admonition that we received in our small school in Plains, Georgia, from a beloved teacher, Miss Julia Coleman. She often said: ''We must adjust to changing times and still hold to unchanging principles.''

When I was a young boy, this same teacher also introduced me to Leo Tolstoy's novel, ''War and Peace.'' She interpreted that powerful narrative as a reminder that the simple human attributes of goodness and truth can overcome great power. She also taught us that an individual is not swept along on a tide of inevitability but can influence even the greatest human events.

These premises have been proven by the lives of many heroes, some of whose names were little known outside their own regions until they became Nobel laureates: Albert John Lutuli, Norman Borlaug, Desmond Tutu, Elie Wiesel, Aung San Suu Kyi, Jody Williams, and even Albert Schweitzer and Mother Teresa. All of these and others have proven that even without government power—and often in opposition to it—individuals can enhance human rights and wage peace, actively and effectively.

The Nobel prize also profoundly magnified the inspiring global influence of Martin Luther King, Jr., the greatest leader that my native state has ever produced. On a personal note, it is unlikely that my political career beyond Georgia would have been possible without the changes brought about by the civil rights movement in the American south and throughout our nation.

On the steps of our memorial to Abraham Lincoln, Dr. King said: ''I have a dream that on the red hills of Georgia the sons of former slaves and the sons of former slaveowners will be able to sit down together at a table of brotherhood.''

The scourge of racism has not been vanquished, either in the red hills of our state or around the world. And yet we see ever more frequent manifestations of his dream of racial healing. In a symbolic but very genuine way, at least involving two Georgians, it is coming true in Oslo today.

I am not here as a public official, but as a citizen of a troubled world who finds hope in a growing consensus that the generally accepted goals of society are peace, freedom, human rights, environmental quality, the alleviation of suffering, and the rule of law.

During the past decades, the international community, usually under the auspices of the United Nations, has struggled to negotiate global standards that can help us achieve these essential goals. They include: the abolition of land mines and chemical weapons; an end to the testing, proliferation, and further deployment of nuclear warheads; constraints on global warming; prohibition of the death penalty, at least for children; and an international criminal court to deter and to punish war crimes and genocide. Those agreements already adopted must be fully implemented, and others should be pursued aggressively.

We must also strive to correct the injustice of economic sanctions that seek to penalize abusive leaders but all too often inflict punishment on those who are already suffering from the abuse.

The unchanging principles of life predate modern times. I worship Jesus Christ, whom we Christians consider to be the Prince of Peace. As a Jew, he taught us to cross religious boundaries, in service and in love. He repeatedly reached out and embraced Roman conquerors, other Gentiles, and even the more despised Samaritans.

Despite theological differences, all great religions share common commitments that define our ideal secular relationships. I am convinced that Christians, Muslims, Buddhists, Hindus, Jews, and others can embrace each other in a common effort to alleviate human suffering and to espouse peace.

But the present era is a challenging and disturbing time for those whose lives are shaped by religious faith based on kindness toward each other. We have been reminded that cruel and inhuman acts can be derived from distorted theological beliefs, as suicide bombers take the lives of innocent human beings, draped falsely in the cloak of God's will. With horrible brutality, neighbors have massacred neighbors in Europe, Asia, and Africa.

In order for us human beings to commit ourselves personally to the inhumanity of war, we find it necessary first to dehumanize our opponents, which is in itself a violation of the beliefs of all religions. Once we characterize our adversaries as beyond the scope of God's mercy and grace, their lives lose all value. We deny personal responsibility when we plant landmines and, days or years later, a stranger to us—often a child—is crippled or killed. From a great distance, we launch bombs or missiles with almost total impunity, and never want to know the number or identity of the victims.

At the beginning of this new millennium I was asked to discuss, here in Oslo, the greatest challenge that the world faces. Among all the possible choices, I decided that the most serious and universal problem is the growing chasm between the richest and poorest people on earth. Citizens of the ten wealthiest countries are now seventy-five times richer than those who live in the ten poorest ones, and the separation is increasing every year, not only between nations but also within them. The results of this disparity are root causes of most of the world's unresolved problems, including starvation, illiteracy, environmental degradation, violent conflict, and unnecessary illnesses that range from Guinea worm to HIV/AIDS.

Most work of The Carter Center is in remote villages in the poorest nations of Africa, and there I have witnessed the capacity of destitute people to persevere under heartbreaking conditions. I have come to admire their judgment and wisdom, their courage and faith, and their awesome accomplishments when given a chance to use their innate abilities.

But tragically, in the industrialized world there is a terrible absence of understanding or concern about those who are enduring lives of despair and hopelessness. We have not yet made the commitment to share with others an appreciable part of our excessive wealth. This is a potentially rewarding burden that we should all be willing to assume.

Ladies and gentlemen:

War may sometimes be a necessary evil. But no matter how necessary, it is always an evil, never a good. We will not learn how to live together in peace by killing each other's children,

The bond of our common humanity is stronger than the divisiveness of our fears and prejudices. God gives us the capacity for choice. We can choose to alleviate suffering. We can choose to work together for peace. We can make these changes—and we must.

DIGITAL MEDIA CONSUMERS' RIGHTS ACT OF 2002

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. BOUCHER. Mr. Speaker, I am pleased to join with my colleague from California, Mr. DOOLITTLE, in re-introducing the Digital Media Consumers' Rights Act (DMCRA).

The Digital Millennium Copyright Act of 1998 (DMCA) tilted the balance in our copyright laws too heavily in favor of the interests of copyright owners and undermined the longstanding fair use rights of information consumers, including research scientists, library patrons, and students at all education levels. With the DMCRA, we intend to restore the historical balance in our copyright law that has served our nation well in past years.

In order to reduce growing consumer confusion and to reduce a burden on retailers and equipment manufacturers caused by the introduction of so-called ''copy protected CDs,'' we have also included in the bill comprehensive statutory provisions to ensure that consumers will receive adequate notice before they purchase these non-standard compact discs that they cannot record from them and that they

might not work as expected in computers and other popular consumer electronics products. Consumers shouldn't have to learn after they get home that the product they just purchased can't be recorded onto the hard drive of a personal computer or won't play in a standard DVD player or in some automotive CD players.

As my colleagues know, we introduced the bill at the end of last year to make clear that enactment of the legislation would be a high priority this year. We are now prepared to start the debate in earnest.

BACKGROUND AND NEED FOR LEGISLATION

Before describing the provisions of the bill in detail, I think it useful to provide a general overview of what has occurred over the past five years and why we need to recalibrate the DMCA in light of that experience.

As my colleagues may recall, in 1997 the Administration proposed legislation to implement two international copyright treaties intended to protect digital media in the 21st century. At the time, motion picture studios, record companies, book publishers, and other owners of copyrighted works indicated that the treaty implementing legislation was necessary to stop ''pirates'' from ''circumventing'' technical protection measures used to protect copyrighted works. As the bill was being formulated, it was clear that the proclaimed effort to crack down on piracy would have potentially harmful consequences for information consumers. Nonetheless, copyright owners asserted that the proposed legislation was not intended to limit fair use rights.

At the time, libraries, universities, consumer electronics manufacturers, personal computer manufacturers, Internet portals, and others warned that enactment of overly broad legislation would stifle new technology, would threaten access to information, and would move our nation inexorably towards a ''pay per use'' society. Prior to 1998, the American public had enjoyed the ability to make a wide range of personal non-commercial uses of copyrighted works without obtaining the prior consent of copyright owners. These traditional ''fair use'' rights have long been at the foundation of the receipt and use of information by the American public, and have been critical to the advancement of important educational, scientific, and social goals.

Congress was warned that overly broad legislation could have potentially harmful effects. Manufacturers of consumer electronic and other multiple purpose devices, for example, pointed out that a VCR or PC, among other popular devices, could be deemed to be an illegal ''circumvention'' device. In response to these concerns, the Administration limited the prohibition to devices that are primarily designed or produced for the purpose of circumventing; have only a limited commercially significant purpose or use other than to circumvent; or are marketed for use in circumventing. Even with this modification, however, the provision still contained a fundamental defect: it prohibited circumvention of access controls for lawful purposes, and it prohibited the manufacture and distribution of technologies that enabled circumvention for lawful purposes. In apparent response to expressions of concern, the Administration proposed a ''savings'' clause (ultimately enacted as section 1201(c)(1)), which states that section 1201 does not affect rights, remedies, limitations, or defenses to copyright infringement, including fair use. However, as at least some of us understood at the time, and two courts have since confirmed, the fair use defense to copyright infringement actions is not a defense to the independent prohibition on circumvention contained in Chapter 12 of the DMCA. Since Chapter 12 actions are not grounded in copyright law, the so-called ''savings clause'' preserving fair use defenses to copyright infringement actions is meaningless in the context of actions under the DMCA.

Other problems were seen with the Administration's original draft. As Congress became aware that the Administration's proposal prohibited many other legitimate activities, our colleagues agreed to graft numerous exceptions onto section 1201. The House Committee on Commerce, in particular, sought to more carefully balance the interests of copyright owners and information consumers by including provisions dealing with encryption research, reverse engineering, and security systems testing. We can now see in retrospect, however, that these provisions did not go far enough.

Congress made other changes in an effort to right the balance. Principally at the urging of consumer electronics manufacturers, Congress adopted the so-called ''no mandate'' provision to give equipment manufacturers the freedom to design new products without fear of litigation. Section 1201(c)(3) provides that, with one exception (set forth in section 1201(k)), manufacturers of consumer electronics, telecommunications, and computing products are not required to design their products to respond to any particular technological protection measure. (The only requirement imposed on device manufacturers is to build certain analog VCRs to conform to the copy control technology already in wide use in the market.) The ''no mandate'' provision was essential to addressing the legitimate concerns of the consumer electronics, telecommunications, and computer industries, which feared that section 1201 otherwise might require VCRs, PCs, and other popular consumer products to respond to various embedded or associated codes, or other unilateral impositions by content owners without the assurance of corresponding protections for equipment consumers. Moreover, through legislative history, Congress also made clear that equipment manufacturers were free to make adjustments to products to remedy ''playability'' problems created by unilaterally developed technical measures.

In the end, however, these changes were not enough to achieve the appropriate level of balance. In the end, the DMCA dramatically tilted the balance in the Copyright Act towards content protection and away from information availability.

Given the breadth of the law and its application so far, the fair use rights of the public at large clearly are at risk. From the college student who photocopies a page from a library book for use in writing a report, to the newspaper reporter excerpting materials from a document for a story, to the typical television viewer who records a broadcast program for viewing at a later time, we all depend on the ability to make limited copies of copyrighted material without having to pay a fee or to obtain prior approval of the copyright owner. In fact, fair use rights to obtain and use a wide array of information are essential to the exercise of First Amendment rights. In my view, the very vibrancy of our democracy is dependent on the information availability and use facilitated by the fair use doctrine.

Yet, efforts to exercise those rights increasingly are being threatened by the application of section 1201 of the DMCA. Because the law does not limit its application to circumvention for the purpose of infringing a copyright, all kinds of traditionally accepted activities may be at risk.

Consider the implications. A time may soon come when what is now available for free on library shelves will only be available on a ''pay per use'' basis. It would be a simple matter for a copyright owner to technically enshroud material delivered in digital format and then to impose a requirement that a small fee be paid each time the password is used so that a digital book may be accessed by a library patron. Even the student who wants the most basic access to only a portion of an electronic book to write a term paper would have to pay. The DMCA places the force of law behind these technical barriers by making it a crime to circumvent them even to exercise fair use rights. The day is already here in which copyright owners use ''click on,'' ''click through,'' and ''shrink wrap'' licenses to limit what purchasers of a copyrighted work may do with it. Some go so far as to make it a violation of the license to even criticize the contents of a work, let alone to make a copy of a paragraph or two.

To address these and other concerns that have been voiced since enactment of the DMCA, the bill we have introduced would amend sections 1201 (a)(2) and (b)(1) to permit otherwise prohibited conduct when engaged in solely in furtherance of scientific research into technological protection measures. Current law permits circumvention of technological protection measures for the purpose of encryption research. The bill expands the exception to include scientific research into technological protection measures, some of which are not encryption. This change is intended to address a real concern identified by the scientific community. It does not authorize hackers and others to post trade secrets on the Internet under the guise of scientific research, or to cloak otherwise unlawful conduct as scientific research.

Since September 11, 2001, we have all become more aware of the importance of improving the security of computer networks against hacking. Our computer scientists must be allowed to pursue legitimate research into technological protection measures to determine their strengths and shortcomings without fear of civil litigation or criminal prosecution under the DMCA. The public needs to know the genuine capabilities of the technological protection measures. The proposed amendment provides computer scientists with a bright line rule they can easily follow, and would encourage them to engage in research for the public's benefit.

The bill we have introduced does what the proponents of section 1201(c)(1) of the DMCA said it did, namely, to preserve the fair use rights of consumers under section 107 of the Copyright Act and under section 1201. (In 2001, for example, the presidents of the Business Software Alliance and the Interactive Digital Software Associations citing the ''savings clause'' stated in a letter to the editor of the Washington Post that ''[t]he DMCA did nothing to upset existing fair use rules that still permit a variety of academic inquiries and

other activities that might otherwise be infringing.'') The bill amends the ''savings clause'' to make clear that it is not a violation of section 1201 to circumvent a technological measure in connection with gaining access to or using a work if the circumvention does not result in an infringement of the copyright in the work. In short, if a consumer may make a fair use of a copyrighted work, he may gain access to it and then make use of it without liability under section 1201. At the same time, if his or her conduct does not constitute fair use under section 107, liability may attach under section 1201.

In this connection, I think it important to stress that, when the DMCA was being debated equipment manufacturers unsuccessfully sought to clarify the savings clause in section 1201. Since enactment of the DMCA, these same manufacturers have had to build business plans that incorporate copy protection technologies into their digital product offerings in order to ensure that content will be made available to consumers in digital formats. At the same time, these manufacturers have worked to ensure that those technologies are used in ways that are consistent with consumers' customary recording and viewing practices. I recognize that because the determination of whether or not a particular use is considered a ''fair use'' depends on a highly fact specific inquiry, it is not an easy concept to translate into a technological implementation. Our bill is not intended to encourage consumers to disable copy protection systems in order to gain increased access to protected works where the technology has been implemented in a manner that seeks to accommodate the consumer's fair use expectations. Instead, this proposal is in pursuance of a larger objective of ensuring that existing copy protection measures are implemented in ways that respect consumers' customary practices and ensuring that, as future technologies are developed, they incorporate means by which fair use of content can be made. As Congress demonstrated in developing section 1201(k) of the DMCA, there are ways to balance legislatively the interests of content owners and consumers when technological solutions that respect fair use practices can be agreed upon by all parties.

In addition to restrictions on their fair use rights, consumers face a new problem as record companies increasingly introduce into the market non-standard ''copy-protected compact discs.'' As widely reported in the press, consumers have found that these ordinary-looking CDs do not play in some standard consumer electronics and computer products and that they cannot be copied on computer hard drives or in CD recorders. Without question, record companies should have the freedom to innovate, but they also have the responsibility to provide adequate notice to consumers about the ''recordability'' and ''playability'' of these discs. They have not done so. For that reason, I believe it is appropriate for Congress to now step in. Our bill will ensure that non-standard discs are properly labeled to give consumers adequate notice of all dysfunctionalities.

In this connection, I think it is important to note that the conferees to the DMCA expected all affected industries to work together in developing measures to protect copyrighted works. As the conferees pointed out, ''[o]ne of the benefits of such consultation is to allow testing of proposed technologies to determine whether there are adverse effects on the ordinary performance of playback and display equipment in the marketplace, and to take steps to eliminate or substantially mitigate those effects before technologies are introduced.'' That process does not appear to have been employed with regard to the new unilaterally developed methods being used to protect compact discs.

In closing, I think it important to stress that, for over 150 years, the fair use doctrine has helped stimulate broad advances in scientific inquiry and in education, and has advanced broad societal goals in many other ways. We need to return to first principles. We need to achieve the balance that should be at the heart of our efforts to promote the interests of copyright owners while respecting the rights of information consumers. The DMCRA of 2003 will restore that balance.

We urge our colleagues to join us as cosponsors of this important legislation.

TRIBUTE TO MS. KATHERINE DUNHAM

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. CONYERS. Mr. Speaker, today, I rise to commemorate Katherine Dunham for her extraordinary contributions to dance, culture, history and the world. Ms. Dunham has been called the ''Matriarch of black dance.'' Her unprecedented blend of cultural anthropology with the artistic genre of dance in the early 1930's, produced groundbreaking forms of movement, and in the United States, established black dance as an art form in its own right. Global awareness of folk dance in Haiti can be chiefly attributed to the work of Katherine Dunham.

It is important to share the history of this amazing woman. After various stays in Jamaica, Martinique, and Trinidad, Ms. Dunham arrived in Haiti in 1935. She chose to visit the Caribbean in order to study the intensity, depth and the African influence of the Caribbean dance culture. The Caribbean nations of Haiti and Jamaica provided Dunham with new insights, as the villagers began to trust her and invited her to join in some of their most sacred dance rituals. She would ultimately claim Haiti as her second home and even adopt their Vodum (or Voodoo) religion. She later chronicled much of her time spent in Haiti in a book entitled, Island Possessed. Shortly after leaving Haiti she completed a thesis on the dances of Haiti, entitled Las Danzi de Haiti. In 1983, the Center for Afro-American Studies at UCLA published a revised version, incorporating a long campaign of subsequent research. It was through her dance compositions that Ms. Dunham introduced the Haitian based vocabulary of movement to the world. This form of dance later became known as the Dunham technique.

Ms. Dunham' formal career begin in 1931, when the ''First Negro Dance Recital in America'' was presented in New York. At the time she was a 21 year old University of Chicago student who also served as the group's choreographer, teacher and chief dancer. The multitude of roles that she played in this initial endeavor were indicative of her great career which would span the next 50 years. In 1935, Ms. Dunham was given the opportunity to study both academic and practical aspects of dance when she received a Rosenwald fellowship which enabled her to undertake an anthropological study of dance in the Caribbean. As a result of her research, Ms. Dunham determined that African influences dominated three aspects of Black folk dance. These include: the incorporation of African religious dance into new ritual behaviors; the secularization of the African religious dance; and the interaction of African secular dance with European secular dance.

Upon returning to the United States, Ms Dunham reconstituted her dance group focusing primarily on her Caribbean experiences, particularly in Haiti. She choreographed and produced numerous production, Pins and Needles, Tropics, Le Jazz Hot—From Haiti to Harlem, Cabin in the Sky, Tropical Revue, Carib Song, Bal Begre which played in various location, including New York and Los Angeles. Ms. Dunham's company also appeared in the film Stormy Weather with Lena Horne and Bill Robinson. Specifically, the dance troupe is featured in fog-drenched ''Stormy Weather'' dream sequence.

Later, Ms. Dunham returned to the international stage by opening Caribbean Rhapsody, Tropics, Son, Chorus, Nanigo, Bahian, Shango, LAg Ya', Rites of de Passage, Flaming Youth and Blues in Europe. Ms. Dunham's success in Europe led to considerable imitation of her work in European revues. Her company also toured South America, Africa and Mexico. Ms. Dunham's dance troupe was so successful that it became the most widely recognized American dance company in the world. This distinction was later inherited by the Alvin Ailey American Dance Theater in 1970's.

The Dunham company made its last appearance in New York in 1962. It performed a production entitled Bamboche! which featured a contingent from the Royal Troupe of Morocco. In 1963 in Aida, Dunham continued to secure her place in artistic history by becoming the first African-American to choreograph for the Metropolitan Opera. Dunham first appeared in films in 1940 in Carnival of Rhythm. Her other film credits include Cabin in the Sky, Star Spangled Rhythm, Casbah, and Pardon My Sarong.

In 1945, the Katherine Dunham School of Arts and Research opened and was comprised of a Department of Theater, Cultural Studies and the Institute for Caribbean research. It offered two, three and five year courses leading to professional, teaching and research certificates. The faculty numbered thirty, and the school's curriculum included classes such as dance notation ballet, modern and primitive techniques, psychology and philosophy. It also offered courses in acting, music, visual design, history and languages. During the 1940's and 50's, Dunham's School of Dance became the premier training facility for African American dancers by providing instruction in dance described as ''arresting,'' and ''highly theatrical.'' The student body was interracial and numbered approximately four hundred. The cost to run this school was enormous and absorbed most, if not all of profits earned by Ms. Dunham. However, during its tenure some of its more famous students included Marlon Brando, James Dean and Shelley Winters.

In 1967, Miss Dunham joined the faculty of Southern Illinois University in Edwardsville, to create a performing arts training center and dance anthropology program. In 1969, Miss Dunham created the Katherine Dunham Center for the Arts and Humanities, a community-based arts education program in East St. Louis. The center provided East St. Louis residents with the opportunity to witness and participate in fine, performing, and cultural arts.

Further, The Katherine Dunham Dynamic Museum is also located at Southern University in St. Louis. This landmark building appears on the Illinois Historic Register, and houses Miss Dunham's superb collection of African, West African, and South American art. It is also located in the Pennsylvania Avenue Historic District which is registered with the National Trust for Historic Preservation. The museum houses an outstanding collection of symbolic and functional art, including more than 250 African and Caribbean art objects from more than 50 countries. Tapestries, paintings, sculpture, musical instruments and ceremonial costumes from these and other areas of the world celebrate the human spirit. The museum also displays costumes, photographs, programs, letters, awards and mementos from Miss Dunham's career as a dancer, choreographer, teacher, writer and dance company owner.

Additional accolades attributed to Ms. Dunham include advisor on the First World Festival of Negro Arts, which was the subject of a television special entitled, ''Divine Drumbeats: Katherine Dunham and Her People.'' In addition, she received the Kennedy Center Honors Award in 1983, and has been inducted into the Black Filmmakers Hall of Fame. Dunham has also been given a star on the St. Louis Walk of Fame for the field of Acting and Entertainment.

On January 7th, when the 108th Congress convenes, I will introduce this letter into the CONGRESSIONAL RECORD, adding this commendation to the tidal wave of many others, Thank you Katherine Dunham for your wonderful and marvelous contributions to the world.

COMMEMORATING THE PROSPECT HILL FLAG RAISING

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. CAPUANO. Mr. Speaker, I rise today to commemorate a moment of tremendous historical significance to our great country. January 1, 2003, marks the 227th anniversary of the raising on Prospect Hill, Somerville (then in Charlestown) the first flag of the United American Colonies. It is also the 100th anniversary of the building of the monument on Prospect Hill to recognize this event.

On January 1, 1776, General George Washington authorized that the Grand Union Flag be flown to celebrate the formation of the Continental Army. Thus, the Grand Union Flag, also known as the Great Union Flag, the Continental Union Flag and the Congress Flag, was raised at the fort sited on Prospect Hill. The brigade of Continental troops commanded by the legendary General Nathaniel Greene stationed at Prospect Hill produced a rousing cry and fired a salute of thirteen guns as the flag proudly flew on that cold winter's morning. Washington himself fondly recalled the scene, writing in a letter to his friend Colonel Joseph Reed, ''we hoisted the Union Flag in compliment to the United Colonies.''

Our first flag itself bears only a similarity to our current flag, although, surprisingly, it bears a strong resemblance to the flag flown during the 18th century by the East India Company. The Grand Union Flag was an alteration of the British meteor flag. It featured thirteen alternating red and white stripes to signify the thirteen American colonies. A contemporary British Union flag—the red cross of St. George and the White cross of St. Andrew on a blue background—formed its canton. It was felt that this combination aptly reflected the unity the colonists felt in their struggle and the loyalty many still felt to England. While the Continental Congress never passed a resolution recognizing the Grand Union Flag as the official American flag, it was used until mid-1777 by the Continental Army and is considered the first flag of the United States. I am proud that it was first raised on Prospect Hill, Somerville, in what is now the 8th Congressional District of Massachusetts.

COMMENDING TWO NEWLY NAMED RHODES SCHOLARS FROM KANSAS

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. MOORE. Mr. Speaker, I am pleased to report that two Rhodes Scholars from Kansas were named last week. I include in the Record for the House's review a wire story from the Associated Press concerning these two exemplary young Kansans, Robert Chamberlain of Topeka, and Ben Champion of Olathe, but particularly want to take note of Ben Champion, a constituent who interned in my Overland Park and Washington, D.C., congressional offices last summer. I also include a recent story from The Olathe News concerning Ben.

Ben Champion, who is hoping to pursue a career in politics and public policy, is majoring in chemistry, natural resources and environmental sciences at Kansas State University. His goal is to bridge the gap between the sciences and the political arena by first specializing in the sciences, especially chemistry, and subsequently by working in the policy arena to develop and implement sound environmental policy. My constituents in Kansas' Third District were fortunate to have him serving them in their congressional offices last summer, and I join with our staff in congratulating Ben and wishing him well on this exciting new challenge.

KANSAS STUDENT NAMED RHODES SCHOLAR

(By The Associated Press)

Two young men from Kansas, one a University of Kansas graduate now in the Army, and the other a senior at Kansas State University, were named Saturday as Rhodes Scholars for 2003.

They area Robert M. Chamberlain of Topeka, who earned a political science degree from Kansas in May, and Ben Champion of Olathe, who is majoring in chemistry, natural resources and environmental sciences at Kansas State.

The prestigious scholarships provide more than $50,000 for two years of graduate study at Oxford University in England. They were established in 1903 by British philanthropist Cecil Rhodes, and 32 scholarships are awarded every year to students from the United States.

Chamberlain, a second lieutenant in the U.S. Army, is a field artillery officer with the 101st Airborne Division at Fort Sill, Okla., until April 2003, when he transfers to Fort Campbell, Ky.

A finalist for the scholarship a year ago, he is the son of Michael and Judy Chamberlain of Topeka and a graduate of Washburn Rural High School. He plans a public service career in international law.

Chamberlain said his selection for the scholarship was ''still sinking in.''

''It's such an honor to be selected from such an outstanding group of people,'' he said.

Chamberlain is the 24th University of Kansas student, and the first since 1994, to win a Rhodes scholarship. Kansas State has had seven Rhodes scholars since 1986.

Champion is a 1998 graduate of Olathe South High School. He is the son of Mike and Paula Champion of Olathe.

[From the Olathe News]

SOUTH GRAD IS RHODES SCHOLAR

(By Kevin Selders)

Ben Champion, a 1998 graduate of Olathe South High School, discovered something Saturday that changed his life.

Champion, who is graduating Saturday from Kansas State University with a degree in chemistry and environmental science, has been chosen as a Rhodes Scholar. He is one of two recipients from Kansas of the two-year, $50,000 scholarship to University of Oxford in England. ''I really don't know what to think about it yet,'' he said. ''It's still sinking in.'' The Rhodes Scholarships, the oldest international fellowships, were initiated in 1902 after the death of Cecil Rhodes. They allow students from many countries around the world to attend the University of Oxford.

American Rhodes Scholars are selected through a decentralized process by which regional selection committees choose 32 scholars each year from among those nominated by selection committees in each state. Applicants from more than 300 American colleges and universities have been selected as Rhodes Scholars.

The other recipient from Kansas, Robert Chamberlain of Topeka, earned a political science degree from the University of Kansas in May, and is now a second lieutenant in the U.S. Army. Scholarships also were awarded to students from other countries, bringing the total number of scholarships awarded this year to about 95.

Champion, who plans to study renewable energy technologies at Oxford, said he's excited about attending the university, which is known for having the largest chemistry department in the world. ''I'm really looking forward to studying at Oxford,'' he said. ''It's going to be a good fit for me.'' He said that after his time at Oxford, he'd like to conduct research and get into the political process and advise on environmental policy issues.

Rhodes Scholars are selected for two years of study at Oxford, with the possibility of renewal for a third year. All educational costs, such as enrollment, tuition, laboratory and other fees, are paid on the scholar's behalf by the Rhodes Trustees.

Each scholar also receives an allowance adequate to meet necessary expenses for term-time and vacations. The Rhodes Trustees cover the costs of travel to and from Oxford, and upon application, may approve additional grants for research purposes or study-related travel.

Champion, who also is a drummer and vocalist for a band called The Vetivers, attributed his success to having a supportive family, encouraging professors, a solid education from the Olathe school district and 12 years of experience in the Boy Scouts, which resulted in his achievement of Eagle Scout status. Champion also has won the Udall Scholarship for environmental studies and was a finalist for the Truman Scholarship.

Champion's father, Mike, credits his son's success to his positive, focused mind-set, his strong work ethic and his ability to adapt to any situation he's in. ''I'm about as excited as a dad can get,'' he said. ''It's one of those things where you pinch yourself to make sure you're awake and not dreaming.''

WELCOMING ROTARY INTERNATIONAL PRESIDENT BHICHAI RATTAKUL

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize an event that took place in my district yesterday, and to welcome the Rotary International President Bhichai Rattakul to Jacksonville and the United States.

The Rotary Clubs of Greater Jacksonville are dedicated and respected members of the large international humanitarian service organization. The Rotary Clubs of Greater Jacksonville are comprised of business and professional leaders who practice ethical standards in relationships in the community.

The many members of the Rotary Clubs of Greater Jacksonville dedicate their time, skills, expertise and other resources to help improve the lives of others in developing countries by supporting the Rotary Foundation and by working to eradicate polio worldwide; and consistently promote truth, fairness, and try to improve relations among the citizens of northeast Florida.

The Rotary Clubs of Greater Jacksonville provide friendship and fellowship to its members and visiting Rotarians. These dedicated men and women are some of the most active local citizens who motivate and influence community leaders through their efforts on a regular basis. But more importantly, the members of the Rotary Clubs of Greater Jacksonville are citizens of the World who live each day with the goal of ''Service Above Self.''

It was an honor for me to join the fine men and women of the Rotary Clubs of Greater Jacksonville on January 6, 2003, to welcome Rotary International President Bhichai Rattakul and thank him for his many efforts and his service on behalf of all Rotarians in Jacksonville, the Nation, and the World.

TRIBUTE TO MARTHA C. MYERS

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. ROGERS of Alabama. Mr. Speaker, on December 30, 2002, Dr. Martha C. Myers died doing what she loved—helping and healing people as a missionary in Yemen.

Her death last Monday was the result of an Islamic extremist who smuggled a gun into her hospital and opened fire. The gunman killed not only Dr. Myers but also two of her American colleagues and seriously wounded another. This act of senseless brutality against those devoted to goodness reminds us just how dangerous the world is even for those doing God's work.

Dr. Myers, a Jefferson County native, grew up in Montgomery wanting nothing more in life than to be a missionary. The daughter of Dr. Ira and Dorothy Myers, Martha Myers graduated from Robert E. Lee High School in 1963, and after completing her medical degree at the University of Alabama at Birmingham, committed to missionary life and doing what she believed God wanted her to do.

In 1977 she was assigned to Yemen as a missionary for the International Mission Board of the Southern Baptist Convention, working in the 80-bed hospital which treated more than 40,000 patients a year. Dr. Myers' medical career spanned 25 years as an obstetrician and surgeon, saving lives and giving hope.

Her brother Stephen said Martha gave away most of her small medical salary to others she felt more in need. She even recently divested her savings account to help pay the cost of a kidney transplant for one of the hospital patients.

Dr. Myers was a model citizen, a committed Christian, a shining example for us all.

President Bush has promised to bring to justice those responsible for the slayings. I join the President and my fellow citizens in strongly condemning this brutal act of murder and will work to ensure the United States Government and Yemeni officials work together to investigate the causes of this attack. We can not and should not tolerate the merciless killings of innocent Americans working and living abroad.

Let us send our condolences to the family of Dr. Martha Myers and our prayers that their grief may be soothed. But most importantly, let us keep the memory of Dr. Myers alive so her mission may not die in vain, but serve as a shining example for future American missionaries working to spread peace and hope throughout the world.

MEMORIAL TRIBUTE TO MRS. HELEN DOBSON

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. RAHALL. Mr. Speaker, I rise today to pay tribute to my dear friend, Mrs. Helen Dobson, who passed away on December 8, 2002.

Helen will be missed by all of us, but her memories will last forever in our hearts. She was a beautiful flower whose fragrance permeated her surroundings. Her songbird voice soothed the souls of many and brought joy to our hearts. Helen's untiring efforts on behalf of our community never went unnoticed, as she gave unselfishly of herself to meet the needs of others time and time again.

One of my fondest of many memories, is when Helen surprised me by singing ''Happy Birthday'' and inviting the congregation to join in, during a Sunrise Prayer Service at Central Baptist Church, in conjunction with a visit to my hometown of Beckley, West Virginia, by former U. S. Secretary of Transportation, Rodney E. Slater. Secretary Slater was in awe of Helen's beautiful voice, as she sang her favorite song, ''If I Can Help Somebody, Then My Living Shall Not Be In Vain.''

I will never forget Helen's efforts on my behalf and the support she gave me throughout the years. I pray that Helen's memories will live forever in our hearts. It is for certain that, ''Helen's Living Shall Not Be In Vain'' and the West Virginia Hills are alive with the sound of her music.

U.S. EMPLOYEE, FAMILY UNITY AND LEGALIZATION ACT

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GUTIERREZ. Mr. Speaker, I rise today to announce the introduction of my bill, the ''U.S. Employee, Family Unity and Legalization Act'' or the ''U.S.E.F.U.L. Act.''

I am very pleased to reintroduce legislation that reflects the global reality of our economy and the migratory nature of the labor market. Today, more than ever, immigrants play a critical role in our country's well-being and competently fill voids in our workforce and add strength and stability to our society.

My bill will help many immigrants realize their potential and our Nation's promise. Tax payers, home and business owners, parents and grandparents, neighbors and friends will no longer be forced to hide in the shadows of a country with a broken immigration system.

The USEFUL Act will enable immigrants now in the country to become eligible for permanent residency if they have lived in the U.S. for at least 5 years, regardless of their current immigration status. My bill calls for an immediate revision of the ''date of registry'', a provision in current immigration law that allows people to apply for permanent resident status if they had entered the United States by a specific date.

Updating the registry date has been a sensible practice of our nation's immigration policy since 1929, yet Congress has allowed the registry date to remain set at January 1, 1972. As a result, the historic and fair recognition of valuable contributions of long-term, law-abiding, tax-paying residents of the United States has been undermined.

The 1972 registry date has essentially become obsolete. My bill would immediately update the registry date to January 1, 1998, thus granting legal status to any immigrant who can establish that he or she was living in the United States by that time. The registry date would then roll forward by one year at a time every subsequent year until 2009. Thus, my bill would eventually grant permanent residency to every immigrant who entered the United States by January 1, 2003.

Some people might say that this legislation is bold, ambitious, and faces an uphill battle. I agree.

This bill is all of those things, but it is also legislation that is sound, sensible, and will ultimately be successful. My proposal will not only benefit deserving immigrants who have adopted the United States as their home, but all people who rely on safe communities and a sound and sustainable economy.

Immigrants are vital to the health and strength of a number of economic sectors,

such as the agricultural, service and construction industries. Immigrants are also vital to the smooth running of our daily lives—they educate our children, wash our dishes, mow our lawns, take care of our aging parents and grandparents, serve our food and clean our homes.

If these workers are able enough, are responsible enough to care for our children, parents, and grandparents, should they not at least be afforded the benefits they have rightfully earned?

A study highlighting the economic contributions of immigrants released just last month by the Center for Labor Market Studies at Northeastern University reported what many of us have understood for some time: Immigrant labor is absolutely essential to the health of the U.S. economy, both in terms of filling gaps in the labor market and expanding the nation's tax base.

Despite the well-documented contributions of immigrants, some people still might say, in light of the attacks of September 11, that this is a bill whose time cannot come.

I would strongly disagree. In fact, I would say that this bill is long overdue.

We must not let our national security concerns cast a dark shadow over the importance and real contributions of immigrants to our country. We should not allow terrorists to destroy the hopes and quest for a better life that is inherent in each and every immigrant seeking a better life while making a considerable contribution to our workforce.

Given the difficult lessons we learned from the tragedies of September 11th and our subsequent efforts to make this country safer for all of us, I would say we need this kind of bold immigration reform, like we have never needed it before. In fact, our national security demands it.

We are all aware than an estimated 8 to 9 million undocumented immigrants live in this country. Imagine this community of people currently living in the shadows brought forward to live openly in our society as legal permanent residents.

Imagine the relief it will provide to parents who, like the immigrants before them, came in search of a better life for their families.

Imagine the relief of employers who depend on the work of these immigrants to keep their hotels, restaurants, factories, and businesses afloat.

As a nation, we have committed immense resources to make our communities safer and to root out terrorists. Imagine our collective relief as Americans when we, alongside our immigrant friends who have come to build this Nation, are better able to focus our efforts on identifying and delivering justice to those that come to tear down this Nation.

The United States has been and always will be a country of immigrants. I believe the USEFUL Act will go far toward easing the plight of long-term U.S. residents who, for all practical purposes are here to stay, but who under current immigration law remain vulnerable. Ultimately, we will all benefit from a stronger, more stable workforce.

I also believe my bill will be extremely useful in our efforts to better secure the homeland and to protect us from future terrorist attacks.

I urge my colleagues to help achieve needed immigration reform by supporting the USEFUL Act.

CONGRATULATING THE WESTERN KENTUCKY UNIVERSITY HILLTOPPERS FOOTBALL TEAM

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to congratulate the Western Kentucky University Hilltoppers on their first NCAA Division I–AA football championship.

Today in Bowling Green, they are putting up seven new signs for drivers to see when they come into the city, signs recognizing the Toppers as national champions. Here in Washington, I introduced a resolution congratulating the Hilltoppers on their win, and my Kentucky colleague Jim Bunning has introduced the same resolution in the Senate.

The 15th ranked Hilltoppers defeated top-ranked McNeese State 34–14 to take the championship on December 20. Western brought their best game to the playoffs and the championship, defeating the three highest ranked teams on their way to winning the title.

Just as they had all season, the Hilltoppers relied on their tough defense and strong running game. Jon Frazier rushed for 159 yards and two touchdowns, bringing his season total to 1,537 yards and moving him into second place in Western's running records. The defense combined for three interceptions and a sack, holding McNeese State well below its season scoring average.

In his 14th year at Western Kentucky, coach Jack Harbaugh saw the team's hard work pay off. He has built a successful program over the years that the university, the Bowling Green community and the state can be proud of.

After starting the season with a 2–3 record, and a loss to McNeese State, the Hilltoppers relied on their teamwork and dedication to win 10 straight games, finishing the season with the national championship.

I join Western Kentucky University and all of Bowling Green in congratulating the Hilltopper football team for its success. Go Big Red!

THE FAILED CHILD WELFARE SYSTEM

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GEORGE MILLER of California. Mr. Speaker, there is an urgent need for the Congress to overhaul the failed child welfare system.

In 2000, almost 3 million instances of child abuse or neglect were reported and more than 870,000 incidents substantiated, and 556,000 children lived in foster care. A particularly horrendous example of abuse, and the failure of state agencies to address it, fills the newspapers today in reporting the tragedy in Newark, NJ.

Despite spending billions of dollars on child welfare, we continue to fail these and other children every day. Recent audits by the Department of Health and Human Services have found that *every state examined is out of compliance with federal regulations to protect children.*

Unfortunately, nearly every Member can find horrific stories in their own state about the failure of the child welfare system. In the most recent New Jersey tragedy, despite the state welfare system being repeatedly notified about abuse in this family over 10 years, two young brothers were found starving and neglected with their brother laying dead in another part of the basement. Serious reform at the local, state and federal levels is long overdue.

In November 2002, Representatives RANGEL and CARDIN and I convened a Child Welfare Summit that brought together child welfare experts, administrators, judges, and academicians to discuss the state of child welfare reform. Summit participants discussed the great need for reform and the communities in which improvements have been achieved. They called for more community involvement and partnerships, better investment in prevention, standards of accountability for welfare systems and improved caseworker training, supervision and retention.

The following article from The Washington Post discusses the urgent need for reform and some of the recommendations of the Summit. Congress needs to act without delay to review these findings and implement changes to safeguard our most vulnerable children.

[From the Washington Post, Jan. 2, 2003]

BEFORE THE NEXT TRAGEDY

By Susan Notkin

We have become accustomed to the headlines: A child in foster care is missing. An infant is left alone in a locked car on a hot day. A child dies at the hands of a parent whose acts of abuse or neglect went unnoticed—or, worse, were noticed and ignored by those who might have helped. One week's troubling stories may come from Florida, Michigan or Texas, but the next week it could just as easily be another state, another child in the news.

These tragedies initiate predictable events. Politicians, journalists and others point fingers. A caseworker, supervisor or child welfare commissioner resigns. A blue ribbon panel is convened. But real system reform seems impossible, and the sense of urgency fades until the next headline.

In the year 2000, nearly 3 million cases of child abuse or neglect were reported, with more than 870,000 incidents substantiated. For each day of that year, three children died as a result of abuse or neglect. In 2000, more than half-a-million children were in foster care nationwide, many residing in communities far from their homes and families.

The problem is not lack of caring. Child welfare workers and administrators go to work everyday hoping to do their best for vulnerable children and families. But state and local agencies suffer from inadequate resources, high turnover, poor training, low pay and outrageously heavy caseloads. At present, dozens of states are either involved in child welfare class action lawsuits or are operating under court order for failing to adequately protect abused and neglected children. Still we lack the political will for major reform.

Recently, national child welfare experts and congressional leaders held a Child Welfare Summit to discuss urgent problems confronting child welfare services and to recommend priorities for reform.

Participants called for major changes in our nation's approach to protecting children. They recommended investing in prevention instead of continuing with inadequate after-the-fact responses. They stressed that efforts to hold child welfare systems more accountable must be coupled with relevant standards

for child welfare practice that make accountability possible. They supported measures to build skills and improve compensation for caseworkers, increase caseworker retention and provide rewards for superior performance. Nearly all participants spoke to the need to address the over representation of children of color in our child welfare system.

Perhaps the area of greatest consensus was that government alone cannot effectively protect children. We need much greater community involvement, especially in the form of partnerships between public child welfare agencies and local communities. Such partnerships make keeping children safe everybody's business. Neighbors and community leaders reach out to vulnerable families to talk about good parenting. They carry the challenge of child abuse prevention to neighborhood meeting, block parties, picnics and congregations of different faiths. These partnerships offer individualized services based on a family's needs and give families at risk more say in the decisions that affect their lives.

Because child welfare, mental health, substance abuse and domestic violence agencies typically work with the same families, community partnerships ensure that their services are coordinated. And when children must be placed outside their homes, every effort is made to keep them in their own communities. Community partnerships are already showing great promise in more than 50 locations across the country, including cities as diverse as Jacksonville, Fla., Cedar Rapids, Iowa, and Atlanta.

The task of changing the way we conduct child welfare is demanding, but we have no choice. The terrible cost to children and families who fall in the cracks of the current system is obvious enough, but the financial cost is also daunting. Prevent Child Abuse America reports that we spend more than $93 billion annually in direct and indirect responses to child abuse and neglect. We could spend this money far more wisely by implementing the types of reforms recommended by the nation's leading child welfare experts. This is the future we must invest in.

OVERLAPPING ERAS

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, Janaury 7, 2003

Mr. HOUGHTON. Mr. Speaker, our former colleague, the extraordinary Daniel Patrick Moynihan, notes that from the summer of 1914 the world was at war, with only brief interludes, until the collapse of the Soviet Union. "But now we have to ask if it is once again the summer of 1914. Small acts of terror in the Middle East, in South Asia, could lead to cataclysm, as they did in Sarajevo . . . The eras are overlapping."

Senator Moynihan was speaking in the same forum from which General George C. Marshall summoned the American people to rebuild Europe—the Harvard University Commencement. He said that the end of the Cold War has brought not universal peace, but widespread violence. The new horrors occur on the fault lines between major conflicting cultures.

Recalling that General Marshall had spoken to the graduating class 47 years before, he said: "History summons us once more in different ways, but with even greater urgency. Civilization need not die. At this moment, only the United States can save it. As we fight the war against evil, we must also wage peace, guided by the lessons of the Marshall Plan—vision and generosity can help make the world a safer place."

I would commend the address in its entirety to my colleagues and would like to insert the text in the RECORD at this point:

COMMENCEMENT ADDRESS, JUNE 6, 2002

(By Daniel Patrick Moynihan)

A while back it came as something of a start to find in The New Yorker a reference to an article I had written, and I quote, "In the middle of the last century." Yet persons my age have been thinking back to those times and how, in the end, things turned out so well and so badly. Millions of us returned from the assorted services to find the economic growth that had come with the Second World War had not ended with the peace. The Depression had not resumed. It is not perhaps remembered, but it was widely thought it would.

It would be difficult indeed to summon up the optimism that came with this great surprise. My beloved colleague Nathan Glazer and the revered David Riesman wrote that America was "the land of the second chance" and so indeed it seemed. We had surmounted the depression; the war. We could realistically think of a world of stability, peace—above all, a world of law.

Looking back, it is clear we were not nearly so fortunate. Great leaders preserved—and in measure extended—democracy. But totalitarianism had not been defeated. To the contrary, by 1948 totalitarians controlled most of Eurasia. As we now learn, 11 days after Nagasaki the Soviets established a special committee to create an equivalent weapon. Their first atomic bomb was acquired through espionage, but their hydrogen bomb was their own doing. Now the Cold War was on. From the summer of 1914, the world had been at war, with interludes no more. It finally seemed to end with the collapse of the Soviet Union and the changes in China. But now . . .

But now we have to ask if it is once again the summer of 1914.

Small acts of terror in the Middle East, in South Asia, could lead to cataclysm, as they did in Sarajevo. And for which great powers, mindful or not, have been preparing.

The eras are overlapping.

As the United States reacts to the mass murder of 9/11 and prepares for more, it would do well to consider how much terror India endured in the second half of the last century. And its response. It happens I was our man in New Delhi in 1974 when India detonated its first nuclear device. I was sent in to see Prime Minister Indira Gandhi with a statement as much as anything of regret. For there was nothing to be done; it was going to happen. The second most populous nation on earth was not going to leave itself disarmed and disregarded, as non-nuclear powers appeared to be. But leaving, I asked to speak as a friend of India and not as an official. In twenty years time, I opined, there would be a Moghul general in command in Islamabad, and he would have nuclear weapons and would demand Kashmir back, perhaps the Punjab.

The Prime Minister said nothing; I dare to think she half agreed. In time, she would be murdered in her own garden; next, her son and successor was murdered by a suicide bomber. This, while nuclear weapons accumulated which are now poised.

Standing at Trinity Site at Los Alamos, J. Robert Oppenheimer pondered an ancient Sanskrit text in which Lord Shiva declares, "I am become Death, the shatterer of worlds." Was he right?

At the very least we can come to terms with the limits of our capacity to foresee events.

It happens I had been a Senate observer to the START negotiations in Geneva, and was on the Foreign Relations Committee when the treaty, having been signed, was sent to us for ratification. In a moment of mischief I remarked to our superb negotiators that we had sent them to Geneva to negotiate a treaty with the Soviet Union, but the document before us was a treaty with four countries, only two of which I could confidently locate on a map. I was told they had exchanged letters in Lisbon [the Lisbon Protocol, May 23, 1992]. I said that sounded like a Humphrey Bogart movie.

The hard fact is that American intelligence had not the least anticipated the implosion of the Soviet Union. I cite Stansfield Turner, former director of the CIA in Foreign Affairs, 1991. "We should not gloss over the enormity of this failure to forecast the magnitude of the Soviet crisis . . . The corporate view missed by a mile."

Russia now faces a near-permanent crisis. By mid-century its population could well decline to as few as 80 million persons. Immigrants will press in; one dares not think what will have happened to the nuclear materials scattered across 11 time zones.

Admiral Turner's 1991 article was entitled "Intelligence for a New World Order." Two years later Samuel Huntington outlined what that new world order—or disorder—would be in an article in the same journal entitled "The Clash of Civilizations." His subsequent book of that title is a defining text of our time.

Huntington perceives a world of seven or eight major conflicting cultures, the West, Russia, China, India, and Islam. Add Japan, South America, Africa. Most incorporate a major nation-state which typically leads its fellows.

The Cold War on balance suppressed conflict. But the end of the Cold War has brought not universal peace but widespread violence. Some of this has been merely residual proxy conflicts dating back to the earlier era. Some plain ethnic conflict. But the new horrors occur on the fault lines, as Huntington has it, between the different cultures.

For argument's sake one could propose that Marxism was the last nearly successful effort to Westernize the rest of the world. In 1975, I stood in Tiananmen Square, the center of the Middle Kingdom. In an otherwise empty space, there were two towering masts. At the top of one were giant portraits of two hirsute 19th century German gentlemen, Messrs. Marx and Engels. The other displayed a somewhat Mongol-looking Stalin and Mao. That wasn't going to last, and of course, it didn't.

Hence Huntington: "The central problem in the relations between the West and the rest is . . . the discordance between the West's particularly America's—efforts to promote universal Western culture and its declining ability to do so."

Again there seems to be no end of ethnic conflict within civilizations. But it is to the clash of civilizations we must look with a measure of dread. The Bulletin of the Atomic Scientists recently noted that "The crisis between India and Pakistan, touched off by a December 13th terrorist attack on the Indian Parliament marks the closest two states have come to nuclear war since the Cuban Missile Crisis." By 1991, the minute-hand on their doomsday clock had dropped back to 17 minutes to midnight. It has since been moved forward three times and is again seven minutes to midnight, just where it started in 1947.

The terrorist attacks on the United States of last September 11 were not nuclear, but

they will be. Again to cite Huntington, ''At some point . . . a few terrorists will be able to produce massive violence and massive destruction. Separately, terrorism and nuclear weapons are the weapons of the non-Western weak. If and when they are combined, the non-Western weak will be strong.''

This was written in 1996. The first mass murder by terrorists came last September. Just last month the vice president informed Tim Russert that ''the prospects of a future attack ... are almost certain. Not a matter of if, but when.'' Secretary Rumsfeld has added that the attack will be nuclear.

We are indeed at war and we must act accordingly, with equal measures of audacity and precaution.

As regards precaution, note how readily the clash of civilizations could spread to our own homeland. The Bureau of the Census lists some 68 separate ancestries in the American population. (Military gravestones provide for emblems of 36 religions.) All the major civilizations. Not since 1910 have we had so high a proportion of immigrants. As of 2000, one in five school-age children have at least one foreign-born parent.

This, as ever, has had bounteous rewards. The problem comes when immigrants and their descendants bring with them—and even intensify—the clashes they left behind. Nothing new, but newly ominous. Last month in Washington an enormous march filled Pennsylvania Avenue on the way to the Capitol grounds. The marchers, in the main, were there to support the Palestinian cause. Fair enough. But every five feet or so there would be a sign proclaiming ''Zionism equals Racism'' or a placard with a swastika alongside a Star of David. Which is anything but fair, which is poisonous and has no place in our discourse.

This hateful equation first appeared in a two-part series in Pravda in Moscow in 1971. Part of Cold War ''agit prop.'' It has since spread into a murderous attack on the right of the State of Israel to exist—the right of Jews to exist!—a world in which a hateful Soviet lie has mutated into a new and vicious anti-Semitism. Again, that is the world we live in, but it is all the more chilling when it fills Pennsylvania Avenue.

It is a testament to our First Amendment freedoms that we permit such displays, however obnoxious to our fundamental ideals. But in the wake of 9/11, we confront the fear that such heinous speech can be a precursor to violence, not least here at home, that threatens our existence.

To be sure, we must do what is necessary to meet the threat. We need to better understand what the dangers are. We need to explore how better to organize the agencies of government to detect and prevent calamitous action.

But at the same time, we need take care that whatever we do is consistent with our basic constitutional design. What we do must be commensurate with the threat in ways that do not needlessly undermine the very liberties we seek to protect.

The concern is suspicion and fear within. Does the Park Service really need to photograph every visitor to the Lincoln Memorial? They don't, but they will. It is already done at the Statue of Liberty. In Washington, agencies compete in techniques of intrusion and exclusion. Identity cards and X-ray machines and all the clutter, plus a new life for secrecy. Some necessary; some discouraging. Mary Graham warns of the stultifying effects of secrecy on inquiry. Secrecy, as George Will writes, ''renders societies susceptible to epidemics of suspicion.''

We are witnessing such an outbreak in Washington just now. Great clamor as to what the different agencies knew in advance of the 9/11 attack; when the President was briefed; what was he told. These are legitimate questions, but there is a prior issue, which is the disposition of closed systems not to share information. By the late 1940s the Army Signal Corps had decoded enough KGB traffic to have a firm grip on the Soviet espionage in the United States and their American agents. No one needed to know about this more than the President of the United States. But Truman was not told. By order, mind, of Omar Bradley, Chairman of the Joint Chiefs of Staff. Now as then there is police work to be done. But so many forms of secrecy are self-defeating. In 1988, the CIA formally estimated the Gross Domestic Product of East Germany to be higher than West Germany. We should calculate such risks.

The ''what-ifs'' are intriguing. What if the United States had recognized Soviet weakness earlier and, accordingly, kept its own budget in order, so that upon the breakup of the Soviet Union a momentous economic aid program could have been commenced? What if we had better calculated the forces of the future so that we could have avoided going directly from the ''end'' of the cold War to a new Balkan war—a classic clash of civilizations—leaving little attention and far fewer resources for the shattered Soviet empire?

Because we have that second chance Riesman and Glazer wrote about. A chance to define our principles and stay true to them. The more then, to keep our system open as much as possible, with our purposes plain and accessible, so long as we continue to understand what the 20th century has surely taught, which is that open societies have enemies, too. Indeed, they are the greatest threat to closed societies, and, accordingly, the first object of their enmity.

We are committed, as the Constitution states, to ''the Law of Nations,'' but that law as properly understood. Many have come to think that international law prohibits the use of force. To the contrary, like domestic law, it legitimates the use of force to uphold law in a manner that is itself proportional and lawful.

Democracy may not prove to be a universal norm. But decency would do. Our present conflict, as the President says over and again, is not with Islam, but with a malignant growth within Islam defying the teaching of the Q'uran, that the struggle to the path of God forbids the deliberate killing of noncombatants. Just how and when Islam will rid itself of current heresies is something no one can say. But not soon. Christianity has been through such heresy—and more than once. Other clashes will follow.

Certainly we must not let ourselves be seen as rushing about the world looking for arguments. There are now American armed forces in some 40 countries overseas. Some would say too many. Nor should we let ourselves be seen as ignoring allies, disillusioning friends, thinking only of ourselves in the most narrow terms. That is not how we survived the 20th century.

Nor will it serve in the 21st.

Last February, some 60 academics of the widest range of political persuasion and religious belief, a number from here at Harvard, including Huntington, published a manifesto: ''What We're Fighting For: A Letter from America.''

It has attracted some attention here; perhaps more abroad, which was our purpose. Our references are wide, Socrates, St. Augustine, Franciscus de Victoria, John Paul II, Martin Luther King, Jr., Alexander Solzhenitsyn, the Universal Declaration of Human Rights.

We affirmed ''five fundamental truths that pertain to all people without distinction,'' beginning ''all human beings are born free and equal in dignity and rights.''

We allow for our own shortcomings as a nation, sins, arrogance, failings. But we assert we are no less bound by moral obligation. And finally, . . . reason and careful moral reflection . . . teach us that there are times when the first and most important reply to evil is to stop it.

But there is more. Forty-seven years ago , on this occasion, General George C. Marshall summoned our nation to restore the countries whose mad regimes had brought the world such horror. It was an act of statesmanship and vision without equal in history. History summons us once more in different ways, but with even greater urgency. Civilization need not die. At this moment, only the United States can save it. As we fight the war against evil, we must also wage peace, guided by the lesson of the Marshall Plan—vision and generosity can help make the world a safer place.

Thank you.

COMMENDING THE KURDS AND TRADE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. BEREUTER. Mr. Speaker, this Member wishes to commend to his colleagues three editorials from the Omaha World-Herald.

First, the editorial from the December 11, 2002, edition of the paper, entitled ''Kurds set an impressive example,'' correctly commends the economic, political, and social progress made by the Kurds in northern Iraq despite Saddam Hussein's concerted and well-documented efforts to annihilate Iraq's Kurdish population.

Second, the editorial from the December 16, 2002, edition of the Omaha World-Herald, entitled ''Behind Mexico's farm woes,'' encourages Mexico to pursue new farm policies which fully utilize market opportunities created through the North American Free Trade Agreement (NAFTA) rather than simply continuing to blame U.S. farm subsidies for Mexico's continued ag sector problems.

Finally, the editorial from the January 2, 2003, edition of the paper, entitled ''Open trade, open meetings,'' offers support for U.S. proposals to increase transparency within the World Trade Organization (WTO).

KURDS SET AN IMPRESSIVE EXAMPLE

The Kurdish area of Iraq shows the progress that is possible once a dictator is freed from a dictator's rule. U.S. Sen. Chuck Hagel visited that zone last week, and he was on the mark in saying the Kurdish area has the potential to serve as a model for what a post-Saddam Iraq could become.

Saddam Hussein's regime devastated the Kurd's territory in the 1980s but lost its grip on the area in 1991 as a result of the Gulf War. Economic development began to surge there in 1996, when the United Nations began channeling a set portion of Iraq's oil revenues to the Kurds. Saddam's government is able to short-circuit or delay various development projects, but the Kurds have still made impressive progress.

Here is how Barham Salih, prime minister of the Kurdistan Regional Government, described that improvement, in an opinion essay this week in The Washington Post:

''In 11 years we have rebuilt some 4,000 villages, set up two universities and opened more than 2,700 schools. Protected by U.S. and British air power, we have created an environment of freedom unique in Iraqi history, in which Kurds, Turkomens, Assyrian

Christians and Arabs enjoy cultural and political rights. My home city of Sulaimani alone has more than 130 media outlets, including 13 TV stations and dozens of newspapers—as well as unrestricted access to the Internet and satellite TV.''

The currency in Kurdish-controlled areas is worth more than 100 times its counterpart in the rest of Iraq, the San Francisco Chronicle notes. A Chronicle article described the area's newly paved highways as well as new hotels and open-air restaurants.

The child mortality rate among the Kurds, the Chronicle points out, is about 45 percent less than that for the rest of Iraq. Such a contrast strongly suggests that Saddam's decisions in allocating medical resources are a major factor in bringing misery to average Iraqis.

The Kurds' progress shouldn't be exaggerated. Many Kurds eke out only a modest living, and the area's political system still needs to achieve the orderliness and relative comity associated with democratic systems.

On balance, though, the Kurds' achievement after only a few years offers tremendous hope. In certain respects, it can be a role model not just for Iraq but for many countries in that part of the world.

BEHIND MEXICO'S FARM WOES

Tariffs on agricultural trade between Mexico and the United States have fallen in dramatic fashion since the mid-1990s. That embrace of open trade has put pressure on many Mexican farmers, compelling many of them to get out of agriculture altogether.

Some farm activists and commentators are blaming the United States, arguing that its heavy subsidizing of agriculture puts Mexico at an unfair disadvantage.

It's true that U.S. farm subsidies are wide-ranging and second only to those of the European Union (although Mexico's corn subsidies average $150 a ton, compared to $85 in this country). But it is woefully simplistic to lay all responsibility at the feet of the United States. Many other important factors are also in play.

Critics tend to sidestep the fact, for instance, that much of the Mexican farm sector is thriving. Under NAFTA, Mexico's agricultural exports have gone up significantly. That growth was made possible in part because many Mexican farmers invested and modernized in preparation for the impending changes.

Other farmers, in contrast, made no adjustments. They are now feeling pressure. True, many Mexican farmers have little flexibility because they own small plots or else communal ones lacking clear title. But that only underscores the reality that such farms have precarious financial prospects to begin with.

The Mexican farm sector has brought some problems on itself by failing, in many cases, to invest in improvements for irrigation and transportation. Mexico has hurt itself, too, by failing to curtail disease in livestock. Disease is so widespread for Mexican hogs, for example, that just two Mexican states are currently allowed to export pork—and only to Japan.

A sensible strategy would be to promote industrial development so that Mexican farmers and laborers can leave unsustainable plots and take on better-paying factory jobs—which, in fact, is the course the Mexican government has been attempting under NAFTA. Anti-globalization activists, regrettably, are trying to block the creation of factories in rural Mexico, arguing that the traditional farm economy needs to be preserved in is entirety.

Mexico's farm sector has much to gain from the efficiencies and opportunities that open markets create. Mexico will toss away those opportunities, however, if it allows farm interests and political activists to block crucial flexibility and diversification.

OPEN TRADE, OPEN MEETINGS

The World Trade Organization serves a vital function by overseeing the rules that govern the annual exchange of more than $7 trillion in goods and services worldwide. Under the WTO's direction, the world is moving slowly, if sometimes unsteadily, toward more open trade. The trend is healthy.

Critics raise a legitimate point, however, when they decry how the WTO conceals its deliberations from public scrutiny.

Defenders rationalize the closed-door nature of much of the WTO's proceedings as necessary to protect companies' proprietary information. But such an arrangement understandably leads to accusations that the deliberations are permitting private horse-trading that should more properly be conducted in public.

The United States, to its credit, has proposed a series of measures to open up the WTO process. Under the U.S. recommendations, hearings would be conducted openly. Legal briefs and final panel reports would be made available to the public in a timely fashion. Meanwhile, procedures would be put in place to ensure that proprietary information that legitimately deserves protection would receive it.

Those would all be positive steps. Some WTO members are balking but the call for greater openness should be heeded. The WTO, whose decisions have enormous ramifications for countries' economic well-being, ought to move its operations into the daylight.

A BILL TO CREATE FEDERAL ADVERTISING PROCUREMENT OPPORTUNITIES FOR MINORITY BUSINESS CONCERNS, AND FOR OTHER PURPOSES

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Ms. KILPATRICK. Mr. Speaker, small, disadvantaged businesses have been denied access to prominent contracting and subcontracting opportunities across the spectrum of industry. Many entrepreneurs and small businesses have either been hurt or put out of business by the gross disparity between procurement opportunities they receive and those received by large, majority owned businesses. In response to this inequity, former President Clinton enacted an executive order in October 2000 to improve the situation and rectify the inequity. The executive order's sole focus was to increase opportunities and access for disadvantaged businesses in relation to Federal procurement opportunities.

According to the executive order, each department and agency with procurement authority was to aggressively seek to ensure that small disadvantaged businesses, minority business enterprises and other types of small businesses were intimately involved in prime contracting opportunities. The underlying premise of the order was to contribute to a reduction of inequality within the realm of Federal procurement opportunities.

I want to codify former President Clinton's executive order specifically as it relates to Federal advertising contracts. My goal is to ensure that minority business concerns engaged in the advertising industry have ample Federal advertisement procurement opportunities. In addition, the legislation pinpoints minority business concerns owned and controlled by socially and economically disadvantaged individuals as businesses in drastic need of increased participation in Federal advertising procurement opportunities.

The advertising industry is an ever-expanding industry that exposes many products and services to a growing and diverse nation. There are more than 21,000 advertising agencies engaged in the business and thousands more that want to become engaged in the advertising industry. However, for various reasons, many smaller and disadvantaged businesses have found it difficult to obtain advertising contracts, particularly large Federal government contracts. This bill will eradicate the inequity by facilitating the following:

1. Aggressively seeking to ensure that minority business concerns are aware of the Federal advertising procurement opportunities by using the most effective forms of communication, including the Internet, specialty press and trade press;

2. Ensuring that procurement authorities will work with the Small Business Administration (SBA) to make sure that eligible small business concerns receive information regarding the contracts;

3. Ensuring that the price evaluation preference programs authorized by Section 7102 of the Federal Acquisition Streamlining Act of 1994 are used to the maximum extent when granting Federal advertising contracts to minority business concerns;

4. Requiring that contractors meet the commitments required by this legislation and other related laws (i.e., Small Business Act); and

5. Ensuring that contracts involving commitments with minority business concerns include clauses that address the assessment of liquidated damages when commitments are not met.

I sincerely hope that Congress will consider the positive effect of this bill not only for minority business concerns, but also for the betterment of the advertising industry in general. This bill can cure an ill that has plagued the advertising industry for a long time. I look forward to the opportunity to discuss this issue with my many colleagues in Congress.

CELEBRATING THE WEDDING OF PETER DILLON CAIRNEY AND ANNA CHRISTINE LEE

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. KING of New York. Mr. Speaker, I rise today to hail the upcoming wedding of my good friend Peter Dillon Cairney to Anna Christine Lee in Portland, Oregon on February 1, 2003. I bring this merger to the attention of the Congress because in addition to his other exploits, Pete Cairney served his country well as an infantry officer in the United States Marine Corps, rising to the rank of Captain and serving in Operation Desert Storm.

Pete Cairney is a true American and a true New Yorker, born in Queens where, like his literary soul mate Jimmy Breslin, he was born in

the shadow of manual labor. Pete went on to graduate from St. John's University where he earned a B.S. degree at the University of Notre Dame where he received an M.B.A. degree. His fiancée Anna Christine is a native Oregonian who received her B.S. and M.A. degrees from George Fox University and is currently a sales director.

I ask all my colleagues to join me in wishing this great couple many years of health and happiness.

TRIBUTE TO ALABAMA MISSIONARY DR. MARTHA C. MYERS

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. EVERETT. Mr. Speaker, I rise to pay tribute to the service and memory of a great American and a remarkable citizen of my State of Alabama, Dr. Martha C. Myers.

On December 30, Dr. Myers and two others, William E. Koehn of Texas and Kathleen A. Gariety of Wisconsin, lost their lives in a terror attack aimed at them simply because they were American missionaries. All three were in Jibla, Yemen serving in a hospital for the poor run by the Southern Baptist Church.

Like her colleagues, Dr. Myers was thoroughly devoted to serving the Lord and believed that her life should be spent doing His work regardless of personal risk. She loved treating and caring for the poor and labored in Yemen for 24 years before she lost her life.

Americans and Christians are both a rarity in that remote Arab nation which has long been known for its lawlessness. Dr. Myers knew the danger that awaited her each day while serving in Yemen and yet she looked forward to her work as each day brought her closer to the Lord.

Last weekend, a large memorial service was held at her home church, Dalraida Baptist, in Montgomery in my congressional district. So many family, friends and fellow Alabamians turned out to honor the testimony of this remarkable Christian. Perhaps the most striking example of Dr. Myer's walk for Christ was the attendance of Yemenis at another memorial service held for her last week in Jibla, a place she loved so much that she chose to be buried there.

The Alabama Baptist newspaper reported that no less than 40,000 gathered at the missionary hospital and lined the street to pay their respects for Dr. Myers and her colleagues. ''In a country where professing faith in Jesus Christ could result in death, mourners sang 'He is Lord' in Arabic and recited the Lord's Prayer,'' the paper wrote.

Our prayers go out to the families of Dr. Myers and her colleagues who died in service to their fellow man. They are a powerful example of true courage and sacrifice no matter what the cost to themselves.

Thank you, Mr. Speaker.

CENTENNIAL OF THE NATION'S OLDEST MULTI-PURPOSE RECLAMATION PROJECT: THE SALT RIVER PROJECT

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HAYWORTH. Mr. Speaker, a little more than halfway through our nation's history, when the West was still an untamed region full of untapped potential, central Arizona's early settlers embarked on what has become a hallmark of American vision, boldness and success. The story is that of the Salt River Project, the nation's third largest public power provider, the largest supplier of water to the greater Phoenix metropolitan area and the oldest multi-purpose reclamation project in the U.S.

Incorporated on February 7, 1903, the Salt River Project, more commonly known as SRP, deserves special commendation in its centennial year for the prominent role it has played in central Arizona's growth and development. Its place in Arizona's history prompted me and my colleague, Congressman JOHN SHADEGG, to nominate SRP for inclusion in the Library of Congress's Bicentennial Local Legacies Project.

Before SRP was formed, pioneers of the area that now encompasses large parts of my own Congressional District 5 saw opportunity in the desert region they had settled. Farming, commerce and trade were beginning to boom. But the region's main source of water, the Salt River, proved fickle and dangerous.

To preserve themselves, their families and their future, the pioneers banded together to secure a reliable water supply. They envisioned a great dam in the Salt River Canyon east of Phoenix and, though the idea may have seemed fanciful to some, it won the support of President Theodore Roosevelt.

With passage of the National Reclamation Act of 1902, the foundation was laid for formation in 1903 of the Salt River Valley Water Users Association, a non-profit entity that later became the Salt River Project. Local farms were offered as collateral to secure a federal loan for construction of a stone masonry dam on the Salt River. When the dam was completed in 1911, it was rightly named Roosevelt Dam after the president whose visionary reclamation concepts helped settlers of Arizona and other Western states forge progress and prosperity.

Today, SRP has more than 780,000 electric power customers, shares ownership of power plants in four states, participates actively in power transmission decisions across the West, and manages six dams on the Salt and Verde rivers and thousands of miles of canals and laterals that deliver more than 40 percent of the region's water supply.

Among utilities nationally, SRP is recognized for its customer service, employee-community involvement, corporate giving and environmental leadership.

There can be no doubt that SRP will continue to be a major force in meeting Arizona's water and power needs, and an invaluable partner to the communities it serves. With pride, Mr. Speaker, I salute the Salt River Project on its 100th anniversary.

A BILL TO EXPAND AND IMPROVE THE BENEFITS PROVIDED TO SMALL BUSINESSES UNDER INTERNAL REVENUE CODE SECTION 179

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HERGER. Mr. Speaker, I rise today to join with President Bush in his call to assist our Nation's small businesses by introducing the ''Small Business Expensing Improvement Act of 2003.'' This legislation will encourage new business investment and expansion, and I am pleased to be joined in this effort by several of my colleagues on the tax-writing Ways and Means Committee.

Small businesses truly are the backbone of our economy, representing more than half of all jobs and economic output. We should not take small business vitality for granted, however. Rather, our tax laws should support small businesses in their role as the engines of innovation, growth, and job creation.

Earlier today, President Bush unveiled his economic growth proposal. I applaud the President for his commitment to our Nation's small business owners and his dedication to ensure that our tax laws do not impede the growth and development of small businesses. The legislation we are introducing today will implement a key element of the President's plan, expansion of the benefits available to small businesses under Internal Revenue Code Section 179.

Our bill will improve our tax laws to make it easier for small businesses to make the crucial investments in new equipment necessary for continued prosperity. Under Code Section 179, a small business is allowed to expense the first $25,000 in new business investment in a year. Following the President's lead, our legislation will permanently increase this amount to $75,000. Furthermore, our bill will index this amount to ensure that the value of this provision is not eroded over time.

This legislation will also allow more small businesses to take advantage of expensing by increasing from $200,000 to $325,000 the total amount a business may invest in a year and qualify for Section 179. It is important to note that this amount has not been adjusted for inflation since the provision was enacted into law in 1986.

Mr. Speaker, in times of economic uncertainty, we must do all we can to encourage new investment and job creation. The ''Small Business Expensing Improvement Act of 2003'' will help accomplish this worthy goal. I applaud President Bush for his leadership on this issue, and I look forward to working with my colleagues to enact this much-needed legislation.

HONORING THE LIFE AND DEDICATED SERVICE OF FORMER CONGRESSMAN WAYNE OWENS OF UTAH

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. LANTOS. Mr. Speaker, I join my distinguished colleague from Utah, Mr. MATHESON,

the other members of the Utah delegation, and all of my colleagues in this body in mourning the passing of our former colleague, Congressman Wayne Owens of Utah. I consider it an honor to have known him and to have served with him.

Wayne and I served on the International Relations Committee during his second term of service in this House from 1987 until 1993. I visited Wayne's congressional district in Salt Lake City at his request to assist with his reelection.

My relationship with Wayne, however, went back much further than our association here in this House. In the 1960s he served as a legislative aide to Senator Frank E. Moss of Utah, and later he was the Administrative Assistant to Senator EDWARD M. KENNEDY of Massachusetts. I also served on the staff of other members of the Senate while Wayne was working there.

Mr. Speaker, Wayne and I stood together on many issues before the International Relations Committee—from seeking to bring peace in the Middle East to dealing with the momentous changes taking place in Central Europe and the former Soviet Union. We also worked together on many other issues that were before the Congress—from protecting our nation's fragile environment to seeking the welfare of the working men and women of our country.

Mr. Speaker, Wayne Owens was a man of conviction, who took action that he thought was right despite the personal consequences. During his first term in the House of Representatives, he served on the Judiciary Committee and cast his vote for the impeachment of then-President Richard M. Nixon. Not long after that important vote, he ran for an open seat in the United States Senate but lost. He blamed his defeat on that Judiciary Committee vote because President Nixon remained popular in Utah. Wayne also worked on environmental legislation to protect the incomparable Utah wilderness and to reintroduce wolves to Yellowstone National Park—issues that many in his home state did not support. He voted against authorizing the use of military force against Iraq in 1991. I greatly admire Wayne for his determination to act as he thought right, despite the personal consequences.

Mr. Speaker, both before and after his congressional service, Wayne was committed to working for peace and reconciliation in the Middle East. In 1989 he joined my friend S. Daniel Abraham, the former Chairman of Slim Fast Foods, to establish the Center for Middle East Peace and Economic Cooperation. After his loss in the Utah Senate election in 1992, Wayne devoted a great deal of his time to the Center, and he was a frequent visitor to Arab States and Israel. On many occasions he traveled with Members of Congress to that region in an effort to increase understanding of regional problems and to seek solutions through economic cooperation.

Mr. Speaker, I join my colleagues in acknowledging the contributions of Wayne Owens to our nation, to this House, and to the cause of better understanding between peoples of the world. He was a remarkable and a dedicated man, and we all join in expressing our condolences to Marlene, his devoted wife of 41 years, and to his five children and 14 grandchildren.

INDIVIDUAL AND SMALL BUSINESS TAX SIMPLIFICATION ACT OF 2003

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. HOUGHTON. Mr. Speaker, today I am re-introducing a bill, the Individual and Small Business Tax Simplification Act, to address a problem that remains as relevant in the 108th Congress as it was in the 107th. In 1935, there were 34 lines on Form 1040 and instructions were two pages. Today, the tax code and regulations have grown to over 9 million words. According to the Tax Foundation, individual taxpayers spent 2.9 billion hours on federal tax compliance in 2002. This is 370 million more hours than in 2001. Businesses spent an additional 2.75 billion hours on tax compliance. The value of this 5.6 billion hours of lost time is incalculable. Our tax code is a growing thicket of complexity that frustrates ordinary taxpayers, is a haven for promoters of dubious schemes, and frequently generates unintended consequences.

To be sure, defining income in a manner that is fair and easy to administer is inherently complex, but, for a variety of reasons, the tax code has become far more complicated than necessary. Pamela Olson, the Treasury Department Assistant Secretary for Tax Policy, put it well recently when she said that our tax system ''is surely not a tax system that anyone would set out to create * * * it is the system that has evolved over time.'' In many cases, there is a clear answer to the question of whether a rational person would design a tax provision the same way from a clean slate. The objective of the legislation I am introducing today is to roll back unneeded complexity for individuals and small business taxpayers. One or more of the bill's provisions would simplify annual filing for every individual taxpayer and nearly every business in America.

This legislation builds on a bill that I introduced in the 106th Congress, the Tax Simplification and Burden Reduction Act. The Ways and Means Subcommittee on Oversight has held numerous hearings on tax simplification, and the bill draws on the record built at those hearings. I plan to hold additional hearings on tax simplification during the 108th Congress to consider ways to refine this legislation and to consider additional simplification proposals. Several of the provisions of this legislation appeared first as recommendations in the Joint Committee on Taxation's April, 2001 report, and the staff of the Joint Committee on Taxation has helped to refine the proposals contained in the bill. Other provisions originated with the work of the Tax Section of the American Bar Association and the American Institute of Certified Public Accountants. I have received many comments on last year's legislation, and I welcome comments from other individuals and organizations on the bill as we continue to work toward the goal of simplification.

Our future as a Nation depends on our ability to raise revenue in a manner that is fair and equitable. The Internal Revenue Code must be simplified to restore faith by all taxpayers in our tax system.

The proposal includes the following provisions:

I. INDIVIDUAL INCOME TAX SIMPLIFICATION

Alternative Minimum Tax—Inflation has caused many middle-income taxpayers to be subject to AMT by eroding the value of the AMT exemption. Rising state and local taxes have added to the problem, because state taxes are not deductible in calculating taxable income for AMT purposes. The failure to allow a state and local tax deduction for AMT purposes is one of the most unfair aspects of the Internal Revenue Code. It results in double taxation of income, and it forces taxpayers who live in states with higher income taxes to bear a larger percentage of the federal tax burden than those who live in states with lower taxes or no tax. If we allow the AMT to remain unaddressed, this unfair and inequitable disparity will worsen over time.

As a result of inflation, the Joint Committee on Taxation predicts that more than 35 million will pay AMT within ten years. Currently, AMT affects less than 2 million taxpayers. A recent study by the Urban-Brookings Tax Policy Center confirms this finding and further notes that if left unattended the AMT will shift a substantial portion of the tax burden of this country to urban and suburban middle-class taxpayers. Congress would not design a system with these features deliberately, and we should not allow it to happen by default.

Under the proposal, the AMT exemption would be adjusted for inflation since the date it was enacted and indexed for inflation in future years. State and local taxes would become fully deductible under the new AMT. The effect of these changes will be to restore AMT to its intended purpose and stop its growth.

Replace Head of Household Filing Status with New Exemption—Head of Household filing status has long been a leading source of taxpayer confusion and mistakes during the filing season. In 2000, the IRS fielded over half a million taxpayer questions on filing status. An error on filing status can have consequences throughout the return, and it can lead to costly interest and penalty charges later on. To address this problem, the bill replaces Head of Household filing status with a $3,700 ''Single Parent Exemption.'' This amount will be indexed. The proposal, as a whole, is revenue neutral. The bill achieves further simplification by cross referencing the new uniform definition of a qualifying child.

Simplified Taxation of Social Security Benefits—Under present law, determining whether and how much social security benefits are subject to tax is a highly involved process that requires the completion of an 18 line worksheet. Many taxpayers are not eligible to use this worksheet, and they must refer to a 27 page publication.

The bill would simplify the calculation by repealing the 85 percent inclusion rule that was enacted in 1993. This alone would remove 6 lines from the Form 1040 worksheet. Going further, the proposal would index the 50 percent inclusion rule for future inflation, and greatly simplify the calculation of income for purposes of this rule. Tax exempt interest will no longer be required to be added in the calculation. Indexation will mean that fewer taxpayers will be required to complete the calculation and include benefits in income.

Simplify Capital Gains Tax—Under present law, there are seven different capital gains rates that apply to various kinds of dispositions of property. There are special rates for taxpayers in lower tax brackets, for property

held five years or more, and for gain on collectibles. Before 1986, there was one rule: 50 percent of capital gains are deductible. For any investor who has struggled to fill out Schedule D of Form 1040, it will come as welcome news that the bill proposes a return to the system in place prior to 1986.

No taxpayer will pay a higher capital gains rate under this proposal. By definition, the capital gains rate that individuals pay will be no more than one-half of their marginal income tax rate. Therefore, this proposal preserves the progressivity that is accomplished by a rate structure under current law, and the maximum rate will be no more than one-half of the highest marginal income tax rate. Thus, the maximum effective capital gains rate would be 19.3 percent in 2003, and an individual in the 10 percent bracket would have a 5 percent capital gains rate.

Repeal of 2 percent Floor on Miscellaneous Itemized Deductions—The bill follows the recommendation of the Joint Committee on Taxation that the 2 percent floor on miscellaneous itemized deductions should be repealed. This provision was originally enacted in 1986 to ease administrative burdens for the IRS and record keeping burdens for taxpayers.

Instead of easing taxpayers' burdens, it has caused extensive litigation and controversy over such matters as whether an individual is properly characterized as an employee or an independent contractor. It has also resulted in disparate treatment of similarly situated taxpayers. For example, an employee whose job requires him to pay out of pocket for travel, professional publications, or education is disadvantaged compared to a taxpayer in a similar job whose employer reimburses such items.

Simplify Taxation of Minor Children—This provision would eliminate the current restrictions on adding a minor child's income to the parent's return. A parent could freely elect to include the income of a child under 14 on his or her own tax return, regardless of the character and amount of the child's income. Parents and children would retain the ability to file separate returns, but the unearned income of a minor child would be subject to tax at the rates applicable to trusts. The single filing rate structure would continue to apply to the child's earned income.

Simplify Dependent Care Tax Benefits—The bill would conform differences between the Dependent Care Tax Credit and the Exclusion for Employer-Provided Dependent Care Assistance. The two programs serve identical purposes, but their rules are different. Under this proposal, the dollar limit on the amount creditable or excludable would be increased to $5,500, and the percentage creditable would be increased to 35 percent. These provisions would be further simplified by a cross-reference to the new uniform definition of a qualifying child.

Accelerate Repeal of PEP and PEASE—The bill would accelerate and make permanent the repeal of the overall limitation on itemized deductions (PEASE) and the personal exemption phaseout (PEP). These provisions add complexity and complicate planning for millions of taxpayers. The Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) reduces their impact between 2006 and 2009, and they are repealed entirely in 2010 but, because of EGTRRA's sunset provisions, PEP and PEASE spring back to life in 2011.

Uniform Definition of a Child—One of the most challenging and difficult problems that taxpayers face each year is to navigate the multiple definitions of a qualifying child for the dependent exemption, the child tax credit, the dependent care credit, the earned income tax credit, and for purposes of determining head of household filing status. The bill would establish a uniform definition of a child based on the residence, relationship, and age of the child. The proposal would replace the rule that requires taxpayers to prove that they provide more than one-half of a child's support with a preference for the parent who provides housing for the child for more than one-half of the year. In addition, the bill would establish that means-tested government benefits are generally disregarded in determining eligibility for tax benefits.

Combine HOPE and Lifetime Learning Credits—Like the dependent care credit and the exclusion for employer provided dependent care assistance, the HOPE and Lifetime Learning Credits (LTL) serve nearly identical purposes, but they have different rules. The LTL credit is a per-taxpayer credit, and it applies on up to $10,000 of qualifying education expenses. The HOPE credit is a per-child credit, and it applies with respect to the first $2,000 of qualifying education expenses incurred during the first two years of post-secondary education. Both credits are for higher education, but taxpayers face a challenge to determine which credit is best for their circumstances. The bill would merge the two credits, providing a credit for one-half of the first $3,000 of post-secondary education expenses. This credit would apply on a per-child basis, and it would not be limited to the first two years of post-secondary education.

Uniform Definition of Qualifying Higher Education Expense—The bill adopts the recommendation of the Joint Committee on Taxation that there should be a uniform definition of higher education expense for purposes of the various education tax benefit programs. The varying definitions that exist in current law greatly complicate the task of determining which education benefit is best for the taxpayer.

II. SMALL BUSINESS TAX SIMPLIFICATION

Uniform Passthrough Entity Regime—This provision would combine the benefits of Subchapter S (S corporations) and Subchapter K (Partnerships) of the Internal Revenue Code in a single, unified passthrough entity regime based on Subchapter K. While at one time, Subchapter S provided the only avenue for prospective investors to avoid the corporate-level tax while retaining a full liability protection, the emergence and broad acceptance of limited liability companies (LLCs) has provided investors with an alternative. There are now two separate, fully articulated passthrough entity regimes.

Maintaining two separate passthrough entity regimes is expensive and unnecessarily complicated. It increases costs both for taxpayers and for the IRS. At a time when the IRS is striving to train its auditors to understand passthrough entities, and a new class of investors is struggling to understand the pros and cons of the two regimes, the time is ripe to rationalize this most complex area of the Internal Revenue Code by reconciling Subchapter S and Subchapter K.

The objective of the proposal is to establish a single passthrough entity regime that preserves the major benefits of Subchapter S and Subchapter K. Domestic corporations that are not publicly traded would have a new election to be treated as a partnership for federal tax purposes, and the S election would be repealed. The proposal would therefore endorse, and extend, the 1996 Check-the-Box regulations to allow state law corporations to elect partnership status. Existing S corporations would be permitted to continue as S corporations for ten years at which time they would be required to elect partnership or corporate status.

So as not to undermine the corporate tax that will remain applicable to publicly traded corporations and other entities that elect to be taxed as corporations, a corporation that elects partnership status with undistributed earnings and profits will be required to track distributions of earnings under rules similar to IRC Section 1368. Similarly, electing corporations (including S corporations) with appreciated assets will be required to pay a built in gains tax if they sell or dispose of such assets within the first ten years after the election. The net proceeds of built in gain transactions will be added to historic earnings and profits and not currently taxed to the partners. Finally, the election to be taxed as a partnership will not itself be treated as a sale or disposition of assets.

Consistent with the overall objective of preserving the benefits of Subchapter S, the proposal will establish a means for passthrough entities to engage in tax free reorganizations with entities classified as corporations. Under the proposal, a partnership engaged in an active trade or business may contribute substantially all of its assets to a new corporation and immediately thereafter engage in a tax free reorganization.

The bill would also adopt a recommendation of the American Institute of Certified Public Accountants and the American Bar Association that the definition of earnings from self-employment should not include the portion of a partner's distributive share that is attributable to capital. This proposal contains reasonable safe harbors and it would eliminate the disparate treatment of limited partners, S corporation shareholders, and limited liability company members. The current rules can only be described as a historical anachronism and a significant trap for the unwary. Additionally, the bill would adopt the recommendation of the Joint Committee on Taxation that the electing large partnership rules should be eliminated.

Some may argue that by repealing the S election, the proposal forces more taxpayers to contend with a more complex tax regime, but this is generally not true. If there is a demand, investors can create an investment vehicle with all the features of an S corporation by contract or they may select a state law business form that restricts flexibility, such as a corporation or close corporation. This would eliminate nearly all of Subchapter K's feared complexity. The relative complexity of Subchapter K stems from its greater flexibility. The proposal allows investors to regulate the level of tax complexity by voluntary agreement among the investors or through the investors' choice of a state law business entity.

Increase Section 179 Expensing Limit—The bill would increase the limit on expensing to $25,000 in the tax year after enactment and to $40,000 after 2012. This measure will greatly

reduce complexity for many small businesses by minimizing controversy over whether an item should be expensed or capitalized.

Rollover of Property Held for Productive Use or Investment—Present law strongly favors sophisticated taxpayers over ordinary small business owners in the execution of like-kind exchange transactions. Thirty-seven pages of the Code of Federal Regulations is devoted to the topic of like-kind exchanges, and a library could be filled with the court decisions, revenue rulings, and letter rulings that Section 1031 of the IRC has engendered. Attorneys and exchange facilitators must execute hundreds of thousands of pages of documents each year to comply with the formalistic rule that prevents the owners of like-kind property from receiving cash in a like-kind exchange transaction.

There is a simple way to eliminate this paperwork: repeal the limitation on sales for cash and allow a like-kind exchange within 180 days before or after the disposition of relinquished property. The bill does this.

Repeal of Collapsible Corporation Rules and the Personal Holding Company Tax—Finally, the bill would repeal the collapsible corporation rules and the Personal Holding Company tax, both of which regimes have been largely eclipsed by subsequent changes to the tax code. The Collapsible Corporation rules have lost their rationale, due to the repeal of the General Utilities doctrine. The Personal Holding Company tax no longer serves its original purpose, because the maximum individual income tax rate is close to the maximum corporate rate. Both provisions continue to add complexity to small business tax planning that is out of proportion to their remaining tax policy justification. Repeal of these rules is long overdue.

I urge my colleagues to join me in cosponsoring this legislation.

ELIMINATION OF DOUBLE TAXATION ON DIVIDENDS, REPEAL OF THE AMT, REDUCTION IN THE CAPITAL GAINS TAX, AND STUDY ON DEPRECIATION TAX SCHEDULES

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. COLLINS. Mr. Speaker, I rise today to introduce several tax-based reform bills which will have a positive impact on our current economy. They are measures which will stimulate growth, eliminate outdated, punitive provisions of the tax code, and prepare the way for further reforms which will bring our tax code more in line with the current market conditions.

First, is the Capital Gains Tax Rate Reduction Act. This legislation will reduce the top capital gains tax rate from 20 percent to 10 percent. Additionally, the lower rate of 10 percent would be reduced to 5 percent. The measure would also repeal the five year holding rule.

This legislation is needed to spur today's ailing economy. From past rate reductions, we know that the economy responds to the lowering of rates. The impact of reducing the tax burden on investments is to increase activity in the markets. When the tax is reduced, individuals have an incentive to sell assets. These sales spur economic growth, as well as generate revenue for the Federal coffers.

Second is the Alternative Minimum Tax Repeal Act (AMT). This legislation will repeal the Alternative Minimum Tax applied to individual taxpayers. The domestic tax system has dramatically changed since the creation of the AMT regime. Consequently, this tax structure has long outlived its purpose. Today, the AMT is punitive in nature, overly cumbersome and affects taxpayers who were never intended to fall into this tax trap. Congress has taken action to address some of the concerns raised by the individual AMT. Specifically, the Economic Growth and Tax Relief Reconciliation Act (H.R. 1836) enacted in the 107th Congress made permanent the ability to offset the individual AMT calculation with the child tax credit. The measure also increased the AMT exemption amount by $4,000 for joint returns ($2,000 for unmarried individuals) effective for tax years between 2001 and 2004. In tax year 2005, the AMT exemption amount reverts back to its previous levels.

Additionally, the Job Creation and Worker Assistance Act, signed into law on March 9, 2002, provides for another temporary extension of the provisions which allow individuals to use all remaining personal tax credits against both their regular and AMT tax. These provisions expire at the end of the 2003 tax year. It is time for a permanent fix to this escalating problem. The impact of the individual AMT structure will continue to grow until these issues are addressed head on. Changes should be made on a long-term, permanent basis.

To provide a permanent remedy to the increasing problem of more tax filers falling into the AMT each year, my legislation will permanently extend the current-law provision which allows all personal tax credits to be applied against the AMT calculation. The proposal will also immediately increase the AMT income exemption level by 10 percent, and subsequently increase the exemption by 10 percent in subsequent years. In addition, the bill will repeal the income limitation that currently applies to that exemption. Finally, at the end of a ten year period, the individual AMT will fully be repealed.

The bill will also repeal the corporate AMT. The U.S. is the only nation which imposes the Alternative Minimum Tax (AMT) on businesses. It is a very complex and outdated dual tax system which essentially imposes a tax penalty for making capital investments. The legislation would also allow businesses to utilize their accrued AMT credits over the next five years.

Third is the Elimination of Double Taxation Act. Today dividends paid to investors are double taxed at the business level and then at the individual level. Today, investors are all across the economic spectrum. According to the Tax Foundation, 63.6 percent of the taxpayers who claimed dividends on 2000 tax returns earned less than $50,000 in wages and salaries. More and more, investors are men and women who are working on the front line of manufacturing firms or small businesses who have chosen to share in the benefit of their labor through investing in the business. This legislation will eliminate a cost that the government imposes on that investment.

Finally, I am introducing legislation that will begin the process of reforming current depreciation schedules in the tax code. Depreciation tax laws provide businesses the ability to deduct the costs of capital investments over time. Current depreciation schedules are dramatically out of line with the real economic life and use of the properties that are being purchased in today's markets. Often the number of years allowed for the deduction exceeds the number of years the investor may finance the capital investment. The result is a higher tax cost. This legislation will call upon the Secretary of the Treasury to make specific recommendations about how to bring the depreciations schedules more in line with the true economic life of property.

Mr. Speaker, I congratulate the President on his announcement of an economic stimulus package today. I ask my colleagues in the House of Representatives to join me by cosponsoring the legislation I am introducing. They are important first steps in addressing the need to change the tax code in ways that will provide economic stimulus across the board for American workers.

THE CONSUMER PROTECTION FOR ON-LINE GAMES ACT

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Ms. KILPATRICK. Mr. Speaker, the gaming industry has broadened its exposure over on-line and wireless communications networks. People do not have to go to casinos in Las Vegas, Reno, Detroit, Atlantic City or other gaming sites to gamble. They can play games of chance over the Internet from the privacy of their own homes.

According to one financial analysis, Internet gambling is a $1 billion industry and is forecasted to grow to $5 billion by 2005. There are nearly 1 million paying users of the largest network games and free sweepstakes sites which are among the most popular Internet destinations.

Many of the network gaming sites originate from offshore websites, and are beyond the reach of States and local authorities, even those authorities that prohibit Internet gaming in their jurisdictions. Local and state governments devote few resources to regulate or enforce laws against network gaming. No protections exist to ensure the integrity of the game, protection from minors seeking to patronize games, or protection from excessive financial loss. Therefore, network gaming continues with very little regulation and with very few guarantees that the games of chance or sweepstakes one finds on internet sites are above board.

The Consumer Protection for On-line Games Act, which I am introducing today, will allow U.S. consumers to know if the games they are playing are fraudulent. The bill will permit U.S. consumers to participate in online games with the security of knowing they are playing from a straight deck of cards. Specifically, the bill proposes the following:

1. Establishes the Federal Trade Commission as the agency responsible for monitoring games of chance offered on the Internet or wireless network.

2. Prohibits network game operators subject to U.S. law from making false or misleading claims regarding the fairness of such games.

3. Requires self-regulatory organizations to comply with specific minimum requirements.

4. Specifies that States must notify the FTC when it brings action against a network game provider and allows the FTC to intervene in any action brought on by the state and file petitions for appeal.

I know feelings run strong on both sides of the gaming question. It is a policy area with which I have some issues. The fact exists, however, that gaming websites are available for everyone's entertainment. It is my hope that this legislation will prevent present and future abuses and reduce the incidence of fraud. America has a chance to become a leader in this emerging global industry, but we presently lag behind other countries which are dealing honestly and openly with the issue of on-line gaming.

I hope that Congress will seriously study this proposal and raise the level of debate on this issue. I look forward to working with my colleagues to improve this measure as it travels through the legislative process.

ROUTE 11 GREENWAY ACT OF 2003

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. SIMMONS. Mr. Speaker, I rise today to introduce my first legislative initiative of the 108th Congress—the ''Route 11 Greenway Act of 2003.'' This bill authorizes the Secretary of Transportation to acquire land for a greenway along the proposed construction of Route 11 in eastern Connecticut.

Route 11 is a state road, initially intended to connect Connecticut's state capital region to its southeastern shoreline, making it a vital transportation link for the region. The road has been unfinished for over thirty years. As a result, traffic is forced onto Route 85—a local, 2-lane, 18th-century country road incapable of absorbing today's volume of traffic in a safe and efficient manner. And the problem is only getting worse.

The site of numerous accidents—and many of those fatal—the Federal Highway and Transit Administration gives the Route 11 corridor a failing service grade in many places and projects mostly failing grades in the coming years as traffic increases.

The bottom line is simple: the completion of Route 11 is critical to the safety of Connecticut motorists. And further inaction is unacceptable.

Unfortunately, the environmental review process has delayed completion of Route 11 for three decades. Connecticut travelers have paid the price for this delay—some of them, with their lives. This is unacceptable.

I am here today to reject the idea that environmental concerns and transportation safety are mutually exclusive ideals. In fact, I have long believed that environmental stewardship and transportation projects do not have to be inherently competitive pursuits. Instead, if we are willing, these interests can serve each other.

That is why I stand before my colleagues today to introduce legislation establishing a greenway along the proposed construction of Route 11, from Salem to Waterford, Connecticut.

My bill specifies that the land acquired for this greenway will be in addition to any land otherwise required to mitigate the environmental impacts of the roadway construction.

This region has seen rapid sprawl and unprecedented economic change, making it increasingly ripe for growing development. Knowing this, the Route 11 and greenway projects offer an environmental opportunity to preserve land that will otherwise be lost to development. This is a win-win. It is time to move forward.

The completion of Route 11 and an associated greenway have been unanimously endorsed by the chief elected officials of the twenty municipalities in the region acting through the Southeastern Connecticut Council of Governments.

I am honored to have the support of several of my Connecticut colleagues for this bill and proud to introduce this important legislation in the interests of environmental preservation and the safety of Connecticut motorists. I look forward to working with my colleagues in passing the Route 11 Greenway Act of 2003.

TRIBUTE TO BEN R. DRAKE, PRESIDENT OF THE TEMECULA VALLEY WINEGROWER'S ASSOCIATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to an individual whose dedication and contributions to Southern California are exceptional. Southern California has been fortunate to have dynamic and dedicated community leaders who willingly and unselfishly give time and talent to making their communities a better place to live and work. Bob Drake is one of these individuals. On January 8, 2003, Ben will be stepping down as President of the Temecula Valley Winegrower's Association after a year of dedicated service.

The Temecula Valley Winegrowers Association represents 17 wineries and 49 grower members in their efforts to promote the making and growing of quality wine and winegrapes in the Temecula Valley appellation located in Riverside County. During his year as president, Ben has shown exemplary leadership skills as he has guided the association through a period of dynamic growth, vital to the associations' representation and promotion as one of the world's premiere wine and winegrape producing regions.

Ben has represented the association on critical community and political matters, such as land use, beautification efforts, state shipping restrictions and continuing issues dealing with Pierce's Disease and the glass-winger sharpshooter. He has worked diligently to keep open lines of communication with our membership, regional vintner and grower groups and elected officials.

Ben has placed much of his energy and focus on enhancing the recognition of the region as one of quality through educating association members through monthly enology and viticulture seminars. He has made himself available for countless media interviews and community outreach programs. Because of his personal and intensive involvement with association fundraising activities, he is leaving the association in a position of strength and financial stability.

Ben's diligent work as the Temecula Valley Winegrower's Association has contributed unmeasurably to the betterment of Riverside County. His involvement in the community makes me proud to call him a fellow community member, American and friend. In know that all of the residents of Riverside County are grateful for his service and salute him as his term comes to an end. I look forward to working with him in the future for the good of our community.

RECOGNIZING THE ACCOMPLISHMENTS OF RICK WINDBIGLER

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. ISSA. Mr. Speaker, I rise today to recognize Rick Windbigler the 2002 President of the Fallbrook, California Chamber of Commerce. Rick Windbigler is an exceptional community leader, business leader and model citizen of Fallbrook.

Mr. Windbigler has provided leadership by working on programs of importance to Fallbrook and San Diego County with local, county, state and federal officials. His work on the Gavilan Fire Victims Fund, Keep Fallbrook Clean and Green, Valley Center Mexican fruitfly emergency and Christmas programs with the Marine Corps are all examples his outstanding leadership skills.

In addition to his leadership he has been a model of personal involvement. Rick has assisted in such community projects as the redecoration of the chamber's office, placing flags on Main Street, Avocado Festival logistics, volunteering during Holiday celebrations and attending hundreds of events to represent the Fallbrook Chamber and its members.

Rick has demonstrated his community leadership in many successful chamber programs which has resulted in an increase in chamber membership. Under Rick's leadership the Fallbrook Chamber experienced a year of record breaking fundraising with successful events such as the Honorary Mayor Race and Golf Tournament, record attendance at the Avocado Festival, SunDowners, Friendly Village Forums and Christmas Parade.

Mr. Speaker, I would like to personally thank Mr. Windbigler for his service to the people of Fallbrook and wish him good fortune in the future.

RESTORATION OF FAIRNESS IN IMMIGRATION ACT OF 2003

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. CONYERS. Mr. Speaker, I have introduced today the ''Restoration of Fairness in Immigration Act of 2003.''

Since this nation's founding, more than 55 million immigrants from every continent have settled in the United States. Immigrants work hard to make ends meet and pay taxes every

day. They have lived in this country for decades, married U.S. citizens, and raised their U.S.-citizen children. Laws that single these people out for no other reason than their status as immigrants violate their fundamental right to fair treatment.

Yet, for too many years, Congress has witnessed a wave of anti-immigrant legislation, playing on our worst fears and prejudices. Since 1994, we have considered proposals to ban birthright citizenship, ban bilingual ballots, and slash family and employment based immigration, as well as to limit the number of asylees and refugees. In 1996 we passed laws denying legal residents the right to public benefits and denying immigrants a range of due process and fairness protections.

We continue to see the tragedy of September 11th used as an excuse for even more assaults on the rights of immigrants. The Justice Department is now registering certain classes of immigrants and arresting them when law abiding immigrants arrive to register. The Department is holding deportation hearings in secret and detaining immigrants even after they are ordered released. The Attorney General is reducing both the independence and number of judges that handle the appeals of immigration cases. We are fending off legislation almost daily intended to reduce if not eliminate immigration to this country.

Those who urge us to restrict the due process rights of immigrants forget the reason these rights were established in the first place. We grant due process rights to citizens and non-citizens alike; not out of some soft-hearted sentimentality, but because we believe that these rights form an important cornerstone to maintaining civilized society.

The ''Restoration of Fairness in Immigration Act of 2003'' furthers this proud legacy by restoring our nation's long standing compassion for individuals seeking to build a better life and reunite with their families.

The bill restores fairness to the immigration process by making sure that each person has a chance to have their case heard by a fair and impartial decision maker. No one here is looking to give immigrants a free ride, just a fair chance.

Justice and fairness, as well as our own economic interests, demand no less.

SUPPORTING THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STARK. Mr. Speaker, I rise to support the Emergency Unemployment Compensation Act being introduced by Democrats today.

Democrats have made it a top priority to help out-of-work Americans struggling to make ends meet in this tough economy. Given the difficulty many are having finding work, extending unemployment benefits an additional 26 weeks in every State is a necessity. Our Democratic bill does this while also retroactively extending unemployment benefits to the 800,000 Americans that exhausted their benefits on December 28th. Democrats also provide an additional 7 weeks of benefits—on top of the 26-week extension—in those States especially hard hit by unemployment.

Republican proposals for unemployment extension fall far short. They are seeking only to extend benefits a mere 13 weeks. It seems Republicans are more generous when it comes to tax breaks for their wealthy friends than for those who can really use a helping hand.

The argument that any extension of unemployment benefits is too costly is just plain wrong. The Democratic proposal requires no new spending. It simply requires drawing on the trust fund that these workers and businesses have paid into for exactly this kind of economic downturn.

As we reconvene the 108th Congress today, it will be up to the President and Congressional Republicans to extend unemployment benefits for millions of out-of-work Americans since the Republican party controls the House, Senate and the Presidency. I hope the President and his Republican friends in Congress will finally put their money where their mouths are and join Democrats to fully extend unemployment insurance for America's families.

I urge my colleagues to support the Democratic Emergency Unemployment Compensation Act to achieve that goal.

IN REMEMBRANCE OF STATE REPRESENTATIVE TIMOTHY OSMOND

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. KIRK. Mr. Speaker, as Americans celebrated a season of renewal and the coming of the new year, many from northern Illinois observed the holidays with heavy hearts. In the days before Christmas, State Representative Timothy Osmond was taken from his family, friends and constituents by a sudden heart attack.

It is my honor to call Tim both a colleague and a dear, dear friend. His advice was valuable to me and to his fellow members of the Illinois General Assembly. Tim approached public service with the same gentlemanly spirit with which he built his insurance business in Antioch, Illinois. As a businessman, he built a reputation as someone his customers could count on, someone who was a problem solver, and someone you knew would always give you a straight answer.

In 1989, Tim was elected an Antioch Township Trustee, and went on to serve as Township Supervisor, before being elected to the Illinois House in 1999.

In Springfield, Tim made friends quickly. One thing I appreciated most about Tim was that he thoroughly researched legislation, reading the full text of most bills. He was down-to-earth, a sincere and genuine man. It was that demeanor that defined his approach as a legislator. He saw every constituent as a neighbor, a customer and a friend, deserving his every effort, every day. That is why many constituents who never knew Tim personally felt touched by his service to the people of Illinois.

Of course this loss is most deeply felt by the Osmond family. Tim's wife, JoAnne, and their children, Michael and Colleen, shared Tim with the community. This is the often unseen sacrifice of the spouses and children of those who serve in elective office. As the Osmond family bears this heartfelt loss, they can take solace in the respect and admiration Tim earned in public life, and the way in which he touched so many lives. I count myself among those helped by Tim. And while I will always be grateful for all Tim's professional help, it is our friendship I treasure most. He will be deeply missed.

I offer the condolences of the Congress to his family. Local leaders honored his memory by appointing his widow to serve out his term in office. We wish JoAnne well and know that she, better than anyone else, will continue Tim's work.

REINTRODUCTION OF LEGISLATION

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. STEARNS. Mr. Speaker, I am pleased on this first day of the 108th Congress to introduce four pieces of legislation that I have been pursuing over the years, and for which I will continue to advocate these next two years.

First, together with the gentleman from Illinois (Mr. CRANE), I introduced bill H.R. 804, a bill to repeal the 2 percent excise tax on private foundations. The United States is blessed with a deep spirit of philanthropy. Charitable organizations serve the interest of both the individual and the community. Private foundations in particular have made measurable differences in the lives of Americans, from access to public libraries, developing the polio vaccine, and even leading in the creation of the emergency number 911. Each and every American has experienced the benefits of the tireless efforts of these foundations. Under current law, not-for-profit private foundations generally must pay a 2 percent excise tax on their net investment income. This requirement was originally enacted in the Tax Reform Act of 1969 as a way to offset the cost of government audits on these organizations. So some 34 years ago, we instituted a tax on these foundations to cover the audit expense. However, when you look at the number of audits that have been performed, particularly since 1990, the IRS audits on private foundations has decreased from 1,200 to just 191. Yet the excise collection during these 31 years has grown from roughly $200 million in 1990 to $500 million in the year 1999.

In addition, private foundations are bound by a 5 percent distribution rule. Foundations must make annual qualifying distributions for charitable purposes equal to roughly 5 percent of their fair market value of the foundation's net investment assets. The required 2 percent excise tax, which is payable to the IRS, actually counts as a credit to the 5 percent distribution rule.

So in a nutshell, what we have here is a private foundation making a charitable grant to the Federal Government every year, and since 1969 the number of audits have gone down; yet the number of charitable foundations has gone up.

Mr. Speaker, I believe that Americans have been more than charitable in giving the government their hard-earned dollars. It is time that we begin the process of returning the money to the people and the foundations to which it is intended.

President Bush is working to accomplish that goal with his reduction in tax rates, allowing for the increased use of charitable deductions and credits. My bill goes one step further. It gives those charitable organizations relief from the $500 billion tax that the Federal Government instituted 34 years ago so they can give more of their money back to the people who need it.

I would like to also emphasize that the former President, Mr. Clinton, proposed a reduction in this same excise tax in his fiscal-year 2001 budget. The Treasury Department noted: ''Lowering the excise tax rate for all foundations would make additional funds available for charitable purposes.''

So, Madam Speaker, common sense dictates that the elimination of this tax would increase additional charitable giving. I would like to thank my colleague, the gentleman from Illinois (Mr. CRANE), for his support on this bill, and for my other colleagues who have graciously recommitted their support. I ask my colleagues to take a look at this piece of legislation.

Next, I am pleased to again sponsor the Health Care Tax Deduction Act of 2003. What it does is allow deductions for amounts paid for health insurance premiums and unreimbursed prescription drugs. What I am proposing would also provide much-needed relief to individuals struggling with the high cost of health insurance and prescription drugs through a tax deduction.

As we all know, employers can write off the cost of health care coverage that is purchased for their employees. Why cannot individuals be afforded this same opportunity to write off their premiums and their unreimbursed prescription drug expenses? The current tax code sets a threshold at 7.5 percent of adjusted gross income before medical expenses can be taken as a write-off. I do not think this is fair.

Right now, under the current tax code, in order to claim health care expenses the individuals must file an itemized tax return. I believe that all taxpayers should be allowed to deduct these out-of-pocket expenses and costs and that we need to include a place where this deduction could be taken on the short form such as the 1040 EZ, and the 1040A. My bill also applies to the self-employed because although individuals who are self-employed are now eligible for a 100 percent write-off of health insurance premiums, not so with prescription drug expenses.

I believe we must address this issue because so many Americans are uninsured today, and many millions more are underinsured. And, we all end up paying for the uninsured through higher premiums, deductibles and copayments for covered services, higher taxes for uncompensated care, and reduced wages.

Did you know that Americans spends more than $1 trillion on health care? That represents about 13.5 percent of the gross domestic product. By 2008, spending will increase to 16.5 percent of the gross domestic product. In fact, Mr. Speaker, Americans spend more per capita for health care than any other nation in the world.

But why are so many people uninsured? Most studies cite cost as a major reason for not having insurance. Many workers decline coverage through their place of employment because they cannot afford to pay their share of the premium. Others, such as temporary workers, cannot afford to purchase their own insurance.

We all know that the cost of health care has risen dramatically over the last 20 years. According to the Health Insurance Association of America, the average major medical premium costs about $ for an individual and about $ for a family. Of that amount, employees pay anywhere from 10 to 30 percent of that premium, typically. Unfortunately, things may get worse in an economic downturn, because many employers cover the cost of the high premiums to keep workers in a tight labor market, and as costs increase employers might pass the cost along to the employees, or in fact discontinue providing health insurance altogether. Further, as unemployment has risen, begins to rise, many individuals have turned to the individual market, and must shoulder the entire cost on their own.

Seniors, in particular, have been impacted because so many HMOs have pulled out of Medicare due in large part to,the high cost of prescription drugs. Allowing a simple write-off of certain costly health care expenses such as health insurance premiums and out-of-pocket expenses for prescription drugs would be a tremendous benefit that may not be available to them under the current system. Mr. Speaker, I hope all of my colleagues cosponsor my bill. It makes sense to have all taxpayers have this type of deduction available to them.

Turning to our nation's veterans, residing in my home state of Florida, I am sponsoring legislation to establish a national Veterans' Affairs cemetery in Jacksonville, Florida. Florida has our nation's 2nd largest veterans population, and the number one oldest. Nearly 325,000 veterans call home somewhere in the Jacksonville vicinity of three congressional districts. Yet, the closest VA cemetery is at least a three-hour drive from Jacksonville. The next closest in proximity lies in Marietta, Georgia, just north of Atlanta. A new national VA cemetery in Jacksonville would answer this unmet need for north Floridians and southern Georgians. I hope my colleagues will consider cosponsoring this bill, and help provide the dignified, hallowed grounds our veterans deserve.

Finally, I am pleased to reintroduce a resolution supporting the goals and ideals of establishing a Chronic Obstructive Pulmonary Disease (COPD) awareness month. In the 107th Congress, this bill had tremendous support from Members and from the U.S. COPD Coalition, including the patient and provider community. We are so pleased to report that on November 9th, President George W. Bush proclaimed November 2001 COPD Awareness Month. Next, the President sent a gracious letter on October 24, 2002 commending the organizations of the U.S. COPD Coalition for their efforts. COPD is an umbrella term used to describe the airflow obstruction associated mainly with emphysema and chronic bronchitis. This is a debilitating disease, that is currently the nation's fourth leading cause of death. Both conditions decrease the lungs' ability to take in oxygen and remove carbon dioxide. Long-term smoking—the most common cause of COPD—is responsible for 80–90 percent of all cases, while other risk factors include heredity, second-hand smoke, air pollution, and a history of frequent childhood respiratory infections. Common symptoms of COPD include shortness of breath, chronic coughing, chest tightness, and increased effort to breathe. COPD has no cure, but there are treatment options available to those who have been properly diagnosed.

I look forward to working with my colleagues on all four of these important pieces of business for the nation.

IN MEMORY OF THE HONORABLE JOHN HENRY KYL

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. WOLF. Mr. Speaker, I want to call to the attention of our colleagues the passing of the Honorable John Henry Kyl, who served as a member of the House of Representatives for six terms in the 1960s and 1970s from the state of Iowa. He was 83 years old and the father of Arizona Senator JON KYL, and I know firsthand how proud he was of his son's own public service.

I count myself fortunate to have known and worked with John Kyl. He was a hardworking, decent, and honorable man who was widely respected on both sides of the aisle, especially for his work on the Interior and Insular Affairs Committee. I met him in that capacity when I served as an assistant to then Interior Secretary Rogers C.B. Morton in the early 1970s.

The Interior Committee was a perfect fit for John Kyl, who deeply respected America's public lands and Native Americans. In Congress, he sponsored a bill that ultimately led to the creation of the Lewis and Clark National Historic Trail. When his service in Congress ended in 1972, he was named assistant secretary for congressional and legislative affairs at the Department of the Interior, where I was proud to work by his side. He served there from 1973 to 1977. Before retiring to Phoenix, Arizona, in 1985, he was executive vice president of Occidental International Corporation. He also had been a public school teacher before beginning his political career.

Mr. Speaker, I will include following my remarks an obituary from the January 6, 2003, edition of Roll Call, headlined, ''Kyl Viewed Life Through Lens of Camera.'' In addition to his dedication to public service, John Kyl was an accomplished amateur photographer who captured on film the everyday scenes of life that we often overlook in what has become our too hurried paces.

We offer our condolences to John's wife, Arlene, of Phoenix, daughters Jayne Kyl, of Phoenix, and Jan Martin, of Des Moines, and, of course, his son, Senator KYL. He is also survived by a brother and a sister, six grandchildren and 12 great-grandchildren.

[From Roll Call, Jan. 6, 2003]

KYL VIEWED LIFE THROUGH LENS OF CAMERA

(By Bree Hocking)

When it came to appreciating life's simple beauties, no aspect was too small for the gimlet eye of former Republican Rep. John Kyl (Iowa).

The 83-year-old Kyl, the father of Sen. Jon Kyl (R-Ariz), died in his sleep just two days before Christmas from complications of heart disease and diabetes.

During his decades-long career in Washington—first as a Hawkeye State Congressman and later as an assistant secretary at the Interior Department—Kyl was seldom without his Canon camera, snapping everything from the monuments at night to the

ordinary scenes that make up the day-to-day Washington tableau.

While his photographs of the capital's loftier sites still warm the walls of the Capitol Hill Club's Grill Room—and a picture he took of the Capitol holiday tree once graced the cover of the National Republican Club's magazine—it was the quotidian that particularly intrigued him.

''He was always a photographer . . . and a lot of [his subjects] were the out-of-the-way places that most people probably never realized existed. We whiz by these things as we are driving or walking, but we don't stop to take a look,'' said Sen. Kyl.

''I just came across an album as we were looking through his things—a very large album of all Washington, D.C., photos and most of them, probably 80 or 90 percent, were street scenes: street people, storefronts with a lot of graffiti on them, or just a park bench right after a snowstorm,'' Kyl added.

While his father initially advised him against running for Congress, Sen. Kyl credited the lessons learned at the feet of the elder Kyl with his own political success. For example, the former public school teacher insisted his son be equipped to operate effectively in the public arena.

''He got some of my friends and me together when we were in high school . . . and he said, 'You all need to learn to do public speaking, so I'll teach you what I can here.' ''

''My father was [also] a kind of frustrated farmer. We always lived in town but we always leased land and we always had livestock. He was really proud when I showed the grand champion steer at the county fair,'' the Senator recalled fondly.

The elder Kyl—who lost his first bid for Congress in 1958 but won a special election for a seat in 1959—went on to serve five additional terms, though not consecutively.

While in Congress, Kyl devoted himself to his work on the Interior and Insular Affairs Committee, which included significant contributions to the genesis of the Lewis and Clark trail project, the younger Kyl said.

''He always stressed to me his ability to work on a bipartisan basis. . . . He was proud that Wayne Aspinall [then Democratic chairman of the Interior and Insular Affairs Committee] would turn the gavel over to him or turn a bill over to him to manage on the floor as if it were not a partisan matter.''

After losing his 1964 re-election bid, Kyl came back to triumph in 1966, then won seats in the two succeeding Congresses and served as a deputy to then-Minority Leader Gerald Ford (R-Mich.).

However, in 1972, redistricting forced him to run in a more Democratic district, and he was bested in a Member-versus-Member Contest by Rep. Neal Smith (D-Iowa).

''If he was defeated, he understood,'' noted Kyl. ''It wasn't the end of his life.''

Soon after, the Nixon administration tapped Kyl as assistant secretary for Congressional and legislative affairs at the Interior Department, where he served from 1973 to 1977.

In 1977, he joined the Occidental International Corporation as executive vice president, a post he held until retiring to Phoenix, Ariz., in 1985.

Shortly thereafter, he had the pleasure of seeing his son, now the junior Senator from Arizona, win a seat in the House of Representatives.

''There aren't many father-son combinations from different states. Most of the father-son combinations are from the same state,'' Kyl noted.

In addition to his Senator son, Kyl is survived by his wife Arlene, two daughters, one sister, one brother, six grandchildren and 12 great-grandchildren.

PAYING TRIBUTE TO: DURANGO-LA PLATA EMERGENCY COMMUNICATIONS CENTRAL DISPATCH

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Durango-La Plata Emergency Communications Central Dispatch for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Central Dispatch played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities, the Durango-La Plata Central Dispatch worked to protect the homes and lives of their loved ones and community members from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road, just 15 miles northeast of Durango, and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who dedicate their lives to protecting their fellow citizens on a daily basis. The Durango-La Plata Central Dispatch has roots reaching back to 1976, when it consolidated the dispatch communications for area agencies. Others have looked to Durango-La Plata Central Dispatch as a model for combining dispatch functions. Today, its 17 employees and technicians routinely handle 11,000 calls and 6,000 fire, medical, and law enforcement incidents per month. During the Missionary Ridge Fire, several organizations stepped up and volunteered to help manage the 60% increase in calls. Throughout the 22 days of the fire, the Colorado Mountain Rangers, Search and Rescue, Civil Air Patrol, and concerned citizens voluntarily manned the Emergency Operations Command, as well as the Fire Information Line. The Durango-La Plata Central Dispatch's guidance and coordination helped manage over 5000 donated man-hours, handling an estimated 35,000 to 50,000 fire related calls. The expertise and leadership from the Durango-La Plata Central Dispatch illustrate the dedication and readiness with which these men and women serve the citizens of Durango.

Mr. Speaker, it is with sincere admiration that I recognize the Durango-La Plata Central Dispatch before this body of Congress and this nation. I want to commend all of the Durango-La Plata Central Dispatch's personnel for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Durango-La Plata Central Dispatch and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the summer's exhaustive fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

IN RECOGNITION OF ALBERTO CARDENAS

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SHAW. Mr. Speaker, I rise today in recognition of my friend, Mr. Alberto Cardenas of Miami, for his 10 years of diligent service to the Republican Party of Florida and the people of our great state as party chairman and vice chairman. Al has served with distinction over the last four years in his role as state chairman. During his tenure, Chairman Cardenas shepherded the Republican Party of Florida to a historic level.

Following the 1998 election of Governor Jeb Bush, Al was elected unanimously by his peers, men and women, black and white; to lead our party. As Governor Bush began his agenda of reforming state government, Chairman Cardenas undertook the vision of changing the perception of Florida Republicans. Chairman Cardenas quickly made diversity a major focus of his first year. Establishing both Hispanic and African-American outreach programs, Al ushered the Party into uncharted territory. His message of inclusion spread throughout Florida as Republican ranks began to soar. Al's message of inclusion was carried out with the formation of the Florida Black Republican Council, the Florida National Hispanic Assembly, and the chartering of the Broward Log Cabin Club. For his efforts, Republican National Chairman, Governor Jim Gilmore selected Al to serve on the RNC Executive Committee. A post which gave Al the opportunity to promote Republican diversity throughout the nation. Recently, Governor Bush appointed Al to the Board of Trustees of Florida A&M in Tallahassee.

Along with an aggressive vision of inclusion, Al campaigned tirelessly throughout Florida urging elected officials, both state and local, to join the Republican Party. Since 1999, numerous elected officials have switched party affiliation to Republican.

Mr. Speaker, later this month Al leaves his post and returns to Miami. Another chapter in a storied personal journey that began at the young age of 13 with his leaving Communist Cuba in 1961, at the height of the U.S.-Cuba conflict, and ends leading the largest state Republican Party in the nation. State Republican history will look back favorably on his service which saw a number of firsts: the first Republican governor to be re-elected; the first elected Republican Attorney General; the first elected Republican Agriculture Commissioner; and the first elected Republican Chief Financial Officer, and increased seats in the Florida House of Representatives and Florida Senate, as well as, the largest number of Florida members of Congress ever.

Mr. Speaker, I join my fellow Republicans in thanking our friend, Chairman Al Cardenas for his friendship, service and support. I wish, Al, Diana and the entire Cardenas family best of health in the coming year.

HONORING THE RETIREMENT OF UNION CITY POLICE LIEUTENANT DON SCHUITEMAKER

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. STARK. Mr. Speaker, on January 25, 2003 the Union City Police Department will celebrate the retirement of one of its finest officers, Lieutenant Don Schuitemaker.

In his 28-year law enforcement career Lieutenant Schuitemaker has served as a model for school policing, trained other officers, and worked with juveniles and the narcotics unit.

Lieutenant Schuitemaker served his entire career with the Union City Police Department. He joined the force on October 25, 1974, after attending the Los Angeles Sheriff's Department Academy, one of the toughest in the State, where he achieved an expert marksman's medallion.

Lieutenant Schuitemaker became part of the Union City Special Enforcement Response Team (SWAT), in 1978, and in 1984 he retired from the team as one of its leaders.

In 1979, he became the department's first School Resource Officer, a new and innovative position. Based largely on Lieutenant Schuitemaker's success in that position, and in cooperation with the New Haven Unified School District, the number of School Resource Officers positions was increased. The Union City program has become a model for other law enforcement agencies to follow, partly as a result of Lieutenant Schuitemaker's accomplishments.

Lieutenant Schuitemaker was promoted to sergeant in 1981, and served as Personnel and Training Manager before being selected to supervise the Southern Alameda County Narcotics Enforcement Team, a tri-city narcotics and vice task force. In 1989, he was selected to supervise the department's Juvenile Unit.

In 1992, he transferred to patrol duty, where in addition to typical Watch Commander duties, he supervised the training of new officers as the Field Training Officer Program Supervisor. He later worked in the Traffic Unit, where he was instrumental in bringing back motorcycles as an effective enforcement tool, and as a true ''motor cop'' rode the motorcycle throughout his tour of duty.

In 2000, he was promoted to Acting Lieutenant, and then to Lieutenant. During that time, Lieutenant Schuitemaker acted as a Field Operations Officer, overseeing the operation of the department's patrol section. He holds basic, intermediate, advanced, supervisory, and management Peace Officer Standards and Training certificates.

I am honored to join the colleagues of Lieutenant Schuitemaker to commend his many years of dedicated and exemplary service to law enforcement. His commitment to excellence has left its irreplaceable mark on the Union City Police Department.

INTRODUCTION OF THE ''GUN SHOW BACKGROUND CHECK ACT OF 2003''

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. CONYERS. Mr. Speaker, today I am introducing the ''Gun Show Background Check Act of 2003'', legislation designed to close the loophole in federal gun laws which allow criminals to buy firearms at gun shows. I am joined by Representatives FRANK, BERMAN, NADLER, LOFGREN, MEEHAN, DELAHUNT, WEXLER, ACKERMAN, BROWN of Florida, KILPATRICK, LEE, MARKEY, SCHAKOWSKY, BLUMENAUER, CUMMINGS, FATTAH, HASTINGS of Florida, KENNEDY, TOWNS, DEUTSCH, DEGETTE, PAYNE, STARK, DAVIS of Florida, CLAY, NORTON, HOLT, GUTIERREZ, and MCDERMOTT.

As you know, under current law federal firearms licenses are required to maintain careful records of their sales, and under the Brady Act, to check the purchaser's background with the National Instant Criminal Background Check System (NICS) before transferring any firearm. However, a person does not need a federal firearms license—and the Brady Act does not apply—if the person is not ''engaged in the business'' of selling firearms pursuant to federal law.

My bill corrects these deficiencies by (1) requiring background checks for all firearms sales at gun shows, (2) defining gun shows to include any event at which 50 or more firearms are offered or exhibited for sale and (3) by improving firearm tracing measures—in the event that a firearm becomes the subject of a law enforcement investigation. Thus, unlike other legislation introduced in the past which actually weakens the Brady law by shortening background checks to 24 hours and considerably limits the type of information in individual records that may be searched, my bill guarantees that over 2,200 additional felons, fugitives and stalkers will be denied the opportunity to purchase a gun.

Considering the many recent tragedies and threats of violence we have had in our nation's schools and the recent reports indicating that the U.S. gun industry sold numerous guns to members of Osama bin Laden's ''Al Qaeda'' terrorist network, the importance of enacting legislation that will promote a safe and sound environment can not be overstated.

It's time for smarter, better gun safety enforcement. The bill we are introducing today will move us in that direction. I am hopeful that Congress will move quickly to enact this worthwhile and timely legislation.

PAYING TRIBUTE TO: DURANGO POLICE DEPARTMENT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Durango Police Department for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Durango Police Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Durango Police Department to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road, just 15 miles northeast of Durango, and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Durango Police Department has roots reaching back to 1881, when one marshal and two deputies were solely responsible for law enforcement in the area. Today, the Department has 50 sworn officers under the leadership of Chief Al Bell. During the Missionary Ridge Fire, the Durango Police Department turned their resources to numerous emergency activities, including over 200 hours debriefing emergency workers, firefighters, police officers, as well as Red Cross volunteers, to help them cope with the tragedy. The personnel and resources devoted to this summer's fires by the Durango Police Department illustrate the dedication and readiness with which these men and women serve the citizens of Durango.

Mr. Speaker, it is with sincere admiration that I recognize the Durango Police Department before this body of Congress and this nation. I want to commend all of the employees of the Durango Police Department for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Durango Police Department and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the summer's exhaustive fire season has served as an inspiration to us all, and it is an honor to represent such an outstanding group of Americans in this Congress.

INTRODUCTION OF THE UNITED STATES WEATHER RESEARCH PROGRAM ACT OF 2003

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. EHLERS. Mr. Speaker, today, I am introducing a very important piece of legislation, the ''United States Weather Research Program Act of 2003.'' The human toll and dollar loss from severe weather events is staggering. Each year this nation experiences more than 1,500 weather-related fatalities and more than 15 billion dollars in damage to property.

The Weather Research Program is a partnership among academic and commercial communities and several government agencies—the National Oceanic and Atmospheric Administration (NOAA), the National Aeronautics and Space Administration (NASA), the National Science Foundation (NSF), the U.S.

Navy and many others. Led by NOAA, the program supports government and university-based research to improve severe weather forecasts and better utilization by emergency managers as well as the public.

This legislation authorizes $46.5 million over three years and emphasizes research on hurricanes and heavy precipitation events through better observations and modeling. Another important goal for the program will be to improve the communication between weather forecasters and the public and emergency managers when it is needed most. The bill also provides for the development of centers where research can be tested in real life environments to more quickly move research and new technology into operation—and save lives in the process.

I look forward to working with the agencies involved in this program, the research community, and my colleagues to pass this important legislation.

CONGRATULATIONS AND THANKS TO MR. RICHARD BIOLSI

HON. PATRICK J. TOOMEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. TOOMEY. Mr. Speaker, today I rise to offer congratulations and thanks to Mr. Richard Biolsi, Chief Operating Officer of KidsPeace, one of America's most comprehensive children's mental health charities which is headquartered in the Lehigh Valley in Pennsylvania.

Rich is retiring this year after 34 years of dedicated service to America's youth. Over that span, Rich has served as a social worker, Vice President for Programs, Executive Vice-President for Programs, interim Chief Executive Officer, and Chief Operating Officer for KidsPeace.

When he began his career with KidsPeace in 1969, the fledgling service organization was caring for only 35 children in a run-down home with very few resources. Now, 34 years later, KidsPeace directly cares for nearly 3,000 children at more than 50 centers across the country. What once was a single-home orphanage for children in the Lehigh Valley has become one of the most comprehensive children's mental health charities in the nation that has helped millions of children in every state of our nation, on overseas military bases, and in 70 foreign countries.

Many of these accomplishments, in no small part, can be attributed to Rich's efforts and strategic organizational leadership. From the development of six major residential campuses in four states, the establishment of the KidsPeace Hospital, and the creation of a unique and effective foster care program that provides homes for children in crisis in nine states, Rich has been an integral component of KidsPeace's success.

Rich's accomplishments extend well beyond the borders of KidsPeace. In 2001, he was named Social Worker of the Year by the National Association of Social Workers. KidsPeace estimates that during his distinguished career, Rich and the programs he has created and overseen have directly cared for nearly 80,000 children in emotional crisis.

So today, Mr. Speaker, I rise to recognize the outstanding dedication of Mr. Richard Biolsi to America's most vulnerable children. His commitment to excellence has enriched the lives of each of the children he cared for. I offer congratulations on his outstanding career, and the thanks of a grateful nation.

TRIBUTE TO THE ACHIEVEMENTS OF 21 NORTHWEST MISSOURI SCHOOL DISTRICTS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. GRAVES. Mr. Speaker, I rise today to recognize the outstanding achievements of 21 Northwest Missouri School Districts that have received the State's Distinction in Performance Award. The Distinction in Performance Award is designed to be an incentive for School Districts to focus on improving academic achievement. The criteria for the award, established by the State Board of Education, requires that the School Districts meet certain performance standards in the Missouri Assessment Program test scores, ACT test scores, attendance and dropout rates, and other academic performance records.

Of the 524 Public School Districts in the State of Missouri, 157 were given accolades for their achievements in 2002. Twenty-one School Districts in the 6th District were honored with this distinctive award and are as follows: Avenue City School District, Chillicothe School District, Cowgill School District, Gallatin School District, Grundy County School District, Jefferson School District, Lathrop School District, Mound City School District, Mid-Buchanan School District, Nodaway-Holt School District, North Platte School District, Pattonsburg School District, Platte County School District, Rock Port School District, Savannah School District, South Harrison School District, Stanberry School District, Tri-County School District, West Platte County School District, Winston School District, and Worth County School District.

Mr. Speaker, please join me in honoring these exceptional School Districts for their dedications to and achievement in educating the children of the 6th District.

PAYING TRIBUTE TO: LA PLATA COUNTY SHERIFF'S OFFICE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the La Plata County Sheriff's Office for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the LPCSO played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the La Plata County Sheriff's Office to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road, just 15 miles northeast of Durango, and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The roots of the La Plata County Sheriff's Office reach back to 1871, when Sheriff Joseph W. Wallace was solely responsible for law enforcement in the county. Today, the Sheriff's Office has 100 employees under the supervision of Sheriff Duke Schirard. During the Missionary Ridge Fire, the La Plata County Sheriff's Office turned their resources to numerous emergency activities that include alerting citizens and evacuating them from threatened roadways and properties, assisting the coordination of emergency services, and acting as real-time fire spotters. The LPCSO maintained traffic control for a 40-mile section along the fire's perimeter. Their personnel brought food and supplies to firefighters on the fire line and provided personnel to man checkpoints and fire lines. The over 2000 hours of overtime logged by the LPCSO illustrate the dedication and readiness with which these men and women serve the citizens of La Plata County.

Mr. Speaker, it is with sincere admiration that I recognize the La Plata County Sheriff's Office before this body of Congress and this nation. I want to commend all of the employees of the La Plata County Sheriff's Office for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the La Plata County Sheriff's Office and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the summer's exhaustive fire season has served as an inspiration to us all, and it is an honor to represent such an outstanding group of Americans in this Congress.

TRIBUTE TO SURENKUMAR S. DESAI

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to pay tribute to Mr. Surenkumar S. Desai of Madison County, Mississippi. Mr. Desai was serving as the Ward 3 Alderman in Canton, Mississippi at the time of his passing.

Mr. Desai immigrated to the United States from India in 1981, and was proud to be an American while still embracing his Indian heritage. In 1982, Mr. Desai moved to Mississippi and worked at a local drive-in restaurant. Two years later, he was transferred to the City of Canton to serve as the manager of another drive-in restaurant within the same chain.

Mr. Desai became an American citizen in 1992, and developed a keen interest in local politics thereafter. Mr. Desai campaigned several times serve as an elected official in the capacity of Mayor of Canton and Madison County District 1 Supervisory to no avail. However, his persistence paid off and in December

of 2001, Mr. Desai was finally elected to serve as Ward 3 Alderman of the City of Canton, Mississippi.

Many referred to and knew Mr. Desai merely as S.K. Mr. Desai was known as a hard working man that loved his job. He was regarded as a person who took great pride in being an elected public servant. Mr. Desai made a point to be present at City Hall everyday and make himself accessible to the citizens of Canton.

Mr. Desai is survived by his wife, two sons, and his parents.

HONORING LILLIAN WOOD FOR FIFTY YEARS OF DEDICATED SERVICE TO THE UNITED STATES MARINE CORPS

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MURTHA. Mr. Speaker, it is a privilege for me today to recognize an extraordinary Pennsylvanian who has dedicated herself to the service of her country for more than half a century.

Ms. Lillian Wood, born in East Millsboro, Pennsylvania, graduated from Brownsville High School in 1951. She began working as a civilian clerk-typist for the Marine Corps in February 1952. ''Lil,'' as she is known to generations of Marines, quickly demonstrated a commitment and dedication and was recognized with a rapid series of promotions in several divisions within Headquarters, United States Marine Corps.

Based on her superb performance in support of the Personnel, Aviation, G–4, and Reserve Affairs divisions, Lil was selected as the Branch Supervisor for the newly created Special Correspondence Branch of the Manpower and Reserve Affairs Department in 1966. Lil was charged with supervision of 28 employees, both military and civilian, and was responsible for providing updates and responses to all Congressional inquiries into Marine Corps affairs.

''The Few and the Proud'' is not just a recruiting slogan, and it applies as much to Marines in combat as to the civilian Marines who make it possible for them to deploy and come home safely. The success of Marines in battle throughout the history of our great nation is due, in no small measure, to the support they receive from civilian Marines and families back home.

Lil Wood stands as a shining example to all Marines, civilian Marines, and civil servants throughout the government. Lil and I both began our service to our country in 1952, both in the Marine Corps. Her accomplishments and fifty years of dedication to the Corps and to our country are remarkable and commendable. The Marine Corps is losing a valuable asset, and I offer Lil my best wishes for a well-deserved retirement.

CARE 21

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. RAHALL. Mr. Speaker, today I am reintroducing legislation to restore our Nation's historic commitment to insuring lifetime health care for retired coal miners. Joining me in introducing this bill is the distinguished gentleman from Ohio, BOB NEY. Indeed, last year the House of Representatives passed the legislation we are reintroducing today. However, the other body did not take action on it prior to adjournment of the 107th Congress.

Enactment this year of CARE 21, the ''Coal Accountability and Retired Employee Act for the 21st Century,'' is essential if we are to avoid seeing a curtailment in health care coverage for thousands of retired coal miners and their widows. This would not be the first time that Congress acted in this matter. In 1992, in what is known as the ''Coal Act'' enacted as part of the Energy Policy Act, Congress established the UMWA Combined Benefit Fund (CBF) combining the union's 1950 and 1974 benefit plans. This action came in response to changes in the coal industry which created a large class of ''orphaned'' miners whose benefits were no longer being paid by an active coal company. A key feature of the Coal Act was the financing of orphaned miner health care costs through an annual transfer of a portion of the interest which accrues to the unappropriated balance in the Abandoned Mine Reclamation Fund.

Simply put, in restoring abandoned coal mine lands we must not abandon the retired coal miner.

The Coal Act has worked well with health care for retirees whose former employers could be identified financed by premiums paid by those companies while providing for a transfer of reclamation fund interest to finance orphaned miner care.

However, a barrage of litigation, adverse court decisions and skyrocketing health care costs is now threatening the financial integrity of the program. The result: Without a new source of funds, the CBF faces a deficit which if it continues could force curtailments in health care coverage for some 50,000 retirees and widows whose average age is 78.

CARE 21 takes a relatively simple and straightforward approach to addressing this impending crisis: It would lift the restriction in current law that reclamation fund interest can only be used for orphaned miner health care. Instead, it would allow interest transfers to be made for the purpose of offsetting any deficit in net assets in the CBF.

One of the key features of CARE 21 is that the general taxpayer is not being called upon to pay for retired coal miner health care, but rather, the coal industry itself would provide for this coverage through the interest which accrues to the fees it pays into the Abandoned Mine Reclamation Fund.

Mr. Speaker, I noted earlier there is a historical commitment to providing health care for retired coal miners. This is a unique situation in that what would normally be a matter solely for the private sector is not in this instance. The genesis for this situation dates back to 1946 in an agreement between then-UMW President John L. Lewis and the federal government to resolve a long-running labor dispute. At the time, President Truman had ordered the Interior Secretary to take possession of all bituminous coal mines in the country in an effort to break a United Mine Workers of America strike. Eventually, Lewis and Secretary Julius Krug reached an agreement that included an industry-wide, miner controlled health plan.

In fact, the 1992 Coal Act itself was formulated partly on the basis of recommendations from the Coal Commission, established by former Labor Secretary Libby Dole, which in 1990 recommended a statutory obligation to help finance the UMWA's Health Benefit Funds.

Mr. Speaker, the people covered by this health care program spent their careers producing the energy which powered this Nation to greatness. We must not forsake them. We must not cast them adrift in their later years, robbed of the health care they so desperately need.

PAYING TRIBUTE TO: KENT & LESLIE TAYLOR

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MCINNIS. Mr. Speaker, it is with great enthusiasm that I rise today to pay tribute to Kent and Leslie Taylor, founders of the Texas Roadhouse. This family steakhouse restaurant chain remains very popular throughout this country for its great food and distinctive atmosphere. As Texas Roadhouse celebrates their tenth anniversary, I would like to recognize this milestone, and the Taylor's success before this body of Congress and this nation.

Kent and Leslie Taylor's success represents the entrepreneurial spirit of the American dream. Their persistence in forging an idea into a dream, and their commitment to that dream, is truly inspirational. Their product, market, customers, and most importantly, their employees, have all come together to create a winning formula. What began as a simple idea has now grown into an organization employing thousands. They have become an essential contributor to many communities throughout this country, and I would like to commend them for their outstanding success.

Mr. Speaker, it is with great pride that I recognize Kent and Leslie Taylor before this body of Congress and this nation for their enduring commitment to realizing the American dream. Businesses like these are the backbone of our economy and the heart of our neighborhoods. The Taylor's dream has become a successful and enduring enterprise, and I wish all the best to Kent and Leslie in all of their future endeavors.

REGARDING THE DEATH OF HELMUT ''BROWNIE'' BRAUNSTEINER

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SMITH of Washington. Mr. Speaker, on Sunday, December 29th, Pierce County,

Washington State and our nation lost a true hero, Helmut ''Brownie'' Braunsteiner, due to complications surrounding his battle with cancer.

It is difficult to describe Brownie's life without resorting to superlatives, but the evidence speaks for itself. From his birth in 1926 to his escape from Nazi-controlled Austria to America in 1939, Brownie never failed to display his particular brand of zest for life that so characterized his 75 years with us.

In 1944 Brownie began his decorated 27-year career in the United States Army, serving in World War II, the Korean War and the Vietnam War. Because of his fluency in German, he later served as an interpreter at the Nuremberg war crime trials.

For thirty years, Brownie was a full-time volunteer for veterans organizations, coordinating Veterans of Foreign War volunteers for the VA Hospital and chairing the Pierce County Veterans Advisory Council. In 1987, he helped found Fife's Veterans Independent Enterprises of Washington to rehabilitate homeless drug- or alcohol-dependent vets and help them become self-sufficient.

After he developed diabetes, Brownie dedicated countless hours to the Diabetes Association of Pierce County, conducting diabetes screenings without charge to residents of Pierce County. Brownie was known for both helping people detect their diabetes and begin to manage the condition. He would frequently go so far as to check in with people after their initial diagnosis to make sure they'd seen a doctor about their condition even three weeks after the test.

But these jobs and titles don't begin to describe either who Brownie was or the depth of his commitment to life. A man with a big heart, Brownie fought for issues he believed in. After serving our nation with a decorated career in the Army, Brownie worked tirelessly for the rights of veterans. Brownie was a passionate, dedicated citizen. He was patient and kind in teaching me not just about veterans and military issues, but also a wide range of other concerns close to his heart.

I was fortunate enough to work with Brownie on veterans issues ranging from concurrent receipt to VA health care to continuing education and reform of the Montgomery GI bill. It was always an honor to stand in the same room as him and I will always cherish the opportunity I had to call him both a colleague and a friend.

Brownie's outstanding contributions, selfless volunteerism, patriotism, and endless devotion cannot be sufficiently acknowledged. Everyone in the veterans' community, every elected official, everyone in Pierce County knew him and admired him. His tireless work earned him not only the respect, but also the love of everyone he touched.

Brownie Braunsteiner's passing is a loss to all who knew him and we extend our deepest sympathy to his family in their great loss. I will miss his friendship and his counsel.

IN MEMORY OF COLD WAR HERO WILLIAM G. GEIMER

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WOLF. Mr. Speaker, on December 1, 2002 another chapter of the Cold War with the Former Soviet Union ended with the passing of William G. Geimer. Bill was the visionary founder and longtime president of the Jamestown Foundation, a non profit organization devoted to promoting liberty and fighting totalitarianism most notably in the Soviet Union during the Cold War.

I had the privilege of working with and learning from Bill as he waged the good fight against the oppressive regimes of the Soviet Union that sought to crush the human spirit. Through his instrumental role at the Jamestown Foundation, Bill's leadership and vision helped bring down the Iron Curtain. Mr. Speaker, I will insert following these remarks a press release from the Jamestown Foundation that describes how Bill made a tremendous difference with his life.

Bill's efforts and advocacy with the Jamestown Foundation influenced Members of Congress, government officials and the general public exposing the corrupt and immoral nature of Soviet communism. Bill will be truly missed as this nation confronts other totalitarian regimes, but his life and vision can serve as a legacy for others continuing the fight against evil.

IN MEMORIAM, WILLIAM W. GEIMER: AUGUST 18, 1937—DECEMBER 1, 2002

JAMESTOWN FOUNDATION FOUNDER AND COLD WAR HERO DIES

WASHINGTON, DC.—With deep sorrow, the Jamestown Foundation announces the death of William W. Geimer, its visionary founder and longtime president.

Mr. Geimer, 65, established the Jamestown Foundation at a critical point in the Cold War as a source of first-hand accounts of the inner workings of the Soviet Union and other Eastern bloc countries. From its founding in 1984, the foundation has become the leading force for disclosing to the world the knowledge and insights of those in the top reaches of closed totalitarian societies, including high level defectors from the Soviet Union and its client states. For creating a safe haven for high-ranking officials from behind the Iron Curtain with the courage to tell the world the true nature of communism, Geimer was recognized by President Ronald Reagan as a key figure in the collapse of the Soviet Union.

Geimer was inspired to launch the foundation following his work with Arkady Shevchenko, the highest-ranking Soviet official ever to defect when he left his position as undersecretary general of the United Nations. Asked by the State Department to serve as Shevchenko's attorney, Geimer recognized that Shevchenko could provide a unique and invaluable insider's view of Soviet policymaking, arms control negotiation strategies and the workings of the top reaches of the then-secret Soviet government. Geimer was instrumental in the publication of Shevchenko's writings, most notably, the bestseller ''Breaking with Moscow,'' in which Shevchenko acknowledged, as well as the close personal friendship between them, ''the countless hours, days, years of himself'' that Bill Geimer had given to ''bring me into a new life.''

Following the end of the Cold War, Geimer moved the foundation aggressively into monitoring the Soviet transition away from totalitarianism by publishing daily analytical reports on events in the region. The Jamestown Foundation's research and publications have become the leading source of information on the war in Chechnya, and on political, military and economic trends in the states of the former Soviet Union and in China.

''Bill was an American patriot who devoted his life to promote freedom and democracy worldwide,'' said Barbara D. Abbott, the Jamestown Foundation's vice chairman and now president. ''From the Evil Empire to the Axis of Evil, he never wavered in his belief that an attack on the secrecy of closed societies is one of the greatest weapons in a democracy's arsenal. Bill's vision, wisdom, kindness and humor will be missed, but his work will continue at the Jamestown Foundation.''

''Geimer was a visionary,'' long-time Board member and former Central Intelligence Agency director R. James Woolsey observed. ''He had an enormous impact on our national security efforts. As the Soviet Union began to collapse, Bill was one of the first to foresee that the instability brought about by that dissolution might result in rogue groups more difficult to deal with and potentially more of a threat to freedom than the USSR, which is precisely the situation we face with Osama bin Laden and al-Qaida.''

Zbigniew Brzezinski, Jamestown Advisory Board member, recalls that ''Bill Geimer was a patriot with a vision, an idealist with a program, and a leader who knew how to get things done.''

Vice President Dick Cheney, a former Jamestown Foundation board member who attended Wednesday's funeral services, stated, ''The Jamestown Foundation has played an important role in alleviating suffering and in furthering democracy.''

A native of Chicago, William W. Geimer received his bachelor's degree from Marquette University and his law degree from Northwestern University. He served on President Ronald Reagan's Export-Import Bank transition team, and in top-level positions in the Nixon and Ford administrations, including as deputy assistant secretary of state for international trade. He maintained a private law practice in Washington, DC from 1976 to 1984.

IN RECOGNITION OF THE CAREER OF BASEBALL LEGEND GARY CARTER

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SHAW. Mr. Speaker, I rise to congratulate a constituent of mine, Mr. Gary Carter of Palm Beach Gardens, Florida, for his election to baseball's most coveted fraternity, the Hall of Fame. Over a successful 19-year professional career, Gary Carter exemplified what it takes to be a big league ball player. Playing the difficult position of catcher, Gary compiled an impressive array of statistics and accolades. In 1975, his first full year with the Montreal Expos, Gary exploded onto the big league scene. Seventeen years later, Gary returned to Montreal, after stints in New York, San Francisco and Los Angeles, finishing his career where it all started. What a ride it had been. Following the 1992 season, Gary retired with numbers that foretold an eventual trip to Cooperstown. Games played: 2,296; Hits: 2,092; Home Runs: 324; Runs Batted In: 1,225 and a batting average of: 262.

Each year, Gary's teammates and fan could always count on his durability and consistency. Season after season, Gary's presence in a big league lineup made opposing pitchers fear his bat and power. In 1986, Gary lead the New Yorks Mets to a seven game World Series win over the Boston Red Sox. Although that series is remembered for a series saving

error at first base, many fans remember Gary's clutch hitting when he was needed most. In the end, Gary had his World Series championship and ring.

Mr. Speaker, the baseball writers across the country paid tribute to Gary's career by bestowing on him the highest honor in professional sports. To be a member of the Hall of Fame means more than just another accomplishment; it means having the ability and dedication to rise above the hundreds of other noteworthy players and become one of baseball's greatest players of all-time. In the 100 year history of American baseball, players have come and gone. However, baseball fans, young and old were thrilled to watch Gary Carter play the game he loved throughout his 19-year playing career. His teammates bestowed upon him the nickname ''The Kid.'' A fitting tribute to a man always eager to play an adult sport with a childlike enthusiasm.

Mr. Speaker, Gary Carter becomes the newest member of baseball's Hall of Fame on July 27, 2003. Congratulations to, ''The Kid.''

PAYING TRIBUTE TO: FRED LEE HOWARD, JR.

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MCINNIS. Mr. Speaker, it is with great sadness that I recognize the life and passing of Colonel Fred Howard of Grand Junction, Colorado. Colonel Howard served in the United States Air Force with the honor, courage and integrity that Americans have come to expect from our nation's military. Sadly, Fred passed away in November and, as his family mourns his loss, I would like to pay tribute to his lifetime of service before this body of Congress and this nation.

The day after the bombing of Pearl Harbor, Fred enlisted in the Army Air Corps as an Air Force Cadet and served in Europe during World War II. During the war, Fred served as a pilot, dropping paratroopers behind enemy lines. Fred received numerous medals of commendation for his efforts including the Distinguished Flying Cross and the Bronze Star. At the age of 22, Fred was promoted to the rank of Captain, where he continued to exhibit the leadership and courage that became his hallmark.

After the war, Fred continued to contribute his leadership and expertise to the United States Air Force. During the Korean War, Fred was called once again into active duty. During the Vietnam War, he served as Director of Scheduling, where his responsibilities included the ''in-air'' refueling of all aircraft entering and exiting Vietnam. Upon retiring from the military, Fred served as an inspector for the Federal Aviation Administration, inspecting all domestic airlines in the Western United States.

Mr. Speaker, it is with earnest respect that I recognize the life and passing of Colonel Fred Howard before this body of Congress and this nation. I extend my sincere condolences to his wife Mildred, son Fred, daughters Cheryl, Susan and Betty, and his many grandchildren. Colonel Howard served our country with great honor and distinction through a period of global uncertainty, and his remarkable courage serves as an inspiration to us all. His loss will be deeply felt and grateful nation will be forever in his debt.

SUPPORTING H.R. 163, THE UNIVERSAL NATIONAL SERVICE ACT OF 2003

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. STARK. Mr. Speaker, I am an original cosponsor of the Rangel/Conyers bill, the Universal National Service Act of 2003 (H.R. 163), which would reinstate a national draft. I would like to explain my support for this legislation.

I ardently oppose war with Iraq. The evidence simply does not exist to warrant sending our nation's young people to sacrifice their lives in Iraq. I believe America ought to be an advocate for peace, not imperialism.

Yet, war is on the horizon. The President is intent on invading Iraq whatever the cost. Thanks to the President's brand of hotheaded bully diplomacy, war with North Korea may also be imminent. The only real question that remains is whether or not Americans are ready and willing to bear the cost?

I commend my colleagues Mr. RANGEL and Mr. CONYERS for their wisdom in authoring this bill. I'm honored to be an original cosponsor.

This bill requires all young Americans—men and women between 18 and 26—to perform a two year period of national service in a military or civilian capacity as determined by the President. For those who conscientiously object to war, the bill assures that any military service would not include combat. Otherwise, there would be no preferences, no deferments, no chance for the well-off or the well-connected to dodge military service for their country, as did our President.

Reinstituting the draft may seem unnecessary to some. But, it will ensure all Americans share in the cost and sacrifice of war. Without a universal draft, this burden weighs disproportionately on the shoulders of the poor, the disadvantaged and minority populations.

It is my understanding that out of the 435 Members of this House and the 100 members of the Senate, only one—only one—has a child in active military service. Who are we to know the pain of war when we ourselves will not directly bear the brunt of that action? It won't be us mourning the loss of a child or loved one. Maybe some of you in this Congress would think twice about voting for war in Iraq if you knew your child may be sent to fight in the streets of Baghdad?

If our nation is to go to war, it is only right that all Americans share in the sacrifice of war. It is time we truly comprehended the consequences. I urge my colleagues to support a universal draft which I believe will make votes for war much more real for many of my colleagues.

INTRODUCTION OF CIVIC PARTICIPATION AND REHABILITATION ACT OF 2003

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. CONYERS. Mr. Speaker, I am pleased to introduce the Civic Participation and Rehabilitation Act of 2003, along with additional cosponsors. At a time when our Nation faces record low voter participation, this legislation represents an historic means of both expanding voting rights while helping to reintegrate former felons into our democratic society.

The practice of many states denying voting rights to former felons represents a vestige from a time when suffrage was denied to whole classes of our population based on race, gender, religion, national origin and property. Over the past two centuries, these restrictions, along with post-Civil War exclusions such as the poll tax and literacy requirements, have been eliminated. It is long past time that these restrictions be relegated to unenlightened history.

Unfortunately, the United States continues to stand alone among the major industrialized nations in permitting an entire category of citizens, former felons, to be cut off from the democratic process. It is time that the United States restored these fundamental rights and join the community of nations in this regard.

Denial of suffrage to these individuals is no small matter. A recent study by the Sentencing Project reveals that some 3.9 million Americans, or one in 50 adults have currently or permanently lost their voting rights as a result of a felony conviction. This includes an estimated 1.4 million African American men, or 13 percent of the total population of black adult men, a rate seven times the national average. Forty-eight states and the District of Columbia prohibit inmates from voting while incarcerated for a federal offense; 32 states prohibit felons from voting while they are on parole and 28 of these states exclude felony probationers as well. In fact, in six states that deny the vote to ex-offenders, one in four black men are permanently disenfranchised. Hispanic citizens are also disproportionately disenfranchised.

In addition to diminishing the legitimacy of our democratic process, denying voting rights to ex-offenders is inconsistent with the goal or rehabilitation. Instead of reintegrating such individuals into society, felony voting restrictions only serve to reaffirm their feelings of alienation and isolation. As the National Advisory Commission on Criminal Justice Standards and Goals has concluded, ''if correction is to reintegrate an offender into free society, the offender must retain all attributes of citizenship.'' The purpose of correctional facilities throughout our history have been to make an offender fit to re-enter society. We should honor this conviction that once a felon has served his/her time, the he/she is ready to be a functioning member of society. Voting then must be allowed, as the most basic constitutive act of citizenship.

It is even more important for this legislation to pass when we look back at the 2000 election in Florida. In that election 400,000 ex-felons were denied their right to vote. In an election where it came down to 537 voters, this is a decisive number. Instead of contracting the voting pool we should be expanding it so that our elected officials can more accurately resemble the wishes of the people. Our nation has slowly seen the enfranchisement of all of its citizens. Though it has been a slow process we have always moved forward, giving more and more citizens the right to vote. This bill is merely the next step in the expansion of the electorate. And it is a step we must take.

Many states are beginning to take the lead on this issue. Maryland, Connecticut, Delaware, and New Mexico have all scaled back voting bans on ex-felons who have paid the price for their crimes and now want to participate in the democratic process as citizens. The growing roster of states which allow ex-felons to vote is encouraging. We must help along the process by enacting this bill and taking this crucial step at the Federal level.

The legislation we will introduce constitutes a narrowly crafted effort to expand voting rights for ex-felons, while protecting state prerogatives to generally establish voting qualifications. The legislation would only apply to persons who have been released from prison, and it would only apply to federal elections. As such, our bill is fully consistent with constitutional requirements established by the Supreme Court in a series of decisions upholding federal voting rights laws.

The legislation has been supported by a broad coalition of groups interested in voting and civil rights, including the NAACP, ACLU, the National Council of Churches (National and Washington Office), the National Urban League, the Human Rights Watch and the Lawyers Committee for Civil Rights, among many others.

TRIBUTE TO MAJOR CLARK THOMPSON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. VISCLOSKY. Mr. Speaker it is my distinct honor to commend one of Northern California's most distinguished citizens and a great friend of mine, Mayor Clark Thompson of Petaluma, California. He has served the people of Petaluma for 25 years, culminating over the last 4 years with his service as Mayor of that fine city. His leadership and pursuit of excellence will be sorely missed as he steps down from a career of public service.

A longtime resident of Petaluma, Mayor Clark Thompson began his career in public service by serving the city on the Parking and Business Improvement Area Committee. From there, he served on the Committee to study and initiate bicycle paths and access, as a member of the Petaluma Valley Hospital Foundation Board, and as a member of the Petaluma Rotary Club and Chamber of Commerce Board. He is still a lifetime member of the Casa Grande Boosters Club.

At a time when his beloved city faced many challenges Mayor Thompson brought a broad vision to lead the citizens of Petaluma into the future. His determination is unwavering; his pride in his city is unequaled. I have had the pleasure to work with Mayor Thompson on a professional level, and witnessed his abilities as a leader when he solved Petaluma's long standing flood control issues. He has the uncommon ability to work with people of different beliefs in order to do what is right. The city of Petaluma and its people have benefited greatly from Clark Thompson's years as a public servant.

Although he has been a devoted public servant, Mr. Thompson has always held his family as a to priority. He and his wife, Sue Ellen, originally settled in the community of Petaluma to raise their two daughters, Molly and Abigail. Clark's retirement will allow him to spend more time with his family, something he will greatly cherish.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Mayor Clark Thompson on his retirement after 25 years of diligent service to the city of Petaluma, California. Clark has been a valuable member of the community for which he cares so deeply, and his service will be greatly missed. I wish him the best of luck in future endeavors, and I know he will enjoy his retirement for many years to come.

PAYING TRIBUTE TO: UPPER PINE RIVER FIRE PROTECTION DISTRICT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Upper Pine River Fire Protection District of La Plata County, Colorado for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Fire Protection District played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Upper Pine River Fire Protection District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Upper Pine River Fire Protection District has served the citizens of La Plata County since 1974 and oversees a 264 square mile region. The district relies upon its Fire Chief, Jim Piccoli, its Deputy Fire Chief, Rod Richardson, and nearly 65 volunteers to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Upper Pine River Fire Protection District of La Plata County before this body of Congress and this nation. I want to commend the Chief and all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Upper Pine River Fire Protection District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

A SPECIAL TRIBUTE TO JAMES R. TILLING FOR HIS DEDICATED SERVICE TO THE STATE OF OHIO

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding gentleman, and good friend, from Ohio. Jim Tilling came to Ohio, in September 1969, to begin a career as a political science professor at Ohio University in Athens. He spent six years at Ohio University where he taught courses in American national government, urban government, Soviet government and foreign policy. In 1973–74, he was named a ''University Professor''—an honor given each year to the ten best teaching professors at Ohio University.

Mr. Speaker, in February, 1977, Jim joined the staff of the Senate Republican caucus in the Ohio General Assembly. He began as its Director of Communications and Research, then served two terms as Minority Chief of Staff. He was elected Clerk of the Senate for 1981–82.

From January 1984 until April 1994, Mr. Tilling served as Chief Executive Officer of the Senate with me when I was Senate President and also for my successor, Senate President Stanley Aronoff. In that capacity, he was responsible for the day-to-day operation of the Senate's staff and also worked with Senate Republican members to develop their legislative policy agenda.

In 1981–82, Jim was the principal co-author of the bi-partisan congressional redistricting plan, which determined congressional district boundaries for that decade. In 1991, he served as secretary to the Ohio Apportionment Board, in which capacity he was the principal author of the redistricting plan for the Ohio General Assembly in the 1990's. Jim has served as Chief of Staff for the Ohio Attorney General since January 9, 1995.

Jim Tilling has had a significant impact on public policy in Ohio. He is the public servant not often seen or heard from in the media. However, he is the person that makes the operation work. His substantive knowledge and steadfast patience have served well the many elected officials in Ohio with whom Jim has served. These chances to give back to the public have brought him a lifetime of both personal and professional achievement. Jim truly is a valued asset to the state of Ohio.

Jim will leave big shoes to fill in the halls of Ohio state government. His wisdom, honesty and forthrightness are attributes to which all public servants should aspire. He has set an example for everyone on how to live a life of service, putting the greater interests of the community before one's own.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to James R. Tilling. Our communities are served well by having such honorable and giving citizens, like Jim, who care about their well being and stability. We wish Jim, his wife, Cathy, and their family all the best as we pay tribute to one of our state's finest citizens.

INTRODUCTION OF THE NATIONAL INVASIVE SPECIES COUNCIL ACT

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. EHLERS. Mr. Speaker, today I am introducing legislation to codify the Executive Order that established the Invasive Species Council and gave the Council responsibility for coordinating all invasive species activities across the Federal government (Executive Order #13112, issued in 1999). Invasive species, such as the snakehead fish and zebra mussel, cause an enormous economic, ecological and human health toll on the United States every year. There are over 20 different Federal agencies involved in prevention, eradication, control, monitoring, research and outreach efforts to deal with the threat of invasive species, and this Executive effort seeks to make these efforts more coordinated, effective and cost-efficient. Better management of invasive species efforts across Federal agencies is critical to an effective response to this threat, and the Executive Order was the right first step. However, it is only the first step. Congress now needs to pass this legislation to give the Council more authority to effectively meet this threat.

Since its inception, the Council has made progress in achieving its mandate. In particular, in 2001 the council issued the National Management Plan to provide a general blueprint of goals and actions for Federal agencies to better deal with invasive species. While this broad plan lacks detail in some areas, it is a good first step toward focusing the various Federal efforts on common goals and coordinated actions. In addition, the Council established a Federal advisory committee consisting of 32 members from a broad array of stakeholders. The advisory committee has met several times in order to provide guidance on the development of the National Management Plan and on Federal agency actions regarding invasive species in general.

While the Council has had some success, its authority to coordinate the actions of Federal agencies has been limited. The General Accounting Office (GAO) recently recognized this problem, stating that agencies did not incorporate the components of the National Management Plan into their annual performance plans. In addition, GAO recommended that the Council study whether or not a lack of legislative authority has hampered its mission. Key agencies of the Council have already recognized this lack of authority as problematic and have supported codification of the Council in testimony before a November 2002 joint hearing of the House Resources and House Science Committees on aquatic invasive species.

The legislation I am introducing today essentially keeps the existing structure of the Council intact, while at the same time it addresses issues raised by GAO by giving the Council a clear statutory mandate.

First, the legislation maintains the Executive Order's statement of administration policy that Federal agencies should not undertake actions that may lead to the introduction or further spread of invasive species without careful consideration of the costs that the proposed action may cause. The legislation requires that the Council for Environmental Quality, in conjunction with the Council, issue guidelines for Federal agencies to help them consider the consequences of any proposed action. The intent of this provision is to create a common set of guidelines by which all Federal agencies can measure their actions, not to give individuals a private right of action against government agencies that take actions regarding invasive species.

Second, the legislation makes some modifications to the existing institutional structure of the Council. The membership of the Council will remain the same; however the legislation updates the membership, as described by the Executive Order, to reflect additional agencies that have been added since 1999. It also makes the Council an independent entity within the Executive Branch, to be chaired on a rotating basis by the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce. This is a change from the Executive Order, which called for the Council to be housed within the Department of Interior and chaired by that agency. If the Council is to be a truly independent entity that can work with all Federal agencies, this change is necessary.

Third, the legislation retains the duties of the Council as described by the Executive Order (including development of an updated National Management Plan), but it adds some new duties in order to give the council more tools to use in coordinating Federal programs. In particular, the Council must submit an annual list of the top priorities in several different areas related to addressing the threat posed by invasive species. The legislation also specifically calls upon the Council to work with Federal agencies during the budget development and submission process in order to ensure that budget priorities reflect the priorities of the National Management Plan. The legislation also calls on the Office of Management and Budget to develop a crosscut budget of all invasive species efforts in the Federal government. This is a necessary tool for the Council to coordinate efforts among the various Federal agencies.

Finally, the legislation retains the existing Invasive Species Advisory Council to serve as an important contributor to the ongoing dialogue between the Federal government and stakeholders to ensure that the Federal government acts in the most effective way.

This legislation will help further the Federal government's efforts to combat invasive species, and I urge all of my colleagues to cosponsor this important legislation.

BAN ON CONVERSIONS IN INDIA SHOWS IT IS THEOCRACY, NOT DEMOCRACY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. BURTON of Indiana. Mr. Speaker, while we were in recess, a law was passed in the Indian state of Tamil Nadu by the Hindu fundamentalist government there that bans religious conversions to any religion but Hinduism. The Washington Times did an excellent report on this bill in its issue of November 11.

According to the article, the bill "penalizes those who convert to a religion other than Hinduism with imprisonment and a hefty fine." The ruling BJP and its coalition partners, as well as one of its sister organizations, the Vishwa Hindu Parishad (VHP), have endorsed this bill and called for similar bills to be passed all over the country.

The militant Hindu nationalists claim that people are being converted by force. However, as John Dayal, secretary-general of the All-India Christian Council in New Delhi, said, "In fact, the only inducements by fraud and fear are those being carried out by [Hindu organizations] in the tribal belt, where innocent tribals are being forced to become Hindus." A Cabinet members was quoted several months ago as saying that everyone who lives in India must be a Hindu or be subservient to Hindus. This is the reality of Indian democracy, Mr. Speaker.

India must start acting like a democracy. 52,268 Sikhs political prisoners and tens of thousands of other political prisoners being held in India must be released. Since 1984, over 250,000 Sikhs have been murdered by the Indian government. The Indian regime has also killed over 85,000 Kashmiri Muslims since 1988, over 200,000 Christians in Nagaland, and tens of thousands of other minorities, including Assamese, Bodos, Dalits, Manipuris, and Tamils, among others. Last spring, 2,000 to 5,000 Muslims were murdered in Gujarat with the connivance and support of the police. In November, the government of Pakistan issued 400 visas to Sikhs to come and celebrate the birthday of one of the Sikh Gurus, Guru Nanak. India only let 48 Sikhs to the celebration.

Why are American taxpayers being asked to support this theocratic regime? It is time to cut off our aid to India, and it is time to support the American principles of freedom, democracy, peace, and stability by openly and publicly supporting self-determination for all the peoples and nations of South Asia, such as Khalistan, Kashmir, Nagalim, and others, through a free and fair plebiscite. This will show India's commitment to being a true democracy rather than a Hindu theocracy.

Mr. Speaker, I would like to place the Washington Times article on the anti-conversion ordinance into the RECORD at this time for the information of my colleagues.

[From the Washington Times, Nov. 11, 2002]

LOW-CASTE HINDUS EYE NEW RELIGIONS

(By Shaikh Azizur Rahman)

NEW DELHI.—Low-caste Hindus in the southern Indian state of Tamil Nadu are threatening to embrace Christianity, Buddhism or Islam to protest a new law that outlaws religious conversion.

A bill passed into law by the state legislature last month penalizes those who convert to a religion other than Hinduism with imprisonment and a hefty fine.

While religious minorities in Tamil Nadu plan to challenge the law in court, many Hindus from so-called "untouchable castes," known as Dalits, are threatening to publicly defy the new law.

One group of Dalit Hindus in the state capital, Chennai, said that a group of 10,000 will convert to Buddhism on Dec. 6 if the law is not revoked.

Another group, known as the Dalit Panthers of India [DPI), pledged that 25,000 of its members would become Christians to protest what they called an "unjustified" decree.

"The upper class has been torturing the Dalits for centuries, and now, by passing the

bill, the government has decided to shackle us in a society where we are denied even our basic democratic rights,'' said one Dalit activist, who identified himself by the Christian name Emmanuel.

On Oct. 31, Tamil Nadu became the first—but probably not the last—Indian state to outlaw religious conversions. Though the law targets conversions ''by force, allurement or fraudulent means,'' opponents say the language offers the means to challenge all conversions to faiths other than Hinduism.

''Even if one changes one's religion of one's own free will, those involved in the conversion can be punished on the ground that it's a case of forced conversion,'' said M. Karunanidhi a former chief minister of Tamil Nadu.

The new law was welcomed by Hindu fundamentalists, who govern the nation in a coalition led by the Hindu nationalist Bharatiya Janata Party (BJP).

''The BJP is strongly of the view that this law is most necessary for the whole country. Lots of money is coming into the country from Islamic organizations to aid conversions,'' said BJP President M. Venkaih Naidu.

Ashok Singhal, leader of the World Hindu Council (VHP), hailed the law as a ''timely and bold step'' and he urged other states to pass similar laws.

The issue of religious conversion has long been a source of strife in India. While federal law allows Indians to change their faith, the ruling BJP makes no secret of its dislike to the practice, while its ruling partner—the VHP party—views conversions as betrayal.

Opponents of the new law warn it will only trigger an even larger exodus of Hindus to other faiths.

The Global Council of Indian Christians said it was ''alarmed by the hurriedly promulgated ordinance,'' and called it ''the most heinous violation of religious freedom aimed at targeting Christian missionaries engaged in poverty alleviation and spreading the light of education.

The All-Indian Christian People's Forum said that it went against the core of the Constitution. ''This ordinance is uncalled for, unwarranted and smacks of a pro-Hindu ideological basis of the . . . government''.

''The bill runs foul of Article 25 [25] of the Indian Constitution, which grants freedom of conscience and free profession, practice and propagation of religion to every Indian citizen,'' the group said.

Dominic Emmanuel, director of New Delhi Catholic Archdiocese, called the measure, ''an assault as much on civil rights as on human rights as on human dignity.''

John Daya, secretary-general of the Christian Council in New Delhi, said: ''In fact the only inducements by fraud and fear are those being carried out by [Hindu organizations] in the tribal belt, where innocent tribals are being forced to become Hindus.''

Muslims, too, are concerned.

How can conversions be prevented if an individual is attracted to another religion because of his or her faith in it? Force is never used to convert one to Islam because it is against the basic tenets of [Islam],'' said Maolana Siddikullah Chowdhury, general secretary of the Jamiat-e-Ulema party in Calcutta.

He added that low-caste Hindus converted to Islam simply to ''escape discrimination and ill treatment'' and not under any coercion.

PAYING TRIBUTE TO: SILVERTON FIRE DISTRICT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Silverton Fire District for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Silverton Fire Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Silverton Fire District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Silverton Fire District has served the citizens of Colorado for many years and has a reputation for its outstanding service. The district relies upon the Chief and its fire fighters to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Silverton Fire District before this body of Congress and this nation. I want to commend all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Silverton Fire District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

IN HONOR OF NOAM SHUDOFSKY, ADMINISTRATOR OF RAMAZ DAY SCHOOL

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. NADLER. Mr. Speaker, I rise today to pay tribute to Noam Shudofsky on the occasion of his retirement as Administrator of Ramaz Day School, one of the finest religious schools in New York City. Mr. Shudofsky, a native New Yorker, was born and raised in my hometown, Brooklyn, where he attended the Yeshiva of Flatbush. He has since enjoyed a long and exemplary career as an educator in New York. It is my pleasure to honor him today.

In his role as Administrator of Ramaz, Mr. Shudofsky has helped to maintain the vision of its founder, Rabbi Joseph Lookstein. He came to Ramaz in 1962, and has served as Administrator for 40 years. As Administrator, Mr. Shudofsky has managed the day to day operations of the school, and is responsible for the operational fund raising. His career at Ramaz has helped to make it the world-renowned institution that it is today.

In addition to his role as an educator, Mr. Shudofsky was a leader in the movement to free Soviet Jews from Communist oppression and permit their emigration to Israel, and was one of the first people to travel to the Soviet Union during that period. He has three children, and multiple grandchildren.

For his commitment to Jewish education, to his community and his city, and to the freedom of the Jewish people, it is my privilege to congratulate Mr. Shudofsky on this special occasion.

RECOGNITION OF IVORY LATTA

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SPRATT. Mr. Speaker, this past week in my hometown, York, South Carolina, we made history Ivory Latta, standing all of 5 feet 6 inches in her shoes, set a new state scoring record in high school basketball, breaking the standing record of 3,427 points set by Allison Feaster, now a player for the Charlotte Sting.

Ivory was within reach of the record when York Comprehensive High School went up against East Forsyth High in the Dell Curry Basketball Shoot-Out in Charlotte, and she lost no time going after it. In the first 8 seconds of the game, she stole the ball and went in for a lay-up. She went on to score 52 points. This brought her career total to 3,439 points, more than any other player in our state, boy or girl, has ever scored. Since basketball season is far from over, Ivory will score more, and raise the bar even higher, before her high school career is finished.

Ivory Latta is a star in the classroom as well as on the basketball court. She has a grade point ratio of 3.9, and is headed for the University of North Carolina at Chapel Hill on scholarship next fall.

I bring this young lady's feat to the attention of the House because I think we will be hearing a lot more from Ivory Latta as she takes her extraordinary skills and team-play spirit on to college and possibly into the pro's. As her congressman, I share Ivory Latta's story with you because I am immensely proud of her. So is everyone throughout the Carolinas, and not least in York, which has declared Friday, January 10, ''Ivory Latta Day.''

The following is an editorial tribute to Ivory Latta that appeared in The Herald in Rock Hill, South Carolina on January 8, 2003:

[From the Herald, Jan. 8, 2003]

LATTA DESERVES ACCOLADES

York's Ivory Latta now stands as the greatest high school basketball scorer, boy or girl, in South Carolina history, and the universal sentiment seems to be: It couldn't happen to a nicer kid.

On Friday, the day Latta reached and then exceed the scoring record, her biggest concern was her team. While she may be the spark plug for the York Comprehensive High School Lady Cougars, she is, first and foremost, a team player.

On this day, the Cougars would fall to East Forsyth in the Dell Curry High School Basketball Shootout in Charlotte. But nothing could eclipse the accomplishment of Latta, the 5-foot-six guard who scored 52 points in the game, bringing her career total to 3,439.

In reaching this pinnacle, Latta had to break the scoring title of another formidable local athlete. Until Friday, the scoring record of 3,427 points had been held by Allison Feaster, the Sting player, who set that record her senior year at Chester High School, in 1994.

Latta seems to be following in Feaster's footsteps in other ways as well. Feaster was an outstanding student who went on to graduate from Harvard University in 1998. Latta, who maintains a 3.9 grade-point average, is headed for the University of North Carolina on a basketball scholarship.

In addition to being tops in scoring, Latta has set numerous other records, including the number of 3-pointers made in a season (121), 30-point or more games in a season (23), 40-point or more games in a season (9), free throws made in a season (229) and free throws made in a state championship (17).

Some young player, perhaps one just learning to dribble a basketball, may someday challenge this amazing record. Whoever that player may be, he or she could do no better than emulate Latta as a role model.

INTRODUCTION OF THE DIVIDEND PAYMENT INCENTIVE ACT OF 2003

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. PETRI. Mr. Speaker, today, I am introducing legislation to authorize a deduction from corporate income for dividends paid to stockholders. This legislation, the Dividend Payment Incentive Act of 2003, will provide benefits to shareholders, public company managers, and the broader U.S. economy. Passage of this bill is important for many reasons, including:

This legislation will end the double taxation of dividends. Currently, corporate income is taxed at 35 percent and then shareholders also pay personal income tax on any dividends received. An investor in the 27 percent tax bracket nets less than 48 cents for each dollar of earnings a public company allocates to dividend payments.

Current tax policy provides a disincentive for corporations to transfer earnings to shareholders, and dividend payments have declined significantly. In fact, many corporations make no dividend distributions.

Clearly, the expectation of receiving regular dividend payments from profitable companies can persuade investors to invest money in our equity markets. It has been estimated that dividends comprised half of the average return to shareholders in the decades before 1990. Encouraging managers to make dividend distributions can help to boost overall stock market performance by providing a very real incentive for investors to put their hard-earned money back into the stock market.

Because corporate income is taxed at a single 35 percent rate and personal income is taxed at marginal rates ranging from 15 to 38.6 percent, ending the double taxation of dividends on the corporate tax side will provide a fairer distribution of the benefit to taxpayers at all income levels. This stands in sharp contrast with proposals to reduce the personal income tax on dividends received which will give a greater benefit to taxpayers paying higher marginal tax rates.

Income allocated to dividends is fully taxed while interest payments are deductible. This uneven treatment of different financing vehicles distorts the corporate decisionmaking process by creating a distinct financial advantage for borrowing. Allowing a deduction for dividends paid will equalize this treatment and enable corporate managers to consider the full range of debt and equity financing options.

The time has come to end the double taxation of dividends, and it should be clear that enacting this reform through a corporate side deduction will provide the greatest benefit to the broadest array of taxpayers.

JOB CREATION ACT OF 2003

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. KNOLLENBERG. Mr. Speaker, today I have introduced the Job Creation Act of 2003. The country is now in its second year of economic growth, but we are not growing fast enough. We must continue to look for ways to continue and quicken our economic recovery.

President George W. Bush recently announced his economic growth and jobs plan to strengthen the American economy by providing accelerated tax relief to every American paying income tax, encouraging job creation by giving small businesses incentives to grow, and helping displaced workers.

This is a step in the right direction, but we must also address the numerous benefits that an elimination of capital gains taxes would have on our economy. The Job Creation Act would eliminate capital gains taxes for individuals.

By cutting the capital gains tax, we create greater incentives to invest and start new businesses, which means more jobs available. In addition, a cut in the capital gains tax will almost certainly generate more revenue, as was the case when the tax was reduced in the early 1960s and late 1970s.

Furthermore, it is estimated that trillions of dollars are being held in investments such as stocks, bonds, and market funds to avoid the tax. Relief from the capital gains tax would induce people to profit from their investments, leading to the potential of ''unlocking'' hundreds of billions of dollars of stored up wealth.

The elimination of the capital gain tax would also eliminate a complex and confusing portion of our tax code. Relief would enable people to better plan for retirement by knowing the true value of their investments without worrying about federal taxes.

I am pleased to have introduced the Jobs Creation Act and look forward to working with my colleagues on this important issue.

PAYING TRIBUTE TO: SAN JUAN COUNTY FIRE DEPARTMENT

HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the San Juan County Fire Department for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Fire Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the San Juan County Fire Department to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The San Juan County Fire Department has served its citizens and community since 1962 and oversees a 5,500 square mile region. The Department relies upon 330 volunteers who remain on call, prepared to fight fires, conduct rescue operations, or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the San Juan County Fire Department before this body of Congress and this nation. I want to commend the Department's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the San Juan County Fire Department and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and I extend my sincere gratitude to everyone in the department.

INTRODUCTION OF THE BROWNFIELDS REDEVELOPMENT ENHANCEMENT ACT

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today to reintroduce the Brownfields Redevelopment Enhancement Act, to provide communities with new options when it comes to financing Brownfields redevelopment projects. This legislation gives local communities a valuable tool to address blight, create new jobs, and expand their tax base. Last Congress, identical language passed the House unanimously on June 4, 2002. I would like to thank the following Members who join me in introducing this important legislation today: Ms. MALONEY, Chairman OXLEY, Mr. KANJORSKI, Mr. LEACH, Ms. KELLY, Mr. MCHUGH, Mr. TOOMEY, Mr. SOUDER, and Ms. HART.

The EPA defines Brownfields as ''abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.'' It is estimated

that there are over 500,000 Brownfield sites across the country in need of cleanup and remediation. Brownfields represent more than just eyesores blighting individual communities. They threaten our groundwater supply, cost our local communities jobs and revenue, and contribute to urban sprawl.

Unfortunately, the largest obstacle cities face when redeveloping Brownfields sites is the lack of capital needed to carry out essential early-stage activities such as site-assessment, remediation planning, and actual cleanup. Because private financiers are often unwilling or unable to provide the funding to take a site through the full redevelopment cycle, local municipalities and local leaders find themselves confronted with the complex task of redevelopment. The Brownfield Economic Development Initiative or BEDI grant program was designed to help cities overcome this challenge. The HUD program was created in 1998 to provide flexible funds for any stage of the revitalization process, from site assessment and clean up to economic development.

Current law makes the BEDI grant difficult to utilize. If a local community wishes to pursue clean-up and redevelopment funds from HUD, they must first apply for a Section 108 loan. In order to secure this loan, they are required to put up a portion of their Community Development Block Grant (CDBG) money as collateral. Few cities are willing to tie up these funds on a loan guarantee—especially in the early stages of a Brownfields redevelopment. Tying up CDBG funds means a city may be forced to discontinue other programs which benefit low to moderate-income residents in order to pursue a riskier redevelopment project. For instance, CDBG funds are used to provide important community services such as Meals on Wheels and child care programs. Without the Section 108 loan guarantee, cities are effectively locked out of the BEDI grant.

The Brownfields Redevelopment Enhancement Act remedies this problem by de-linking the BEDI grant program from the Section 108 loan guarantee and clarifying that CDBG funds may be used for Brownfields redevelopment. In addition, the bill creates a pilot program for a revolving loan pool for Brownfields redevelopment. As a result, cities will have new options—they can proceed, as under current law, by applying for a Section 108 loan, to be secured by a portion of their CDBG funds, and then apply for a BEDI grant; they can simply apply for a BEDI grant; they can apply for pilot program funds; or they can use any combination of the above which best meets their project needs. With the flexible access to such government funding, we can help revitalize Brownfields sites across the country.

It is important to point out the benefits cities will receive under this legislation. First, there will be a direct, positive effect on the environment when the sites are cleaned up. Second, cities have an opportunity to minimize urban sprawl and preserve existing green space by working with local developers and builders to utilize previously developed properties. Due to the liability associated with Brownfields, many developers currently opt to purchase and plan projects on open space. This bill will empower cities to take ownership of their Brownfields and work with their development community to design projects that utilize existing infrastructure. Most importantly, it is estimated that up to $2.4 billion in new tax revenues can be generated through Brownfields redevelopment.

The goal of H.R. 2941 is to make two existing HUD programs work better for the communities they are intended to serve. In speaking with my local mayors, I learned that communities in my district are currently locked out of the BEDI grant program. The city manager of the City of La Habra, California, which is in my district, has stated that this bill ''would only further assist the City's efforts in pursing the clean-up of environmentally contaminated sites.'' I assure you that many of my colleagues will hear similar sentiments from community leaders in their districts.

Let's give cities access to the up-front financing they need to clean up Brownfields sites. I urge expeditious consideration of this crucial legislation.

A TRIBUTE TO LILLIAN WOOD FOR 50 YEARS OF SERVICE WITH THE MARINE CORPS

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. LEWIS of California. Mr. Speaker, I would like today to pay tribute to Mrs. Lillian Wood, who is well-known in many of our offices as the ''go-to'' person to provide service and answers to constituents who are Marines or former Marines. After 50 years of service as a civilian with the U.S. Marine Corps, Mrs. Wood is retiring as head of the Legislative Affairs Correspondence Branch.

As you and my colleagues know, when our constituents decide to ''call my Congressman'' to fix a problem, we turn to the agencies involved to help us with that solution. During her several decades with the Marine Corps legislative affairs office, Mrs. Wood helped tens of thousands of our constituents gain satisfaction, and she has become a shining example of a government official dedicated to public service.

A native of East Millsboro, Pennsylvania, Lillian went to work for the Marine Corps as a clerk-typist in 1952, not long after her high school graduation. She soon moved up to clerk-stenographer and began a quick ascent in the Marine Corps support services. From 1955 to 1966, she served with the Marine Corps dental/administrative division, and later with the reserve, aviation and G–4 divisions.

Her supervisors were so impressed with her business administration acumen that in 1966 Mrs. Wood was asked to join the Special Correspondence Branch of the Manpower and Reserve Affairs Department, formerly the Personnel Department. She was ultimately responsible for 28 employees in that department, and advanced to assistant branch head before her assignment to the legislative affairs correspondence branch.

Because of her personal integrity and the utmost respect and confidence she receives from the Corps, Mrs. Wood ensures that the Marines speak with one voice to congressional offices. She serves as the focal point for more than 4,000 written inquiries sent each year from Members of Congress. Her understanding of the needs of the average Marine and former Marine has been vital not only to our offices, but to the Secretary to the Navy, the Bureau of Medical Surgery and other military services.

Mr. Speaker, I ask you and my colleagues to join me in thanking Lillian Wood for 50 years of dedicated service with the Marine Corps, for showing exemplary leadership and inspirational service that set the standard for civilian service in the Corps and the United States Naval Service. We wish her well in her retirement.

HATE SUCCEEDS IN INDIA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. BURTON of Indiana. Mr. Speaker, there was an interesting article in the Washington Post on December 11. It shows that hate can be a winning platform in India.

The article focuses on Jeetubhai Waghela, a candidate of the ruling BJP in the recent elections. He was involved in the killings in Gujarat last year, according to Muslims there. Now he runs as a protector of Hindus and this platform of hatred gains votes for him.

The Indian government has oppressed minorities for many years. In 1984, almost 20 years ago, it invaded the Golden Temple in Amritsar, the most sacred of Sikh shrines. Since then, over 250,000 Sikhs have been murdered by the government, according to figures from the Punjab State Magistracy. 52,268 Sikhs are being held as political prisoners, according to a study from the Movement Against State Repression. These political prisoners should be released immediately.

The government was directly involved in the murders in Gujarat last year, according to published reports in India. It has killed over 85,000 Kashmiri Muslims as well as Muslims throughout the country. Over 200,000 Christians have been killed in Nagaland. Since Christmas 1998, priests have been murdered, nuns have been raped, churches have been burned, and Christian schools and prayer halls have been attacked. Missionary Graham Staines and his two young sons were burned to death while they slept in their Jeep. Police broke up a religious festival with gunfire. These acts have been carried out by government forces or by their Hindu nationalist allies with government connivance. Is this a democracy?

We can help stop hate in the subcontinent. We must cut off our aid to India and we must come out for a free and fair plebiscite on independence in Kashmir, as India promised in 1948, as well as in Khalistan, in Nagaland, and the other countries seeking their freedom from India. Self-determination is the right of all peoples and nations, Mr. Speaker. That was the principle on which America is founded. It must be the principle that we promote around the world.

Mr. Speaker, I would like to place the Washington Post article I referred to into the RECORD at this time.

[From the Washington Post, Dec. 11, 2002]

IN INDIAN ELECTION, HATE IS PART OF PLATFORM

(By Rama Lakshmi)

AHMEDABAD, India—The candidate marched down the slum's narrow lanes, followed by men dancing to the sound of loud drums and

spraying the streets with marigold petals. Hindu women paused from their chores of peeling garlic and doing laundry to offer garlands and blessings.

The cheerful scene, part of Jeetubhai Waghela's campaign for a seat in the state legislature, played out beneath a cloth banner that revealed a more ominous aspect of the coming election here in India's western state of Gujarat. The banner vows to avenge the killing of 58 Hindus during an attack on a train by Muslims last February, and as the supporters of Waghela, a member of the Hindu-nationalist Bharatiya Janata Party (BJP), pressed forward and choked the alleys, Muslim residents quickly hurried indoors.

''Here comes the lion,'' roared Waghela's men.

Nine months ago, as Gujarat was being riven by religious violence that followed the killing of the Hindus, Waghela stormed the same streets with a mob of Hindu men wearing orange bandanas and armed with swords, sticks and gasoline, according to witnesses and police records. Shouting angry slogans at Muslim residents, Waghela allegedly ordered the mob to loot and destroy their homes, leaving them homeless for months.

''For three days, Waghela and his men looted and burnt our homes. For eight months, we lived in relief camps because of him,'' said Nasir Khan, a complainant. ''Now he tells Hindus he is their protector against us. Where do we run for cover if he gets elected?''

After a Muslim mob in the town of Godhra killed 58 Hindu train passengers in February, more than 1,000 people died, most of them Muslim, in weeks of arson and killing throughout Gujarat. Human rights groups have accused the BJP—the ruling party in Gujarat as well as in India's national government—of essentially ignoring the killings by its Hindu extremist allies.

As Gujarat prepares to elect a new state legislature on Thursday, many analysts are describing the vote as an important test of the secular foundations of India's religiously and ethnically diverse democracy.

In a state where only 9 percent of the population of 50 million is Muslim, the BJP is counting on sectarian passions to consolidate the Hindu vote. Throughout the state, BJP leaders have delivered fiery speeches against Muslims involved in the Feb. 27 attack and against Pakistan-aided Islamic militants killing Hindus in the revolt-wracked province of Jammu and Kashmir.

One such party stalwart is Waghela, who was arrested in connection with this year's riots on four charges, including murder and rioting. Jailed for 108 days and now free on bail, Waghela, 31, is back here in Gomtipur, a mixed working-class neighborhood in Ahmedabad, with folded hands, asking for votes for the BJP. He denies playing a role in the riots and insists he was framed.

Campaigning on a recent morning, Waghela identified a new target of hate for his Hindu voters. Climbing on a platform, he told them that a fancy new high-rise for Muslims is being planned adjacent to their homes, on the site of a closed textile mill. He warned them that they would not be safe any longer.

''You will be surrounded from all sides by Muslims,'' said Waghela, breathlessly flicking back his hair from his forehead. ''Don't let them gain power over you. Vote for me and I will stop that building plan.''

''Do you want the building here?'' he said.

''No!'' the crowd shouted back.

This election is critical to the political destiny of the BJP, which has suffered defeats in several state elections in the past two years. Gujarat is the last major state in which the party holds power, and critics fear that it could use a victory here as an endorsement of strident Hindu politics. The national coalition that the BJP leads in New Delhi under Prime Minister Atal Bihari Vajpayee will face the polls in 2004.

''In this election, the BJP is seeking a legitimization of violence that its members indulged in against the Muslims,'' said Achyut Yagnik, a political analyst and social worker in Gujarat. ''The results in Gujarat will determine whether they take this appeal of Hindutva [Hindu chauvinism] beyond Gujarat.''

The BJP's main challenger in Gujarat—and at the national level—is the Congress party, which attacks the BJP's Hindu fundamentalism for endangering the lives and rights of India's religious minorities. As a result, Gujarat's Muslims and Christians have rallied behind Congress, while many Hindu voters in Gujarat feel that Congress, headed at the national level by the Italian-born Sonia Gandhi, has an anti-Hindu slant and defends only the religious minorities.

Opinion polls show that it is likely to be a close contest between the BJP and Congress. Some secular analysts said that although Hindu voters may find the demagoguery of the BJP attractive, the social divisions inherent in the caste system may prevent Hindus from voting as a bloc.

The Muslims of Gujarat, on the other hand, appear to have decided to vote en masse for Congress. Yet many complained that Congress took their support for granted and often forgot them when attaining power. They will vote for Congress, they say, simply because they have no other choice.

Nowhere is this frustration felt more sharply than in Godhra, the epicenter of Gujarat's religious strife.

The BJP's candidate in Godhra, Haresh Bhatt, campaigns under banners of the burning train, distributes pictures of the dead Hindu passengers and describes the election as a ''religious war.'' But the Congress candidate there, Rajendra Singh Patel, many Muslims said, was involved in burning the shops and homes of Muslims in March.

''We made two appeals to the Congress last month not to field Patel in the elections, but they still made him the candidate,'' said Mohammad Yusaf, 56, a clerk in the city government. ''But we are caught between a ditch and a well. To defeat the BJP, we will have to vote for Patel. But our heart is not in it.''

THE HOUSING BOND AND CREDIT MODERNIZATION AND FAIRNESS ACT OF 2003

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleague from Massachusetts, Representative RICHARD NEAL, in introducing our bill, ''The Housing Bond and Credit Modernization and Fairness Act of 2003''. My collaboration with Mr. NEAL today is indicative of the broad bipartisan support Housing Bonds and the Low Income Housing Tax Credit (Housing Credit) programs enjoy.

The Congress has a golden opportunity, without creating any new program or asking for any appropriation of Federal money, to create new housing opportunity for tens of thousands of low- and moderate-income families every year. All it will take is enactment of simple legislation to eliminate obsolete provisions in the two principal federal programs that finance the production of affordable housing: Housing Bonds, or single-family Mortgage Revenue Bonds, MRBs, as they are commonly known, and the Housing Credit.

This bill is identical to the one Representative NEAL and I introduced in the 107th Congress, which earned the support of 360 House cosponsors from both parties, from all regions of the country, and from rural and urban districts.

The Housing Bond and Credit Modernization and Fairness Act of 2003 would do three things.

First, the bill would repeal the Ten-Year Rule, a provision added to the MRB program in 1988 that prevents states from using homeowner payments on such mortgages to make new mortgages to additional qualified purchasers. For each day the Ten-Year Rule is in effect, states lose millions of dollars in financing for first-time home buyer mortgages, amounting to more than $12 billion in mortgage authority between 2001 and 2005. This represents nearly half of the entire Bond cap increase Congress enacted in 2000. Our bill would eliminate the Ten-Year Rule to allow states to use mortgage payments to finance additional lower income mortgages.

Second, the bill would replace the present unworkable limit on the price of the homes these mortgages can finance with a simple limit that works. No reliable comprehensive data exists to determine average area home prices. The current price limits were issued in 1994 based on 1993 data. They are obsolete and well below current home price levels in most parts of the country. Many qualified buyers simply cannot find homes that are priced below the outdated limits.

The answer is to replace the present limit, set in Washington, by a simple formula limiting the purchase price to three and a half times the qualifying income under the program.

Finally, the bill makes Housing Credit apartment production viable in rural areas by allowing statewide median incomes as the basis for the income limits in that program. This change would apply the same methodology for determining qualifying income levels used in the MRB Program. HUD data shows that current income limits inhibit Housing Credit development in more than 1,300 nonmetropolitan counties across the country.

I am pleased to tell my colleagues that the changes proposed by the Housing Bond and Credit Modernization and Fairness Act of 2003 have been endorsed by the bipartisan National Governors Association, the National Council of State Housing Agencies, and every major national housing organization. These groups know how important the Housing Bond and Housing Credit programs are in giving states the ability to meet the housing needs of low- and moderate-income families.

Today, I ask you to join in a bipartisan effort to see that these important provisions are enacted as part of tax legislation this year.

TRIBUTE TO PAUL B. HIGGINBOTHAM

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Ms. BALDWIN. Mr. Speaker, I rise today to recognize Paul B. Higginbotham, a Dane

County Circuit Court Judge for the past 8 years, for his continued service to the people of Wisconsin.

Paul Higginbotham is a 29-year resident of Dane County and a former small business owner. Throughout his life he has demonstrated an extraordinary commitment to public service.

As a Circuit Court Judge, he presided over some of the most significant cases in recent history, including the case challenging the Milwaukee private school voucher program, which ultimately reached the U.S. Supreme Court.

In addition to his work on the Circuit Court, Paul was the city of Madison's first Municipal Judge. He was also a successful attorney who worked for a diverse group of law firms, focusing particularly on the areas of civil rights, family law, criminal defense, and housing. Between 1993 and 1994 he served as the Acting Executive Director of the Madison Equal Opportunities Commission. From 1988 to 1992, Paul was the Dane County Minority Affairs Coordinator in the County Executive's Office, where his advocacy ensured our government would reflect the rich diversity of the community. He has also served as a lecturer at the University of Wisconsin Law School and as a staff attorney for the Metropolitan Milwaukee Fair Housing Council.

Judge Higginbotham has also been an active community member in the greater Madison area, benefiting numerous community service organizations. He currently serves on the United Way Foundation Board of Trustees and is involved with both the Collaborative Management Team and the Comprehensive Approaches to Sex Offender Management Program. In the past, he has served as a Vice-President of the Madison Mutual Housing Association Board of Directors, a trustee of the Greater Madison Housing Foundation, as well as an Executive Committee Member of the NAACP. He was also a Commissioner of the Dane County Housing Authority, President of WORT Radio, co-chair of the Grant Allocations Board of the Wisconsin Community Fund, and Private Sector Review Committee Member of Madison Area Technical College.

Wisconsin is fortunate to have a public servant with the commitment, passion, and integrity of Paul Higginbotham. As the Wisconsin Community Fund honors Paul Higginbotham, I am proud to join them in thanking him for his dedication and service to the community.

THE ARC OF LUZERNE COUNTY CELEBRATES 50 YEARS OF SERVICE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. KANJORSKI. Mr. Speaker, I rise today to call the attention of the House of Representatives to the service to the community of the Arc of Luzerne County, PA, which was founded in 1952 as the Wyoming Valley Council for the Mentally Retarded. The Arc will hold its 50th anniversary celebration on January 15, 2003.

Like many nonprofit organizations, the Arc of Luzerne County started as a small group of parents trying to make a better life for their children. Today, the Arc has become an influential advocacy organization serving all people with mental retardation and related developmental disabilities and their families. The local organization also benefits from its affiliation with the state and national Arc.

Among the many accomplishments of the Arc of Luzerne County is the Community Resource Center, which opened in July 2000 to serve people in six northeastern Pennyslvania counties. Since opening, the center has provided a creative arts program and other community integration activities, as well as up-to-date information and a place for the people it serves to meet with each other and with caregivers and service providers.

The Arc of Luzerne County also has a long history of working to improve the support services offered to children and adults with mental retardation and related developmental disabilities. In addition, the organization provides representative payee services and independent monitoring teams that assess the quality of residential facilities.

Mr. Speaker, I am pleased to call to the attention of the House of Representatives the half-century of service to the community of the Arc of Luzerne County, and I commend its members for their hard work and dedication.

PAYING TRIBUTE TO: MANCOS FIRE PROTECTION DEPARTMENT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. McINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Mancos Fire District for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Mancos Fire Department played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield, and the surrounding communities called upon the Mancos Fire District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Mancos Fire District has served the citizens of Colorado for many years and has a reputation for its outstanding service. The district relies upon its volunteers to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Mancos Fire District before this body of Congress and this nation. I want to commend all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Mancos Fire District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout last summer's fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

SAN JOAQUIN RIVER RESTORATION ACT

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. NUNES. Mr. Speaker, I rise today to take the first of many steps to improve the water situation in the San Joaquin Valley of California. Today, the San Joaquin Valley continues to face a water crisis in which our water supplies have become inadequate to meet expanding needs. Demands by domestic users, industry, and environmental needs continue to grow with no relief in sight. One of my top priorities in Congress is to address this water crisis and begin the long process of constructing much needed water storage for the Central Valley.

Today, I have introduced the San Joaquin River Restoration Act which will take the first step to construct a major storage facility on the Upper San Joaquin River. This legislation directs the Secretary of the Interior to conduct a study to determine the feasibility of increasing water storage capability on the Upper San Joaquin River. Furthermore, this legislation directs the Secretary to investigate the feasibility of increasing power generation, improving water supply reliability and quality, improving water management efficiency, and improving ecosystem function and flood control on the river in the area of Temperance Flat.

This new storage capability on the San Joaquin River will go a long way to meet the needs of the 15,000 farmers in Madera, Fresno, Tulare, and Kern counties. While my efforts to increase storage capacity on the San Joaquin River are vitally important to our water future, it must be part of a larger water storage plan. In the coming decades, the growth in our Valley will only worsen our water crisis. Now is the time to increase our water storage and efficiency for the future. I look forward to working with my colleagues on the San Joaquin River Restoration Act.

SOUTHERN BORDER AIR QUALITY PROTECTION ACT

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HUNTER. Mr. Speaker, I proudly represent Southern California communities, many of which are along the U.S.-Mexico border. These border communities, by and large, have a good working relationship with their neighbors in Mexico. Unfortunately, their proximity to the border causes them to suffer the consequences of Mexico's more lax environmental requirements, especially with respect to air quality. As we all know, air does not respect the international boundaries we put in place and, as a result, border communities are

often penalized for activities that are actually happening south of the border and beyond their control.

At least partially due to the heavy regulatory and environmental compliance burdens, electrical generation facilities are locating in Mexico. While some companies are building power plants that meet U.S. standards, for which they should be commended, other companies are choosing to operate dirty plants as opposed to incurring the additional cost of installing the best available emission control devices.

As a result, I am reintroducing the Southern Border Air Quality Protection Act. This bill takes an immediate and important step in acknowledging that we must consider air pollution a regional issue that does not respect international boundaries. My legislation will prohibit the export of natural gas to any electricity generation facility located in Mexico and within 50 miles of the U.S. that does not meet the air pollution emission rate requirements in the nearest U.S. air quality control region. In addition, the legislation includes a grandfathering clause so that any plants put in service before December 31, 2002 are exempted from this law.

This bill is necessary to protect our border communities from rapidly increasing emissions from unregulated, substandard power plants that leave U.S. communities vulnerable to Federal regulatory sanctions. If a plant isn't good enough to build and operate five miles inside the border in California, then it shouldn't be good enough to operate five miles across the border in Mexico.

I realize this is a first step and that more work must be done to create cross border air quality zones. I look forward to working with the appropriate U.S. agencies and the Mexican government to implement such binational agreements. In the meantime, this legislation is immediately necessary for the protection of our border communities and I urge all my colleagues to join me in this effort to ensure the clean air throughout the region.

TRIBUTE TO LOUIS MORSE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Louis Morse, clerk of Cato Township, who earned the Master Municipal Clerk designation in 2002 through the International Institute of Municipal Clerks. Mr. Morse was recognized with this honor for his exemplary performance as a municipal clerk at the local, state, national and global levels.

Mr. Morse received the highest level of education achievable for municipal clerks through the Master Municipal Clerk Academy, to which he demonstrated that he actively pursued educational and professional activities and remained informed about current events in local government. In addition, he completed coursework and earned academy points by attending professional seminars and workshops, teaching advertisement writing in the profession and participating in professional meetings and conferences.

Making a personal commitment to life-long learning and mentoring, Mr. Morse continues to serve his community through his extraordinary service. He truly makes the effort to go well beyond his regular duties.

I am honored today to recognize Mr. Morse as an outstanding citizen whose admirable qualities make him an outstanding role model to all who know him.

THE HOUSING BOND AND CREDIT MODERNIZATION AND FAIRNESS ACT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. NEAL of Massachusetts. Mr. Speaker, I join my colleague and friend, Representative AMO HOUGHTON, in reintroducing legislation to make three important changes to two of the most popular and efficient housing programs before Congress: the Mortgage Revenue Bond (MRB) program and the Low Income Housing Tax Credit program.

First, this bill repeals the Ten-Year Rule, a provision of the MRB program that restricts states from using homeowner mortgage payments to make new mortgages to qualified purchasers. This provision is obsolete and detrimental to the program. Every day, states lose millions of dollars in financing for first-time homebuyer mortgages due to this handcuffing provision. Our bill removes this unnecessarily restrictive provision to allow states to finance additional lower income mortgages.

Next, the bill replaces the present limit on the purchase price of the homes these mortgages can finance. The plain fact is there are no reliable comprehensive data that exist to determine average area home prices. The current price limits were issued in 1994 based on 1993 data and are well below current home price levels in most parts of the country. We propose a simpler formula limiting the purchase price to three and a half times the qualifying income under the program. This will work to preserve the goals of current law while providing a realistic limit on the program for almost all areas of the nation.

Finally, the bill facilitates lower income apartment production in rural areas by allowing states to use the greater of statewide median incomes or area median incomes as the basis for the income limits in the Housing Credit program. It is clear that the current rules do not provide sufficient incentives to build apartments in very low-income rural areas. Our bill addresses this by applying to the Housing Credit program the same methodology used in the MRB Program to determine qualifying income levels.

This bill is identical to the one 360 of our House colleagues cosponsored in the last Congress, which earned the support of the National Governors Association and every major national housing organization along the way.

Mr. Houghton and I believe these changes will ensure a strong, effective housing program that will meet the needs of our constituents now and well into the future. We ask for your support to ensure that these important provisions are enacted as part of tax legislation this year.

TRIBUTE TO ANTHONY MAZZOCHI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. KUCINICH. Mr. Speaker, I rise today to honor and recognize Anthony Mazzochi, a champion of the labor movement. Through his compassion, dedication, and commitment he improved the lives of the working men and women of the Nation. His hope brought those who toil in the factories and fields across the country together and gave them a voice and the empowering recognition that they cannot go unnoticed in the social, economic, or political arenas.

Anthony Mazzochi began his life in Brooklyn, New York. The struggles of the working class were brought to his attention at a young age when his father, a unionized garment worker, lost the family home due to medical bills for his wife who died of cancer when Anthony Mazzochi was 6 years old. Anthony Mazzochi served in World War II as an Army combat veteran, fought in the Battle of the Bulge, and was one of the first soldiers to reach the Nazi death camps. Upon returning to the U.S. he worked as a steelworker, an autoworker and in construction.

In the 1950s Anthony Mazzochi began his work in the labor movement with the Oil, Chemical and Atomic Workers International Union and fought for one of the first dental insurance contract for workers. He later became the local OCAW president. Over the years he took on more roles within the union and eventually became the union's health and safety director from 1979 to 1981 and the secretary-treasurer from 1988 until he retired in 1991.

Anthony Mazzochi was instrumental in the fight to create the Occupational Health and Safety Administration (OSHA) and pass the National Gas Pipeline Safety Act, among other legislation. He also led the effort to highlight the plight of Karen Silkwood, a worker who blew the whistle on health and safety problems at a Kerr-McGee nuclear facility.

He was innovative in extending the labor cause to art, education and activism. To educate union members he established Alice Hamilton College. Anthony Mazzochi was the publisher of ''New Solutions'' an environmental and occupational health policy publication. He helped commission a play about Karen Silkwood performed at the Attic Theatre in Detroit in 1993. He also created an internship program that brought awareness to medical and public health students about workplace conditions.

Anthony Mazzochi established the Labor Party Advocates in 1991 in an effort to build support for a national labor party. In 1996, with 1,400 union leaders, he organized a meeting in Cleveland to establish the Labor Party. He never lost hope that support for a national movement to improve conditions of workers was present in the country.

Anthony Mazzochi received the Presidential Citation for outstanding contributions to public health from the American Public Health Association in 1983; the Alice Hamilton Award from that organization in 1987; and was cited by Ms. Magazine in 1982 as one of the ''40 Male Heroes of the Decade'' for his work organizing the effort that exposed the forced sterilization of women workers at American Cyanamid.

Anthony Mazzochi was a working class intellectual and a renaissance man. While the country underwent unsteady and unpredictable periods over the last several decades his vision and optimism remained unwavering. Anthony Mazzochi embraced the human spirit in its totality and invited people to join in fighting for justice. Countless have joined and will continue to join as his indelible and inspirational legacy lives on. I ask my colleagues to join me in honoring Anthony Mazzochi.

RECOGNITION OF THE DOMINICAN AMERICAN NATIONAL ROUNDTABLE

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to recognize the Dominican American National Roundtable as it celebrates five years of serving the interests of the Dominican community living throughout the United States.

During its first five years, the Dominican American National Roundtable has assisted the Dominican community living in the United States with immigration issues and voter registration drives. It has also established a Dominican internship program, opened its permanent office in Washington, DC, and held five national conferences. In the future, the Dominican American National Roundtable plans to host varied events throughout the country such as Dominican American Business Legislative meetings, and, of course, their annual conference. The Roundtable is also putting together the Dominican Leadership Institute.

I also take this opportunity to recognize the President of the Dominican American National Roundtable, Margarita Cepeda-Leonardo, 1st Vice President, Sid Wilson, 2nd Vice President, State Senator Juan Pichardo, and all the former Presidents, Vice Presidents and current and past members of the Dominican American National Roundtable Board.

Mr. Speaker, I commend the Dominican American National Roundtable for its tremendous achievements with the certainty that it will continue to make valuable contributions to the Dominican community. I join the Dominican community in the United States in applauding its continued successes.

H.R. 11, THE NATIONAL FLOOD INSURANCE PROGRAM REAUTHORIZATION ACT

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise in today in support of H.R. 11, the National Flood Insurance Program (NFIP) Reauthorization Act, which we are considering today under suspension of the rules.

It is a shame that Congressional leadership allowed any lapse in the authority to write new flood insurance policies by the Federal Insurance and Mitigation Administration (FIMA) under the Federal Emergency Management Agency (FEMA). However, I am relieved that the lapse in authority, which began December 31, 2002, is shortly coming to an end. Thousands of my constituents are mandatory and voluntary participants in the NFIP, and they deserve the convenience of renewing and beginning new policies without interference from Congressional inaction.

I would like to commend FEMA and the underwriters for the efforts that they have made to reach out to homeowners and warn them of the problem and lead them to solutions. Hopefully, the Senate will take up this legislation immediately and send it to the President, and Congress will not allow this situation to occur again. The NFIP is an absolutely critical program for my constituents and millions of other homeowners, with flooding causing billions of dollars of damage nationwide every year. Since affordable flood insurance is not a sustainable business for the private insurance industry, it is essential that Congress support the NFIP.

Mr. Speaker, we need to come together and take care of business for the millions of Americans who live in the floodplain or other flood hazard areas. It is our duty to ensure the smooth operation of the National Flood Insurance Program, and we have already delayed too long. I urge my colleagues to suspend the rules and approve H.R. 11, the National Flood Insurance Program Reauthorization Act.

PERSONAL EXPLANATION

HON. DENISE L. MAJETTE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Ms. MAJETTE. Mr. Speaker, regarding the vote on the rule for the unemployment insurance, had I been able to vote, I would have voted ''no.'' I was on the floor at the time of the vote but was unable to vote within the time allotted.

DO NOT TRANSPORT GEMS LANDFILL POLLUTANTS TO CCMUA

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. ANDREWS. Mr. Speaker, I rise today to comment on the legislative intent of the Comprehensive Environment Response, Compensation, and Liability Act (CERCLA) and specifically on the cleanup of a Superfund site in my district, the Gloucester Environmental Management Services (GEMS) landfill (EPA Facility ID NJD980529192).

I strongly oppose the transport of pollutants from the GEMS landfill through sewer lines to the Camden County Municipal Utilities Authority (CCMUA). I continue to believe that the only responsible option is for the GEMS Trust to build an on-site treatment facility that can treat the contaminated water to the highest standards possible. Further, I call on the Environmental Protection Agency (EPA), New Jersey Department of Environmental Protection (NJDEP) and CCMUA to step up and protect the public interest by insisting on on-site treatment, and only on-site treatment of the contaminants in the landfill. According to a letter from EPA Region 2 Administrator Jane Kenney dated November 25, 2002, the CCMUA is under no legal obligation to accept contaminants from GEMS. As such, I continue to urge the CCMUA heed the call of the local community and reject any discharge from GEMS.

The intent of Superfund is to hold polluters responsible for cleaning up the damage they have caused to a community. There is no plausible reason that a publicly financed municipal utility authority should be involved in the remediation process. Furthermore, committing the CCMUA to the long term burden of processing unpredictable wastewater is inconsistent with New Jersey's efforts to meet federal Total Maximum Daily Loads (TMDL) initiatives as prescribed in the Clean Water Act.

Proponents of the CCMUA treatment option cite water quality tests that satisfy permit requirements for discharge to the CCMUA. I believe that this testing is inadequate evidence to send the GEMS pollutants off-site. It is likely that the customary ''grab samples'' will miss radioactive ''spikes'' and that the heavier radio isotopes will flocculate in the sludge, which is destined to be sent back into a community as part of the state's controversial ''beneficial use'' land application sludge policy. It is also predictable that under current testing and notification procedures, there will be a significant lapse of time from when a problem is detected, its source is determined, the flow to the sewer plant halted, and byproduct recipients are notified. I am convinced that this testing and monitoring regime will not fully protect the community.

Insufficient review has been given to the synergistic and cumulative effects of discharges to CCMUA. Needless to say, any costs related to the disruption of the CCMUA system, environmental impairment and legal defenses, will immediately be a pass through cost to the CCMUA rate payers and ultimately, to New Jersey taxpayers in general. This is a risk that I am not will to pass on to my constituents.

The GEMS Landfill has exposed our community to hazardous material for almost 50 years. Today, approximately 38,000 of my constituents live within a three mile radius of the GEMS Landfill, some as close as 300 feet. Unfortunately the community has not been adequately involved in the decision making process. Many of my constituents have contacted me with their concerns about GEMS and to outline their difficulty in obtaining information about the remediation.

Although the landfill has been closed for 22 years, amazingly we are still grappling with how to cleanup the site. The GEMS Trust should not get away with a band aid solution to a major environmental hazard. My constituents have suffered long enough. I sincerely hope that the EPA, NJDEP and constituents meet the responsibility they have to the public and to public health by supporting the construction of a treatment facility that will contain the pollution and treat it on-site rather than spread it around the community by sending it to the constituents. If, however, they do not do so, I am prepared to pursue any avenue necessary—including legislation or litigation or both—to block this unwelcome and risky plan.

100TH ANNIVERSARY OF THE NEW BETHEL BAPTIST CHURCH

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Ms. NORTON. Mr. Speaker, I rise to offer a very special tribute to one of this city's most distinguished churches, New Bethel Baptist Church; and to its pastor, a leading citizen, former House colleague, and my predecessor as District of Columbia Delegate, Reverend Walter Fauntroy. The church is celebrating the 100th anniversary of New Bethel.

New Bethel Baptist Church is revered in this city for its leadership on many levels. The church is not only a spiritual center. This historic church, located centrally in the historic Shaw district, also is a leader of social innovation and programs that serve its community in diverse and essential ways.

New Bethel's wide ranging service to its community and our city is not surprising. The church's spiritual leader, Reverend Walter Fauntroy, is not only a talented and dedicated minister of the gospel. He has long been a major figure in the civil rights movement even before being elected to Congress. Reverend Fauntroy served for 19 years as a distinguished Member of the House and has been a leader of many activities for social and economic justice here and in the nation since resigning his House seat. Pastor Fauntroy's life and work have added to the unique place New Bethel occupies in the life of his church community and of the District of Columbia.

New Bethel is among the oldest and most distinguished churches in the city. In its hundredth year, it is almost half as old as the city itself. The group that formed the church met first in the home of Brother Benjamin Graves under the guidance of Dr. W. Bishop Johnson, Pastor of the Second Baptist Church. The membership grew and purchased a building on 15th Street, NW. Under the leadership of the Revs. Alfred A. Agerton, Samuel Washington and Richard L. Holmes, the congregation experienced steady growth.

In 1903, the Rev. William D. Jarvis accepted the call to the pastorate, and the church embarked on a 37-year journey of spiritual growth and prosperity. In February 1915, the first worship service was held in the building at 9th and S Streets, NW., which had been purchased from the Grace M.E. Church. Before Dr. Jarvis' retirement on October 1, 1940, the church had grown to 600 worshipers and had become a welcome fixture in the community.

In May 1941, the Rev. C. David Foster, of Philadelphia, PA, was unanimously called to the pastorate. Under this leadership, the church grew spiritually, numerically and financially, and the building underwent extensive renovation.

On January 19, 1959, the Rev. Walter E. Fauntroy, a son of the church who had served as supply pastor, received a unanimous call from the members to serve as pastor. For forty-three years, he has responded to the spiritually needs of the congregation and the rapidly-changing dynamics of the community. Existing organizations have been revitalized and new ones have been created. The position of full-time Assistant Pastor was established, and a ministerial staff was implemented. A tithing program was launched and, in 1973, New Bethel constructed the C. David Foster House, an eight-story building with 75 units for low and moderate-income families of the Shaw area and other displaced persons.

In 1977, the old structure at 9th and S Streets was razed, and a striking new building was constructed on the site and dedicated and entered in 1982. Today, guided by the pastor's five-year plan, the church continues its mission of service to church members and to the Shaw community.

Mr. Speaker, it is an honor for me to offer this tribute to my predecessor and to his distinguished congregation. I ask that this body join me in saluting our former colleague, the pastor, and the members of the New Bethel Baptist Church on the occasion of their 100th Anniversary.

PAYING TRIBUTE TO: PAGOSA FIRE PROTECTION DISTRICT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MCINNIS. Mr. Speaker, it is with great pride that I rise today to recognize the Pagosa Fire Protection District of Archuleta County, Colorado for their service and dedication during one of Colorado's most formidable fire seasons. Last summer, the Fire Protection District played an integral role in containing the Missionary Ridge forest fire that burned over 70,000 acres in Southwestern Colorado. Today, I would like to pay tribute to their heroic efforts before this body of Congress and this nation.

When the Missionary Ridge fire first erupted last June, the citizens of Durango, Bayfield and the surrounding communities called upon the Pagosa Fire Protection District to protect their loved ones, homes, and communities from what would become the worst fire in area history. The fire began in a ditch beside Missionary Ridge Road just 15 miles northeast of Durango and grew to consume more than 70,000 acres, 56 residences, and 27 outbuildings.

Although the Missionary Ridge fire was a devastating reminder of how destructive forest fires can be, it also served to remind us of the men and women who risk their lives to protect their fellow citizens on a daily basis. The Pagosa Fire Protection District has served the citizens of Archuleta County since 1948 and oversees a 161 square mile region. The district relies upon its Fire Chief Warren Grams, Manager Diane Bowers, Assistant Chief of Maintenance Manuel Trujillo, and volunteer firefighters to remain on call, prepared to fight fires or provide medical assistance on a moment's notice.

Mr. Speaker, it is with sincere admiration that I recognize the Pagosa Fire Protection District of Archuleta County before this body of Congress and this nation. I want to commend the Chief and all of the Fire District's fire fighters for their determination, courage, and resolve during last summer's efforts on Missionary Ridge. Without the help of the Pagosa Fire Protection District and others, the added devastation to our community, environment, and quality of life would have been unimaginable. Their tireless commitment throughout the fire season has served as an inspiration to us all and it is an honor to represent such an outstanding group of Americans in this Congress.

TRIBUTE TO RYAN KRABILL

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to a member of my Washington, D.C. staff who is leaving my office to pursue full-time employment. During his time with us, Ryan Krabill has tirelessly served the people of the Second District of Oregan as our intern. His positive outlook on life and strong work ethic will be greatly missed.

Mr. Speaker, whenever something needed to be done, Ryan readily stepped in and offered to help. From simple tasks like answering phones to attending briefings and drafting letters, Ryan proved himself to be an extremely reliable and efficient worker. My staff came to depend on him heavily, and he never let them down. This is all the more remarkable given that in addition to interning full time at my office, he also held a full time job at Starbucks in the evening!

Ryan originally hails from Albany, Oregon. He attended Westmont College in Santa Barbara, California, where he earned bachelors' degrees in Business and Biology. After college Ryan spent two years in sales, where he honed the professional demeanor and devotion to customer service that he so often demonstrated on the phone and when greeting constituents in my office. Ryan had always been interested in politics, and decided to leave sunny California for Washington, D.C. Luckily, my office was able to take him on as an intern while he explored his options for a full time Capitol Hill career. With the skills he has demonstrated in his service to the people of Oregon, I'm sure he will be an asset to any office.

Mr. Speaker, my office has been lucky to have an intern like Ryan. His strong work ethic and upbeat attitude will no doubt serve him well in any position that he chooses to pursue and will truly be missed around the office. Best of luck in the future Ryan, and keep up the good work.

SIERRA NATIONAL FOREST LAND EXCHANGE ACT OF 2003

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. RADANOVICH. Mr. Speaker, to facilitate a Forest Service land exchange that will eliminate a private in-holding in the Sierra National Forest in the State of California and provide for the permanent enjoyment by the Boy Scouts of America of a parcel of National Forest System land currently used under a special use permit, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. RADANOVICH (for himself, Mr. NUNES and Mr. DOOLEY) introduced the following bill; which was referred to the Committee on Resources

A BILL

To facilitate a Forest Service land exchange that will eliminate a private in-holding in the Sierra National Forest in the State of California and provide for the permanent enjoyment by the Boy Scouts of America of a parcel of National Forest System land currently used under a special use permit, and for other purposes.

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 'Sierra National Forest Land Exchange Act of 2003'.

SEC. 2. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALIFORNIA.

(a) RECEIPT OF PRIVATE LANDS—In exchange for the land described in subsection (b), the owners of a parcel of private land consisting of the north ½ of the northwest ¼ of section 29, township 8 south, range 26 east, Mount Diablo base and meridian, California, shall convey all of their right, title, and interest in and to the parcel to the Secretary of Agriculture.

(b) CONVEYANCE OF FOREST SERVICE PROPERTY—Upon receipt of the land conveyed under subsection (a), the Secretary of Agriculture shall convey to the persons making such conveyance all right, title, and interest of the United States in and to a parcel of National Forest System land consisting of the east ½ of the southwest ¼ and the west ½ of the southeast ¼ of section 30, township 9 south, range 25 east, Mount Diablo meridian, California.

(c) RECONVEYANCE—The Conveyance under subsection (b) shall be subject to the condition that the recipients of the land agree to convey the land, within a time period agreed to by the Secretary of Agriculture and the recipient, to the Sequoia Council of the Boy Scouts of America.

(d) EQUAL VALUE OF PARCELS—The value of the two parcels of real property to be exchanged under this section are deemed to be equal.

A BILL TO CLARIFY THE TREATMENT OF INCENTIVE STOCK OPTIONS AND EMPLOYEE STOCK PURCHASE PLANS

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HOUGHTON. Mr. Speaker, I am pleased to join a number of my colleagues in introducing our bill to solve a problem that has been facing a number of companies during the past few years who grant stock options to their employees. Due to the passage of time, this problem is becoming more urgent for a number of reasons mentioned below. I introduced an identical bill in the 107th Congress.

Many companies use stock options as an incentive to attract and motivate employees. Companies give their workers the right to purchase company stock, at a small discount from the listed price, through Employee Stock Purchase Plans and Incentive Stock Options. Employee stock ownership motivates workers and can create a positive relationship between management and workers, where both reap rewards for successful company performance.

For nearly 30 years the Internal Revenue Service (IRS) took the position that the income from these stock options was not subject to employment taxes when the option is granted or exercised. Instead tax is imposed when the actual stock is sold. However, audits and rulings on specific companies a few years ago raised the troubling prospect that the IRS was changing its position to require that employment taxes should be withheld from the paychecks of individuals who exercised stock options under these plans.

Employee Stock Purchase Plans and Incentive Stock Options were created by Congress to provide tools to build strong companies and encourage greater employee ownership of company stock. It was not the intent of Congress to dilute these incentives by requiring employment tax on withholding when the stock is purchased.

Members of Congress raised concerns about this issue, and in early 2001 the IRS put in place a moratorium so that no employment taxes would be assessed on stock options. The IRS later lifted the moratorium for options exercised this year. In response to further opposition, in 2002 the IRS announced an indefinite moratorium. As a result, the Joint Committee on Taxation determined that there would be no revenue loss it the law were clarified to prevent withholding on ESPPs and ISOs. If the moratorium is lifted by the IRS there will be a substantial revenue cost attached to clarifying the law. In 2002, the House passed the previous legislation I introduced. Although the Senate Finance Committee passed the legislation unanimously, the legislation was not considered by the Senate.

The legislation would clarify that the difference between the exercise price and fair market value of a stock is not subject to employment taxes when an ISO or ESPP is exercised. In addition, wage withholding is not required on disqualifying dispositions of ISO stock or on the fifteen percent discount offered to employees by ESPPs.

I urge my colleagues to support this proposed legislation, so that this issue can be resolved as quickly as possible in this Congress.

INTRODUCTORY STATEMENT OF H.R. 241, THE VETERANS BENEFICIARY FAIRNESS ACT OF 2003

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing H.R. 241, the Veterans Beneficiary Fairness Act of 2003. This legislation, which is cosponsored by my friend Lane Evans of Illinois, the Ranking Member of the Committee on Veterans' Affairs, will correct a deficiency in the law that negatively affects some surviving spouses of disabled veterans.

Currently, if a veteran dies while a claim for VA benefits (other than insurance and servicemen's indemnity) is being processed, but before his or her claim becomes final, the surviving spouse is entitled to no more than two years of accrued benefits when the claim is decided in the veteran's favor. H.R. 241 would repeal this two-year limitation so that the veteran's survivor may receive the full amount of the award and not be penalized by VA's failure to resolve a claim in less than two years.

Mr. Speaker, while VA has made great efforts to lower claims processing times, the fact remains that it can sometimes take more than 2 years to correctly determine and adjudicate a claim. When this process takes an inordinate length of time, it is simply not fair to prevent veterans' survivors from receiving disability or pension benefit payments the veteran would have received if VA had been able to process claims in a timely fashion. H.R. 241 would ensure that a veteran's survivor would not suffer because the veteran died while waiting for the claim to be adjudicated.

Mr. Speaker, it is my intention that the Veterans' Affairs Committee consider this bill as soon as possible during the 1st Session of the 108th Congress. It is a matter of fairness and I urge all of my colleagues to join in this effort.

TRIBUTE TO GREG STANFORD

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WALDEN of Oregon. Mr. Speaker, I rise today to pay tribute to a member of my Washington, DC staff for his tireless efforts on behalf of the good people of Oregon's Second Congressional District. Greg Stanford is leaving my office after three years of dedicated service to pursue other endeavors. Greg has done a great job and will be sorely missed.

Greg was raised near Grass Valley, California, in the community of Chicago Park. Following his graduation from Nevada Union High School, Greg chose to further his education by moving across the California border and attending the University of Nevada at Reno. While pursuing his bachelor's degree in Political Science, he also found the time to participate in Phi Mu Alpha, the international music fraternity and the University Band, honing the impressive drum skills that he was always happy to demonstrate for his coworkers.

After graduating Greg made another move, this time across the country to work in Congressman Jack Metcalf's office as his staff assistant where he wet his political feet while serving the people of Washington's Second District. When Congressman Metcalf decided to retire at the end of the 106th Congress, my office was lucky enough to hire him as our legislative correspondent and deputy systems administrator.

Greg, affectionately known around the office as ''Brady,'' has been an asset to my office during his tenure. He brought a strong interest in politics and a genuine desire to serve the people of Oregon. He hit the ground running, putting in long hours and working hard at any task he was given whether it was drafting constituent letters or following legislation as our ''floor czar'' to rolling up his sleeves and pulling all-nighters printing mass mailings to keep my constituents informed, Greg was a loyal and tireless worker.

Mr. Speaker, Greg has dutifully served the people of Oregon's Second District. His smiling face, his contagious laugh, and good-natured temper will be missed. However, I'm sure he won't miss his days in the cave! I have every confidence that he will do well in whatever vocation he decides to pursue. Good luck, Brady, and good job.

INTRODUCTION OF A BILL TO AMEND THE HIGHER EDUCATION ACT OF 1965 TO AUTHORIZE GRANTS FROM INSTITUTIONS OF HIGHER EDUCATION SERVING ASIAN AMERICANS AND PACIFIC ISLANDERS

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. WU. Mr. Speaker, as Chairman of the Congressional Asian Pacific American Caucus, I am proud to introduce legislation to improve educational opportunities for Asian American and Pacific Islander American (AAPI) communities across the nation. This legislation would authorize the Department of Education to designate schools with an undergraduate enrollment of at least 10 percent AAPI students as Asian American and Pacific Islander Serving Institutions to improve their capacity to provide higher education. By so doing, we increase educational opportunity for all Americans because this bill adds to our commitment to education for all and takes resources from none.

Title III and Title V of the Higher Education Act were established to aid colleges and universities in expanding educational opportunities for historically underrepresented and financially needy students. They have enabled the Department of Education to designate minority serving higher education institutions for Historically Black Colleges and Universities, American Indian Tribally Controlled Colleges and Universities, Hispanic Serving Institutions, Native Hawaiian Serving Institutions, and Alaska Native Serving Institutions. However, there is no such program for Asian American and Pacific Islander Americans. As Asian Americans and Pacific Islander Americans are one of the fastest growing populations in the nation, legislation is needed to help low-income AAPI students left behind so that they can have an equal opportunity toward quality education.

I look forward to working with my colleagues on this issue.

PROPERTY TAX ENDOWMENT ACT OF 2003

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. RADANOVICH. Mr. Speaker, to provide full funding for the payment in lieu of taxes program for the next five fiscal years, to protect local jurisdictions against the loss of property tax revenues when private lands are acquired by a Federal land management agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. RADANOVICH introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide full funding for the payment in lieu of taxes program for the next five fiscal years, to protect local jurisdictions against the loss of property tax revenues when private lands are acquired by a Federal land management agency, and for other purposes.

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 ''Property Tax Endowment Act of 2003''.

SEC. 2. FULL FUNDING FOR PAYMENTS IN LIEU OF TAXES.

Section 6906 of title 31, United States Code, is amended—

(1) by striking ''Necessary'' and inserting ''(a) IN GENERAL.—Necessary'';

(2) by striking ''Amounts'' and inserting ''Except as provided in subsection (b) amounts''; and

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

''(b) FULL FUNDING.—For fiscal years 2004 through 2008, amounts necessary to carry out this chapter shall be made available to the Secretary of the Interior, out of any funds in the Treasury not otherwise appropriated and without further appropriation, for obligation and expenditure in accordance with this chapter.''.

SEC. 3. PROTECTION OF LOCAL TAX BASE AS PART OF FEDERAL LAND ACQUISITION.

(a) ELECTION OF PAYMENT TO OFFSET REVENUE LOSS.—

(1) NOTIFICATION OF LOCAL GOVERNMENTS.—Whenever a Federal land management agency acquires privately owned land by purchase, exchange, or donation, the head of the agency shall notify the unit of general local government within whose jurisdiction the land lies.

(2) ELECTION.—If a unit of general local government is notified by a Federal agency under paragraph (1) regarding an acquisition of land by the Federal agency, the elected officials with authority under State law to govern the unit may, within 90 days after that notification, elect to receive from the Federal land management agency a one-time payment in an amount sufficient to offset the long term revenue loss to the local government that will result from the acquisition of the land by the Federal agency.

(b) TREATMENT OF LAND AFTER ONE-TIME PAYMENT.—

(1) IN GENERAL.—If a unit of general local government receives, pursuant to an election under subsection (a), a one-time payment with respect to land acquired by a Federal land management agency, the land shall not be treated as entitlement land for purposes of chapter 69 of title 31, United States Code, notwithstanding any changes that may thereafter occur in the value of the land, interest rates, taxation rates, or any other economic factor.

(2) CONFORMING AMENDMENT.—Section 6901(1) of title 31, United States Code, is amended by adding at the end the following:

''Such term does not include any land with respect to which a unit of local government receives a one-time payment under the Property Tax Endowment Act of 2003.''

(c) APPLICATION.—

(1) IN GENERAL.—This section shall apply to any land acquisition by a Federal land management agency completed after September 30, 1998.

(2) APPLICATION TO PRIOR ACQUISITIONS.—For purposes of the application of this section to an acquisition of land by a Federal agency before the date of the enactment of this Act, the head of the agency is deemed to have notified the unit of general local government concerned in accordance with paragraph (1) on the date of the enactment of this Act.

(3) NO EFFECT ON TITLE.—This subsection shall not affect any right, title, or interest of the United States in or to land.

SEC. 4. ONE-TIME PAYMENT.

(a) IN GENERAL.—If a unit of general local government elects under section 3(a)(2) to receive a one-time payment with respect to land acquired by a Federal land management agency—

(1) the head of the Federal agency shall determine and make such payment in accordance with this section; and

(2) such acquisition may not occur before the date the payment is made.

(b) AMOUNT OF PAYMENT.—

(1) IN GENERAL.—The amount of such payment—

(A) shall be sufficient to yield a revenue stream in perpetuity equal to the property taxes currently required to be paid with respect to the land, determined as an annuity amount based on an interest rate equal to the current average yield on outstanding obligations of the United States with remaining periods of maturity of 10 years on the date of acquisition of the land by the Federal agency;

(B) shall be determined based on the rate of tax and land valuation in effect for the land under the property tax laws of the unit of general local government that apply in the local tax year in which the land is acquired by the Federal land management agency; and

(C) shall include amounts to offset property taxes that were attributable to—

(i) improvements on the acquired lands; or

(ii) the use of the lands for business enterprise.

(2) FEDERAL ACQUISITIONS FROM TAX-EXEMPT ENTITITIES.—If a Federal land management agency acquires lands by purchase, donation, exchange, or other means from a nongovernmental organization or other entity that is exempt from local taxation, paragraph (1) shall apply as if the lands were acquired from the last person that owned the lands that was not exempt from such taxation.

(3) DEDUCTION OF PILT PAYMENTS.—In the case of a payment under this section to a unit of general local government with respect to land that was acquired by a Federal land management agency before the date of the enactment of this Act, the head of the agency shall deduct, from the amount otherwise required to be paid, the amount of any payment made to the unit with respect to the land after September 30, 1998, under Chapter 69 of title 31, United States Code.

(c) TIME FOR PAYMENT.—The payment required under subsection (a) in connection with a land acquisition shall be made before the Federal land management agency takes possession of the land.

(d) USE OF PAYMENT.—

(1) IN GENERAL.—Amounts paid to a unit of general local government under this section shall be deposited into a trust fund established and administered by the unit of general local government.

(2) RESTRICTION ON USE OF PRINCIPAL.—The principal of the trust fund may not be expended.

(3) USE OF INTEREST.—Interest generated by the trust fund shall be available to the unit of general local government for any governmental purpose.

SEC. 5. RELATIONSHIP OF ONE-TIME PAYMENTS TO PAYMENTS IN LIEU OF TAXES

A one-time payment received by a unit of general local government under this Act shall not be deducted or in any way used to offset payments required to be made to the unit under chapter 69 of title 31, United States Code.

SEC. 6. DEFINITIONS.

In this section:

(1) DONATION.—The term ''donation'' includes any conveyance of land to the Federal Government that is required as a condition of receipt of any benefit under Federal law.

(2) FEDERAL LAND MANAGEMENT AGENCY.—The term ''Federal land management agency'' means each of the following:

(A) The Forest Service.

(B) The Bureau of Land Management.

(C) The National Park Service.

(D) The United States Fish and Wildlife Service.

(3) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ''unit of general local government'' has the meaning given the term in section 6901(2) of title 31, United States Code.

TRIBUTE TO MAJOR GENERAL ROBERT A. MCINTOSH, UNITED STATES AIR FORCE

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HOBSON. Mr. Speaker, I take this opportunity to recognize and say farewell to an outstanding Air Force officer, Major General Robert A. McIntosh, upon his retirement from the Air Force after more than 36 years of commissioned service. Throughout his career, General McIntosh has served with distinction, and it is my privilege to recognize his many accomplishments and to commend him for the superb service he has provided the Air Force and our Nation.

General McIntosh is a native of my home State. He was born in Bellefontaine, Ohio, which until recently was in my Congressional District. He entered the United States Air Force through the ROTC program at Ohio University in 1966. After successfully completing undergraduate pilot training at Webb Air Force Base in Texas, F–4D fighter training at Homestead Air Force Base in Florida, and A–37 training at England Air Force Base in Louisiana, he joined the 604th Special Operations Squadron at Bien Hoa Air Base in South Vietnam. He served his nation as an aviator in Southeast Asia flying over 300 combat missions over North Vietnam.

Lieutenant McIntosh pinned on Captain at his next assignment, as an A–37 Combat Crew Training Instructor Pilot back at England Air Force Base from April 1969 to August 1971. He separated from active duty and began another distinguished military chapter as an Air Reserve Technician and active participant in the Air Force Reserve.

Captain McIntosh's first Air Force Reserve assignment was as an A–37 instructor pilot at the 910th Tactical Fighter Group at Youngstown Municipal Airport in Ohio. Next he held two critical positions at Grissom Air Force Base in Indiana, first as Chief of the 434th Tactical Fighter Wing standardization and evaluation office and then as Operations Officer of the 46th Tactical Fighter Squadron.

Major McIntosh then took on his most challenging assignment to date as the Director of Operations for the 926th Tactical Fighter Group at the Naval Air Station in New Orleans, Louisiana.

Lt. Col. McIntosh's dream of being a Commander was realized first at Richards-Gebaur Air Force Base in Missouri, in January 1982 when he took command of the 442nd Tactical Fighter Group. His assignments increased in scope and responsibility, culminating in his selection as Commander of Air Force Reserve Command and Chief of the Air Force Reserve in 1994.

General McIntosh most recently served as Assistant to the Chairman of the Joint Chiefs of Staff for Reserve Affairs, where he continued his personal tradition of excellence, service, and integrity as he watched over the men and women of the Reserve Components during an historic period of the highest operations and personnel tempo ever seen. Deployment after deployment, he helped to break ground in Total Force operations as he advised our nation's top Commanding Generals as they prosecute the War on Terrorism.

General McIntosh's accomplishments are many. Units under his command received the Outstanding Unit Award two of seven years he was in command. He is a command pilot with more than 4000 hours flying the A–10, A–37, C–130, and F–4.

During his incredible career, General McIntosh has served the United States Air Force and our great Nation with excellence and distinction. He provided exemplary leadership to the best-trained, best-equipped, and best-prepared citizen-airmen force in the history of our Nation. General McIntosh is a model of leadership and a living example of our military's dedication to our safety and security entrusted to them by each of us.

General McIntosh will retire from the United States Air Force on 3 February 2003 after 36 years and seven months of dedicated commissioned service. On behalf of my colleagues on both sides of the aisle, I wish General McIntosh blue skies and safe landings. Congratulations on completion of an outstanding and successful career.

INTRODUCING THE SMALL BUSINESS DROUGHT RELIEF ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to reintroduce the Small Business Drought Relief Act. The bill provides small businesses that depend upon water supply as a means of income with the opportunity to qualify and apply for disaster assistance from the Small Business Administration when drought affects their ability to earn income. This is the second Congress that I have introduced this much needed legislation, and the need for its immediate passage is greater today than ever.

As the clear majority of Members can attest to, the past two years have been two of the driest years in the history of the United States. The National Oceanic and Atmospheric Agency recently noted that 2002 was the second warmest year on record for the globe. In the western parts of United States, record low waterfalls were a plenty. On multiple occasions, more than half of the country was in moderate to extreme drought. Then, when Congress adjourned late last year, thousands of farmers and small businesses fell victim to partisan politics and were left without emergency assistance from the 2002 drought.

Under current law, small businesses whose income depreciates as a result of diminishing water supply are unable to even apply for SBA loans. Often these businesses are family-owned and family-run recreational or commercial fishing firms. The majority of them are dependent upon water resources, whether lakes, streams, or rivers, for the ability to operate their businesses. When water levels drop to unbearable points, aside from the obvious water supply issues, boats are unable to make it into lakes and rivers, commercial fishing ceases to exist, and businesses often lay off workers and close their doors for good.

I became more acutely interested in drought relief the summer of 2001 when Florida found itself in the most prolonged drought it had seen in nearly 20 years. The water level in Lake Okeechobee, our country's 2nd largest fresh water lake, and located in my District, had decreased by nearly 25 percent. Not only did the water shortage in the lake cause problems for agriculture and water management, but it also destroyed the economic well being of small businesses around the Lake who depend on it for income. Realize this too, the clear majority of these businesses are owned by minorities or families who struggle every day just to get by.

As I began to try and help the towns and businesses surrounding the Lake in locating temporary assistance, even if it was only low interest loans, I found that unless a firm was involved in agriculture, assistance is virtually impossible. When it is possible, the bureaucratic red tape applicants must cut through is so discouraging that they don't even try.

The issue at hand, Mr. Speaker, is that droughts are major natural disasters. The Stafford Act says it is, as well as the U.S. Departments of Agriculture, Commerce, and Defense also say it is. Congress said it as recently as 1998. But for some reason, the Small Business Act does not include drought in its definition of disaster. Frankly, this oversight is a disaster of its own.

Today, Mr. Speaker, I am reintroducing a bill which will reconcile the oversight made by our body's predecessors and ensure that businesses who suffer from drought will live to see another day. I urge my colleagues to support this bill, and I urge the leadership to bring it swiftly to the floor for a vote.

IN CELEBRATION OF THE PHOEBUS HIGH SCHOOL PHANTOMS WINNING THE 2002 VIRGINIA STATE GROUP AAA DIVISION 5 FOOTBALL CHAMPIONSHIP

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SCOTT of Virginia. Mr. Speaker, along with my colleagues, Representative JOANN DAVIS and Representative ED SCHROCK, I rise with great pride to call attention to a group of young students from Hampton, Virginia who have distinguished themselves, their school, their community, and the Commonwealth of Virginia.

The Phoebus High School Phantoms football team had a remarkable season and we believe the Phantoms deserve formal recognition for their accomplishments. On December 14, 2002, the Phoebus High School Phantoms won their second straight state Group AAA Division 5 Football Championship, defeating

Stafford 39–13 in the title game at the University of Richmond stadium. And they did not just win the championship, they did it in style. The Phoebus Phantoms went undefeated during the 2002 season—finishing with a record of 14 and 0. There are 114 state Group AAA schools that play football in Virginia, and Phoebus High School was the only one to finish the 2002 season undefeated. And their win in the title game was Phoebus High School's 26th win in a row—including 10 shutouts.

Opened in 1975, Phoebus High School is the newest and smallest of Hampton's four high schools. Under the direction of Principal Phyllis Henry, the Phoebus faculty seeks to inspire students to strive for excellence and achievement in the classroom, in their extracurricular activities, and in their communities. Phoebus students meet rigorous academic requirements, and take responsibility for academic progress, behavior and attendance. The majority of Phoebus students continue on to institutions of higher education. It is clear that this drive for excellence has now been extended into the field of athletics.

Phoebus High School's championship this year marked the 8th time in the last 11 years that a Peninsula District team has won a state title in football. To quote from our hometown newspaper, the Daily Press, ''High school football on the Peninsula is championship football.''

We would like to extend our enthusiastic congratulations to Coach Bill Dee, his coaching staff, and all of the players on the Phoebus High School Phantoms—the 2002 Group AAA Division 5 Virginia High School League State Football Champions.

FAIRNESS, SIMPLIFICATION AND COMPETITIVENESS FOR AMERICAN BUSINESS ACT 0F 2003

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. HOUGHTON. Mr. Speaker, I am pleased to join my colleagues, Mr. SAM JOHNSON from Texas, Mr. PORTMAN from Ohio and Mr. RAMSTAD from Minnesota, in introducing a bill, the ''Fairness, Simplification and Competitiveness for American Business Act of 2003''. This bill is very similar to the one I introduced in the last Congress, and contains many of the provisions that have been included in past bills I have sponsored on international tax matters. Our trade laws and practices, as well as our commitment to the World Trade Organization, have encouraged the expansion of U.S. business interests abroad. That process continues with passage of the Trade Promotion Authority legislation and recent announcements of various free trade agreements that have been completed or are being negotiated. However, our tax policy lags far behind and seems out of sync with our trade policy. Many would argue that our international tax policy seems to promote consequences that may be contrary to our national interest.

The United States continues to be the largest trading nation in the world. In a $10 trillion-plus economy, current data indicate that the value of our exports and imports of goods and services continues to represent about 25% of our GDP. It is no secret that our economy is more and more trade dependent, as our companies depend on overseas markets for a much larger share of profits and sales.

Recent cases with the WTO show how our trade relations with various countries or blocks of countries affect the competitiveness of U.S. multinationals vis-a-vis their foreign competitors. Tax policy sometimes becomes intertwined with trade policy. For example, how we comply with the WTO ruling that our foreign sales corporation/extraterritorial income tax provisions are a prohibited export subsidy highlights the significance of these matters to our economy. The ruling allows sanctions that would amount to an annual $4 billion-plus potential hit against U.S. exports, unless we come into compliance. The forty-year-plus history behind the FSC/ETI and predecessor provisions was all about trying to make our companies tax competitive with their foreign competitors.

I don't believe anyone would seriously dispute that our tax system, in general and especially as it relates to international taxation, is overly complex and basically out of date. Many provisions were enacted, e.g. subpart F, in a totally different era as far as the world economy and competitiveness are concerned.

The focus of the legislation is to make the international area more rational. The proposal contains a number of provisions to simplify and make fair our international tax laws. In general, the bill seeks in important ways to: (1) simplify this overly complex area, especially in subpart F of the Code and the foreign tax credit mechanisms; (2) encourage exports; and (3) enhance U.S. competitiveness in other industrialized countries. The bill includes some provisions proposed by the Joint Committee on Taxation in its simplification report issued in 2001. In addition, Treasury officials have repeatedly stressed the importance of updating our international tax laws.

Some of the provisions in the prior bill have been modified to be consistent with H.R. 5095, introduced in the last Congress by the Chairman of the Ways and Means Committee. In addition, provisions relating to subpart F have been added from that bill. They are essential to updating that portion of the Internal Revenue Code.

In summary, the law as now constituted frustrates the legitimate goals and objectives of U.S. businesses and erects artificial and unnecessary barriers to U.S. competitiveness. Neither the largest U.S.-based multinational companies nor the Internal Revenue Service is in a position to administer and interpret the mind-numbing complexity of many of the foreign provisions. Why not then move toward creating a set of international tax rules that taxpayers can understand and the government can administer? I believe the proposed changes in this bill represent a creditable package and we have a unique opportunity in the 108th Congress to make significant progress in enacting reform in the international tax area. I urge your support of the proposal.

THE AUTISM EPIDEMIC MUST BE A HIGH PRIORITY FOR THE 108TH CONGRESS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. BURTON of Indiana. Mr. Speaker, as we come back to Washington this January and set our priorities for the first session of the 108th Congress, I want to remind my colleagues that we have a looming crisis—a crisis of spirit, of policies, and of economics. This crisis is a looming and immediate economic crisis to the education system, to health care systems, to long-term housing and care for the disabled, to un-addressed research needs, and most especially to an increasing number of families across the country. This crisis is the autism epidemic.

Over the last three years, you have heard me speak many times on this issue—and you will continue to hear me speak on this issue because we have our work cut out for us. You well know that my own grandson was adversely affected by a series of vaccines and became autistic. When I looked at what I thought was a rare condition, I found that my grandson was one among many similarly injured.

Our health agencies have spent much of the last decade in denial about this problem. To date, they have not replicated clinical studies that point to a connection between autism entercolitis and the Measles, Mumps, Rubella (MMR) vaccine. Nor have our health agencies adequately addressed the dangers of thimerosal in pediatric vaccines and the fact that tens of thousands of families feel their children were injured from thimerosal-containing vaccines, leaving their child autistic.

Autism is a condition that has no known cure. Children, whether autistic from birth as a result of vaccine injury, genetic defects, or as a result of some other environmental influence, require lots of special medical and educational attention. The earlier a diagnosis is made and interventions are begun, the better the long-term outlook can be for a child. This is why the programs such as First Steps in Indiana are so important. However, this attention gets to be very expensive. Many of the private schools, specifically designed to educate children with autism have annual tuitions of $60,000 or more. Many of these children, when in public schools, require a full-time one-on-one aide, and numerous other special accommodations including speech and occupational therapies. Mainstream and Special Education Teachers need special autism teacher training. Every child with autism or any disability is entitled under Federal law to a free and appropriate education.

PREVALENCE OF AUTISM

Last week the Centers for Disease Control and Prevention (CDC) published in the Journal of the American Medical Association their Prevalence Study of Autism Rates in metropolitan Atlanta. In this report, they acknowledged that autism prevalence rates published prior to 1985 were 4 to 5 per 10,000 for autism spectrum disorders and 1 to 2 per 10,000 for the more narrow definition of autism. In Atlanta in 1996, the rates in children ages 3 to 10 had skyrocketed to a range of 19 per 10,000 to 47 per 10,000. Two years ago, the

CDC published their 1998 prevalence study of children in Brick Township, New Jersey and found that 40 per 10,000 children were autistic and 67 per 10,000 were diagnosed with autism spectrum disorder.

Let's do the math here. According to our latest Census, there are 72.3 million children under the age of 18 in this country. If we extrapolate the Atlanta numbers nationwide, that would mean that in 1996 we may have had between 137,370 and 339,810 children under the age of 18 with autism in this country. And if we use the newer 1998 Brick Township numbers, nationwide we had 289,200 children with autism and 484,410 children on the autism spectrum.

EDUCATION SYSTEM BURDEN

The Department of Education tells us that it spends on average $12,234 more each year for a child with autism than it does for educating a non-disabled child. ($18,790 average cost of educating a child with autism compared to $6,556 to educate a non-disabled child.) So that would mean our education system needs to find additional resources on the magnitude of 3.5 to 5.9 billion dollars each year to educate children with autism. Since many of the children in our system are not getting the services they really need, the $18,790 is probably much lower than it ought to be. Realistically, schools will likely need about $40,000 per child with autism to provide the full breadth of services needed. So that would mean, the education system needs to budget approximately $16 billion dollars a year more just for children with autism.

Most of this additional tax burden falls on the local and state tax base. We in Congress need to act quickly this session to keep our promise to pay the 40 percent Federal portion to the Individuals with Disabilities Education Act (IDEA) Part B. We haven't even come close to keeping that promise and local school jurisdictions are feeling the strain of carrying this burden. Many children go without services and that is a travesty.

FAMILY ECONOMIC BURDEN

We have learned from families that they often spend between $20,000 and $50,000 each year, much of it not reimbursed to provide care and services for their autistic children. This is a huge burden for any family to carry. There are no magic bullet approaches to treating autism. As yet there is no cure. Half of the children with autism will never speak. Many of these children have severe food sensitivities, especially to casein and gluten, products that are in almost every processed food. Many are highly sensitive to many chemicals—even perfumes. Exposure to these foods or chemicals causes a serious deterioration in behavior. Many have autoimmune disorders; have enzyme deficiencies, and heavy metal toxicities. Some individuals with autism will go through bouts of self-injurious behavior. Some, particularly autistic boys, as they hit their teen years when all teenage boys experience that surge of testosterone, may experience aggressive behavior, requiring medication. While some individuals with autism, those with higher functioning autism or Asperger's Syndrome may be able to go on to college and even live independently, the vast majority of today's children with autism will never have that opportunity unless we can turn this epidemic around. The vast majority of these boys and girls will never have the chance to serve in the armed forces, to become doctors, lawyers, teachers, or astronauts. They will never have the chance that you and I have had to run for political office.

ADULTS WITH AUTISM—LONG-TERM CARE AND DISABILITY HOUSING

We have no good numbers on how many autistic adults there are in this country. Many are institutionalized because their parents can no longer care for them. Obviously, our current infrastructure for long-term care for the disabled is not equipped to manage the more than tenfold increase they will be facing in the next decade.

RESEARCH NEEDS

As I mentioned, there is no cure for autism. The research response to looking at causes, treatments, and possible cures for autism has been vastly inadequate. Out of a twenty-seven billion dollar budget, the National Institutes of Health has focused less than sixty million dollars on autism. A condition they say affects 1 in 250 children in this country and they only invested sixty million dollars to address the epidemic. And unfortunately, most of those sixty million dollars will never translate into treatments for autism or in answering the questions about a possible vaccine injury connection. The CDC, while spending over 930 million dollars on AIDS last year invested only about $11 million dollars on autism. We must treat this like an epidemic and mobilize research and services resources to address the epidemic.

And most disturbing to families of vaccine-injured autistic children is that none of the government agencies have adequately addressed their concerns about thimerosal and the MMR vaccine. Instead of a replication of clinical evidence indicating low-level measles infection lingering in the gastrointestinal tract of children who became autistic after receiving the MMR vaccine, they cited CDC funded population-based epidemiological studies and used these epidemiological studies to say there is no connection between MMR and autism. In fact, epidemiological research cannot disprove clinical research. This is like trying to make lemonade with apples.

And in two difference prevalence studies—in New Jersey and Georgia, the CDC had an opportunity to do a thorough evaluation of a potential link between autism and immunizations and they chose not to. In fact, the families in Brick Township requested this analysis. The CDC evaluated environmental influences and all other possible causes, but they chose not to look at the immunization records and see if there might be a link.

In the CDC's initial evaluation in their Vaccine Safety Datalink (VSD) looking at a possible link between thimerosal-containing vaccines and any health conditions, they found a statistically significant correlation between thimerosal-containing vaccines and attention deficit disorder, neurological developmental disorders, speech and language delays and tics. After these initial findings, the CDC conducted a second evaluation that was in a much smaller population and did not find the same correlations. It is obvious that much more research is needed. We had to fight for more than two years to get the CDC to open up access to the VSD data, and unfortunately we have learned that some independent researchers are still having a hard time accessing this data. The Department needs to make sure that independent researchers can easily access this data to conduct replications of existing studies and to conduct new studies that the Department has not done.

We hear repeatedly in Congressional hearings, in media communications, and through reports that ''there is no evidence that proves a connection between vaccines and autism.'' And of course, if the Department of Health and Human Services never funds or conducts the right studies, the evidence proving a connection will never exist. But the lack of well-designed research asking the right questions does not mean that a connection is not there. What it does mean is that our health agencies have failed the American public.

For ten years, the Institute of Medicine has asked for research to be conducted in this area—to look at the autism-vaccine connection. This independent agency has repeatedly found that there is a paucity of studies evaluating vaccine adverse reactions. They found that there was inadequate science to rule in or rule out a connection between autism and thimerosal, but they also found that is was ''biologically plausible'' for such an injury to occur. We continue to see the Department of Health and Human Service's agencies stalling on doing the right kinds of studies. Vaccines are the only medications that are mandated for American citizens to receive as a condition of school and day care attendance and in some instances, for employment. Therefore, it is even more important that vaccines are as safe as possible, that only those vaccines that are really needed are mandated, and that we accelerate the level of well designed studies that actually answer the questions on vaccine adverse reactions.

NO MORE CONFLICTS OF INTEREST IN RESEARCH AND POLICY

It is important for individuals and institutions that are going to conduct this research not to have financial ties to the manufacturers of vaccines. It is a travesty that the NIH and CDC only seem to fund those institutions that also receive a lot of pharmaceutical funding and do not fund those researchers who have chosen not to accept industry money and who are in the trenches answering the tough questions. Some of those researchers have been before the Committee on Government Reform. They had long histories of receiving NIH funding, but as soon as they started looking at vaccine injury issues, their NIH funding dried up. This is a clear indication to me that out health agencies are more devoted to the vaccine industry than to the vaccine injured. This must change. It is also a travesty that so many of the experts that HHS agencies appoint to sit on advisory committees are individuals who have financial ties to the pharmaceutical industry.

THE VACCINE INJURY COMPENSATION PROGRAM

Late in the 107th Congress, we as a Congress failed this same community, Mr. Speaker, by tacking provisions into the Homeland Security Act which cut off the ability of families to seek legal recourse to the manufacturers of thimerosal, while not including provisions to include those families whose statute of limitation had expired, in the Vaccine Injury Compensation program. We as a Congress have failed this community. This retroactive provision was not about homeland security.

We tripled infants' exposure to thimerosal through their vaccines for the first six months of life in the late 1980's. And yet it was not until 1999 that the FDA realized what they had done. It was more than ten years before they

realized the dramatic increase in infants' exposure to mercury. Many families realized that their child became autistic after receiving vaccines, but they had nowhere to turn. Doctors discounted the possible connection because they were not informed until late 1999 of this thimerosal/mercury exposure in vaccines. Many of these families were not aware that the Vaccine Injury Compensation Program existed until well after their three year statute of limitations had expired. The Department of Health and Human Services acknowledges that their media campaigns on this program were inadequate. In fact it has been the advent of the Internet and online autism and vaccine injury discussion groups that first informed most of these families of this program.

We must work quickly this year to first repeal the provisions of the Homeland Security Act that cut off families' legal options and second to pass legislation that will improve the Vaccine Injury Compensation Program for these families and for all individuals who face an injury from a covered vaccine. There is over 1.3 billion dollars in the trust fund. It is wrong that families have to fight for five, seven, even ten years to be compensated. It was not supposed to be a fight or a long process. The over-zealous government lawyers and program managers have lost sight of what this program is about. The Compensation program was supposed to be compassionate and non-litigious. When it was a close call, the program was supposed to rule in favor of the injured. Instead, the government goes to battle on many of the close cases and challenges the special masters when they lose. Oftentimes, when the Special Master rules in favor of the injured, Justice Department lawyers and HHS program managers call it a ''bad decision by the Special Master.'' They see this as litigation and not compensation and because of that mindset, in many instances; it has become exactly what Congress was trying to avoid—a difficult, litigious, drawn-out process.

Mr. Speaker, in November I wrote the President and asked him to host a White House Conference on Autism to address many of these issues. Today the families of vaccine-injured children are in Washington to protest the loss of their legal options as a result of the Homeland Security Act provisions. I hope that my colleagues will take the time to listen to these families—their constituents—as they come around to their offices this week. Many of my colleagues are already members of the Autism Caucus and will be actively working on autism issues this year. Every member of Congress needs to pay attention to this issue. Autism and vaccine issues are not partisan issues. I am pleased that in the last congressional session we set aside partisanship and focused on the issues. I hope that as we bring legislation through committees and to the floor for votes, that I can count on all of your support to put the families first, to do the right thing, and pass effective, compassionate legislation. I am introducing legislation today to repeal the provisions in the Homeland Security Act and I hope to have all of your cooperation in getting this done quickly. These families deserve justice and the opportunity to seek compensation.

REGARDING THE INTRODUCTION OF LEGISLATION PROVIDING APPROPRIATIONS FOR FISCAL YEAR 2003 FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. REGULA. Mr. Speaker, today I am introducing legislation to provide appropriations for the Departments of Labor, Health and Human Services, Education and Related Agencies for fiscal year 2003.

Mr. Speaker, this is an appropriations bill that truly touches every life in our nation—from funding our children's education, to research on countless diseases to job training funding to improve our nation's workforce and thus our competitiveness in the world economy.

The bill I am introducing today provides $130,902,000,000 for the discretionary programs and activities within the jurisdiction of the Subcommittee on Labor, HHS, Education and Related Agencies. It is the same funding level as the President's budget request and $3.3 billion over the fiscal year 2002 level.

The challenging demands of funding the important programs in this bill have required us to seek a very delicate balance in crafting the legislation. Therefore, I would like to share with my colleagues some of the programs we have focused our attention on in structuring this bill.

HEALTH AND HUMAN SERVICES

First in the area of our nation's health, we are providing $26.6 billion for the National Institutes of Health (NIH), and increase of $3.357 billion over last year. This funding level brings us very close to our final investment in our five year commitment to double the NIH biomedical research budget. Research efforts to date have resulted in great progress in understanding, preventing and treating disease and I am pleased to support these efforts.

The Centers for Disease Control and Prevention (CDC) is our nation's first line of defense in bioterrorism preparedness. The agency is also our nation's leader in promoting health and wellness as well as disease prevention. It is critical that we support the CDC's efforts in these areas, and we therefore provide $4.3 billion for fiscal 2003 to carry out these functions.

The Health Resources and Services Administration programs provide the vital backbone for carrying out health programs across the nation. We provide $1.457 billion for Community Health Centers, the access points for healthcare for our nation's uninsured and underinsured. This is a $115 million increase over last year's level. At this new level, we anticipate that nearly 13 million people will receive these important services.

The Health Professions account in this bill has a long tradition of support by the Members of this House, and I am pleased to report that the bill continues this longstanding tradition. We have included $377.6 million for the numerous health professions accounts. Included in this number is additional funding for nursing education, as our nation is now experiencing a critical nursing shortage.

Two further health programs of importance to many Members in this body include funding for the Ryan White CARE Act, at $1.93 billion and Children's Hospitals Graduate Medical Education at $292 million.

LIHEAP, the program that provides heating and cooling assistance to the poor will receive $1.7 billion in regular formula grant funding, the same level as last year. All of the funding is provided to the states for distribution to families and individuals rather than diverting a portion to emergencies as requested, as $300 million for emergency funding remains available for this purpose.

Other human services programs we focus priority funding on include the Safe and Stable Family program that we fund at $70 million. To support those young people who are no longer of eligible age to receive foster care, we are providing $40 million for Independent Living Vouchers. Finally, for the Compassion Capital Fund we are providing $30 million and for abstinence education we are providing $60 million, bringing the total for discretionary pro-family initiatives to $200 million.

EDUCATION

Turning to education, Mr. Speaker, this appropriations bill provides the funding for implementing our nation's new elementary and secondary education law, the No Child Left Behind Act. Since the enactment of this important law a year ago, much attention has been devoted to the need to fund this law, giving states and local education agencies the necessary resources to comply with the act.

The bill I am introducing today provides the important resources to assist teachers, school administrators, parents and students to achieve the goals of this new law. Funding for the numerous programs included in the No Child Left Behind Act totals $22.3 billion. This figure includes increases in the following areas: $500 million for the Title I program; $100 million for teacher quality, $100 million for the new Reading First program and $87.5 million for Math and Science Partnerships. Also of substantial importance, Special Education is increased by $500 million over last year.

Mr. Speaker, to some in the education arena this funding level may not be sufficient. However, I would like to take the opportunity to remind my colleagues that education is not exclusively about dollars. Historically, we have watched federal funding for Title I and other programs increase while test scores either remained stagnant or have actually declined. Hence, in the No Child Left Behind Act we seek results. Results in student achievement, results in accountability. How can we best accomplish these goals? I believe we can achieve these goals by ensuring that every year, every child has a good teacher in his or her classroom It is for this reason that I continue to dedicate attention and resources to teacher quality in this bill.

Pell Grants continue to receive pressure for funding, as large numbers of people of returned to higher education as a result of our economic downturn. These new students seek additional skills to improve their position in our job market and in our global economy. In the bill we retain the maximum level for the Pell Grant set last year at $4000, providing $11.2 billion to fund the program. At this level nearly 4.5 million students are expected to receive this aid.

Head Start is an important program that serves our nation's poor and is being called

upon to more fully prepare our nation's children for school. We are providing $6.667 billion for this program. At this funding level, we anticipate that program may serve 915,000 children.

LABOR

Keeping in mind our nation's current economic situation, the bill focuses increases within the Department of Labor account on dislocated workers, providing an additional $113 million above fiscal year 2002. With this increase, local workforce development boards will receive a total of $1.4 billion for re-employment assistance to these dislocated workers.

CONCLUSION

Mr. Speaker, the numbers before us represent our best efforts at crafting this bill. It focuses our priorities on protecting our nation against bioterrorism, providing assistance to dislocated workers and investing in our future by funding important education programs. The numbers are subject to change as we proceed to work both here in the House and together with the other body to produce a final bill.

AN ARIZONA PUBLIC POWER UTILITY TURNS 100

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. PASTOR. Mr. Speaker, I call attention today to an Arizona institution that has risen from dusty frontier beginnings to become one of the nation's most successful public power companies. On Feb. 7, 2003, the Salt River River Project, generally known as SRP, will mark the centennial of its incorporation the oldest multi-purpose reclamation project in the nation.

On rivers east and north of Phoenix, SRP maintains a system of six large dams and reservoirs essential to maintaining central Arizona's economy. The company also operates a generation and transmission system that provides electricity to more than 60 percent of businesses, industries and residents of the greater Phoenix metropolitan area.

One could say much of SRP's one hundred-year history—how it began when pioneering settlers mortgaged their farms and lands for a federal loan to build Theodore Roosevelt Dam on the Salt River; how SRP paved the way for expanded water storage projects to quench central Arizona's thirst; how SRP got into the power business; and how it grew from hydropower provider to Arizona's copper mines to the third largest public power utility in the U.S.

While these are noteworthy achievements, SRP deserves further note for the community-minded spirit and it has continued to show since the days when a partnership between small desert farm communities led to the building of Roosevelt Dam.

Many times in recent years the company's employees have been recognized locally and nationally for their spirit of volunteerism and generosity. They have led in fundraising for the United Way and have contributed time to many good causes, including litter clean-ups, school mentoring, environmental teaching, meal service at homeless shelters, Special Olympic programs, summer camps for youths—the list is long.

In short, one could say that the community partnerships that led to SRP's formation a century ago have instilled in the company an ongoing commitment to community service. And, while SRP in virtually every respect must operate by the same competitive standards as private industry, it has not forgotten the meaning of the word ''public'' as a public power and water provider.

Mr. Speaker, I wish SRP a bright future of continuing good service in the year of its centennial.

HONORING ALBERTSONS

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. SIMPSON. Mr. Speaker, it is my honor to recognize and congratulate Albertsons Corporation for receiving the State Chairman Award from the Employer Support for Guard and Reserve.

Who puts their lives on the line for us? Who provides the combat ready forces that will help protect our national security interests? With the support of their employers, members of the National Guard and Reserve are there when we need them.

The National Guard and Reserve provide half of our nation's uniformed military forces. In fact, some military skills are found only in the Reserve components. The Secretary of Defense will call Reserve forces to serve along side their Active duty counterparts anytime the United States is conducting a significant military operation.

Now, more than ever, we as a nation are relying on our Reserve Members. Because they are Reserve and this is not their regular, full-time job, it is essential that employers support them. That's why I am so proud of Albertsons.

Albertsons has gone beyond the letter and the spirit of the law. After September 11th terrorist attacks, Albertsons implemented an enhanced military leave policy. Albertsons now provides wage differentials; continued health care coverage and retirement plan participation. Albertsons even set up a ''hot line'' to support impacted employees and their families. The company is a leader in reinforcing and enhancing its corporate policies in support of National Guard activities.

Because of this voluntary, proactive action that Albertsons took to assist our Reserve, they are receiving the State Chairman Award. This award is presented on behalf of the Assistant Secretary of Defense for Reserve Affairs in recognizing ''outstanding'' contributions in support of Reserve Forces made by individuals, organizations or employers. Each award signifies extraordinary endowments that materially affect the Reserves.

Albertsons deserves this award and I'm proud to acknowledge them for receiving it. Thank you, Albertsons, for supporting your country in such a patriotic manner.

THE SECOND AMENDMENT PROTECTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. PAUL. Mr. Speaker, I rise to restore the right the founding fathers saw as ''the guarantee of every other right'' by introducing the Second Amendment Protection Act. This legislation reverses the steady erosion of the right to keep and bear arms by repealing unconstitutional laws which allow power-hungry federal bureaucrats to restrict the rights of law-abiding gun owners.

Specifically, my legislation repeals the five-day waiting period and the ''instant'' background check, which enable the Federal Government to compile a database of every gun owner in America. My legislation also repeals the misnamed ban on ''semi-automatic'' weapons which bans entire class of firearms for no conceivable reason beside the desire of demagogic politicians to appear ''tough on crime.'' Finally, my bill amends the Gun Control Act of 1968 by deleting the sporting purposes'' test, which allows the Treasury Secretary to infringe on second amendment rights by classifying a firearm (handgun, rifle, shotgun) as a ''destructive device'' simply because the Secretary believes the gun to be ''non-sporting.''

Thomas Jefferson said ''The constitutions of most of our States assert that all power is inherent in the people; . . . that it is their right and duty to be at all times armed.'' Jefferson, and all of the Founders, would be horrified by the proliferation of unconstitutional legislation which prevent law-abiding Americans from exercising their ''right and duty,'' to keep and bear arms. I hope my colleagues will join me in upholding the Founders' vision a free society by cosponsoring the Second Amendment Restoration Act.

A BILL TO REAUTHORIZE THE UNITED STATES PEACE CORPS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. FARR. Mr. Speaker, I ask permission to revise and extend my remarks.

Mr. Speaker, I have the pleasure and the honor today of introducing a bill which will reauthorize the United States Peace Corps. I served in the Peace Corps for two years, from 1964–66, in Colombia and it inspired me to devote my life to public service. With this bill, over 14,000 Americans will be given the chance to have the same inspiration.

This bill is long in the making. We in Congress have been advocating the increase and strengthening of the Peace Corps for a long time. The goal of increasing the Peace Corps to 10,000 volunteers was announced by President Ronald Reagan in 1986. It was echoed by President Clinton in 1992. Finally, President George W. Bush announced in his State of Union address last year, his commitment to double the number of Peace Corps volunteers in five years. Last year, following the President's statement, I introduced a bill, which would help fulfill this vision for the Peace Corps. The same bill was introduced in the Senate, where it was ultimately passed by unanimous consent.

The bill I am introducing today is essentially the same bill that was passed by the Senate:

It doubles the number of volunteers in five years;

It restates the independence of the Peace Corps;

It asks for reports to Congress on new initiatives and security for Peace Corps volunteers;

It makes a commitment to recruit and place Peace Corps volunteers in countries where they could help promote mutual understanding, particularly in areas with substantial Muslim populations;

It develops training programs for Peace Corps volunteers in areas of education and prevention of AIDS;

It streamlines and empowers the Peace Corps Advisory Council and creates a fund to promote the work of returned Peace Corps volunteers in fulfilling the third goal of the Peace Corps—to educate other Americans about their experience overseas.

This is a crucial time to invest in the Peace Corps, a crucial time to invest in improving America's relations with peoples and countries across the globe. I believe that this bill represents an important symbol of the good will of the United States, and reflects our fundamental nature as a concerned and caring nation.

I would like to thank Congressman MARK UDALL, whose mother was a Peace Corps volunteer in Nepal, for helping to author the bill. I would also like to thank my fellow Congressman MIKE HONDA for also being an original cosponsor. I would also like to thank all of the Returned Peace Corps Volunteers who have given invaluable input in creating this bill.

I encourage my colleagues to join us in cosponsoring this important piece of legislation.

TRIBUTE TO MRS. PATRICIA BROOKS CAREY OF HUTCHINSON, KANSAS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. MORAN of Kansas. Mr. Speaker, I rise today to pay tribute to a woman who affected the lives of thousands of people in Kansas and across the country. This month we mourn the death of Mrs. Patricia ''Patty'' Brooks Carey of Hutchinson, Kansas.

As Kansans, we are dutifully aware of our state motto, Ad Astra Per Aspera which translates, ''To the Stars Through Difficulties.'' Patty lived this theme with an unsurpassed passion.

In 1962, with vision and determination, Patty launched a small planetarium in the poultry house on the Kansas State Fairgrounds. From this humble beginning, the planetarium has evolved into a multifaceted space science education museum that today houses one of the world's largest and most significant collections of United States and Soviet space artifacts. Thanks to Patty's devotion, the Kansas Cosmosphere and Space Center stands as a testament to her mission of excellence.

Patty's dedication to her hometown is legendary. Throughout her life, Patty touched the lives of many—especially those of children—taking a lead role in making certain her community was progressive in pursuits of education, culture and other quality of life issues. Her leadership and service on the board of directors for the Cosmosphere, Community Foundation and hospital were always marked with practicality, persuasion and genuineness.

Most important to Patty was her family. Over the course of 61 years she and her husband Howard J. ''Jake'' Carey, grandson of the founder of Carey Salt, raised three sons, Brooks, Christopher and Michael, and devoted endless love and attention to six grandchildren.

Gene Cernan, the last man to walk on the moon and whose Apollo 17 mission is featured at the Cosmosphere, summed up his goodbye to his friend this way: ''Patty was a very small woman in size, but certainly a big woman in stature. She had a dream, and she stuck with it.'' I can think of no finer compliment.

Patty Carey made her community, State and Nation a better place. I join her many friends and admirers in extending my deepest sympathies to Jake and his family during their time of loss.

TRIBUTE TO THE HONORABLE WAYNE OWENS, FORMER MEMBER OF CONGRESS FROM UTAH

SPEECH OF

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. UDALL of New Mexico. Madam Speaker, I thank the gentleman from Utah (Mr. CANNON) for all he has done in organizing these words today on the floor for Wayne Owens. His untimely death was unfortunate and a real loss to this country.

Wayne Owens was a fine public servant. Many will talk and some already have about his tireless efforts for peace in the Middle East, but Wayne had an extensive legislative record here in the House of Representatives. During his term, he helped secure funding for the large-scale Colorado River Storage Project that is the main source of water for Utah and other Western States. He continually fought for wilderness designation to protect vast expanses of Utah's mountains from development.

Wayne was not afraid to take a stand for what he believed in. For example, in 1987 he introduced legislation to reintroduce wolves into Yellowstone National Park to help save the threatened species. He was the only member of the Utah congressional delegation to vote against giving former President Bush the authority to go to war against Iraq in 1991. No matter the issue, Wayne voted his conscience.

The issue that I specifically would like to talk about today is his bringing justice to the Colorado plateau uranium miners.

Wayne saw this as a situation with the Colorado uranium miners that had to have justice be brought to the situation. And what happened is these uranium miners went into mines on the Colorado plateau, worked in very dangerous, dirty air mines. There were high radon levels, as the gentleman from Utah (Mr. CANNON) knows. He has worked on this very issue. The government knew these levels were very high. Government doctors did reports and doctors issued studies, but nobody told the uranium miners that there was really a problem. And so many years they continued to work in these uranium mines, 10 or 15 years in these dirty air mines.

As many of us know, when you contract radon in a uranium mine and it is at high levels what ends up happening is 10 or 15 years down the line you get lung cancer, and that is in fact what happened on the Colorado plateau, an epidemic of lung cancer. Lawsuits were brought on behalf of these uranium miners but many of them were unsuccessful. My father was one of the ones, Stewart Udall, that brought many of the lawsuits and represented the miners. He just told me the other day when we learned of Wayne's death, he said, if it had not been for Wayne at that particular point when the miners lost their lawsuits, when the families were discouraged, when they thought there was going to be no justice, it was Wayne Owens that picked up the fight. And he went out and held hearings and he involved TED KENNEDY and BARNEY FRANK and the Committee on the Judiciary and brought justice to this situation by helping pass a piece of legislation known as the Radiation Exposure Compensation Act. And many families today in Utah and across the Colorado plateau are now in much better shape because of Wayne Owens' efforts on that piece of legislation.

In closing, I want to say that Wayne genuinely loved people and was extremely generous with time and resources. He was a wonderful and caring husband and father. His wife, Marlene, five children and fourteen grandchildren always knew of his unconditional love. He had boundless energy and reached out to everyone he met. He treated everyone with respect. Perhaps there is no greater way to be remembered than that.

It is my privilege to pay tribute to Wayne Owens for his commitment and service. I send my heartfelt condolences to his family, friends, and the State of Utah.

When I reflect upon the lives of men such as Wayne Owens, who dedicated his life to serving others, I am reminded of the principles of public service.

A TRIBUTE TO THE THIRTEEN BEST COMPANIES TO WORK FOR IN THE BAY AREA

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Ms. ESHOO. Mr. Speaker, I rise to honor the 13 companies in the Bay Area which were selected by Fortune magazine as one of the ''100 Best Companies to Work For.''

Xilinx, Adobe Systems, Cisco Systems, Intel, Agilent Technologies, Silicon Graphics, Network Appliance, Autodesk, Intuit, Sun Microsystems, Genentech, Charles Schwab and Electronic Arts have distinguished themselves as employers. How proud I am to represent the District which is either home to several of the honorees or who employ some of my constituents.

Despite adverse market conditions each one of these companies has demonstrated in important ways how much they value their employees. Top executives have taken pay cuts and many have set a high corporate standard of providing employees incentives to work for nonprofit organizations in their communities.

Each company who is part of this 'honor role' has come to the list experiencing a challenging economy and tough workplace issues. Yet they've done it with fairness, with integrity and with respect for their employees.

Mr. Speaker, I ask my colleagues to join me in honoring Xilinx, Adobe Systems, Cisco Systems, Intel, Agilent Technologies, Silicon Graphics, Network Appliance, Autodesk, Intuit, Sun Microsystems, Genentech, Charles Schwab and Electronic Arts for everything they've done to create the best workplaces of the 21st century and as they do, we salute them for what they contribute to the well being of our nation.

IN APPRECIATION FOR SHARING AN EXTRAORDINARY STORY

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. ROSS. Mr. Speaker, I rise today to pay tribute to an individual from my district who has lived an extraordinary life and is now working to share the stories of his incredible experiences during the Second World War.

Growing up on his family's small Missouri farm during the Depression, Fred Randle become well acquainted with hardship and adversity. One of the first members of his family to graduate high school, Fred was looking forward to earning a steady living and beginning a new life with his new bride when the Japanese attacked Pearl Harbor. The young man immediately enlisted in the United States Army, unaware of the unique role he would play in determining the outcome of World War II.

During the Quebec Conference of 1943, President Franklin D. Roosevelt, Prime Minister Winston Churchill of England, and other allied leaders conceived the idea of having an American ground unit spearhead the Chinese Army with a Long Range Penetration Mission behind enemy lines in Burma. Its goal would be the destruction of Japanese communications and supply lines and generally to play havoc with enemy forces while an attempt was made to reopen the Burma Road.

A Presidential call for volunteers for ''A Dangerous and Hazardous Mission'' was issued, and approximately 2,900 American soldiers responded to the call, including Fred Randle. The unit later became popularly known as Merrill's Marauders, named after its leader, Brigadier General Frank Merrill.

Shortly after completing basic training at the age of 21. Randle and the Marauders embarked on their mission. During a rendezvous with other ships in the Mediterranean, about 30 German bombers attacked the convoy without success. Fifteen minutes later, a smaller group of planes arrived and one released a guided missile that struck the side of the HMT Rohna. Witnesses watched the total destruction of the boat with its 1,600 Americans aboard. Fewer than 600 survived.

Fred Randle was among those 600 survivors, and despite the loss of his fellow soldiers, he continued on to ensure the success of the Marauders' mission. I find Randle's wartime experiences truly inspiring, and I salute him for his eagerness to share his story with younger generations so they may understand what it is like to fight for your country, even when faced with unbelievable setbacks. Fred Randle is truly part of America's greatest generation, and his sacrifices and contribution to our country are among the reasons we remain free today.

FIRST BIRTHDAY OF DIEGO VINCENT OLIVAREZ

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today on a point of personal privilege to exercise my rights, responsibilities and pride as a grandmother to note a significant occasion in the life of the Roybal-Allard family—the first birthday of my beloved grandson, Diego Vincent Olivarez.

Diego is my first grandchild and the first great-grandchild of my father, former Rep. Edward Roybal, and I can with great modesty and accuracy report to my colleagues that he is the most beautiful baby in the world.

Diego's first birthday is notable because he was diagnosed at birth with microcephaly, and not expected to live more than a few months. While the birth and first year of a grandchild are always joyful, this year has been a particularly challenging one for his loving parents, Ricardo and Rory Olivarez. To Ricardo and Rory's everlasting credit, they rejected medical advice to institutionalize Diego. At home, they have provided a stimulating and nurturing environment for Diego, helping him to thrive. As a result, Diego's progress has far surpassed the original pessimistic medical opinions.

As I'm sure is true for all grandparents, Diego has brought real joy and meaning to our lives. His medical affliction, while an on-going concern for us, has been a blessing in disguise because it has emphasized, in a way that nothing else probably could, how precious each day is that we are given on this earth.

Diego, although your grandmother is in Washington today serving her constituents, she is thinking about you and wishes you a Happy Birthday.

STOP DISCRIMINATION AGAINST SEVEN STATES ACT OF 2003

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 8, 2003

Mr. COOPER. Mr. Speaker, most Americans take for granted that federal laws apply to every American equally, regardless of what state we live in. Well, you may be surprised to learn that taxpayers in seven states are discriminated against by the Internal Revenue Code, and have been since 1986. This means that the 51 million people who live in the states of Texas, Florida, Tennessee, Washington, New Hampshire, Alaska, and Wyoming are treated differently, and punitively, by the federal government, due to no fault of their own, and for no good reason of public policy. This injustice amounts to many billions of dollars in higher taxes paid by residents of these states every year.

How did this discrimination occur? Prior to 1986, federal tax law allowed taxpayers to deduct from their federal income tax any state taxes that they paid, whether for a state income tax or a state sales tax. This deduction allowed all Americans the ability to reduce their federal tax burden due to the accepted principle that (1) the federal government deferred to the chosen tax system of each state, and (2) to prevent double taxation of taxes paid to state governments.

After 1986, in the tax reform act of that year, only state income taxes were deductible. Taxpayers in states with no income tax were suddenly allowed no deduction on the money they paid to their state governments. The 1986 tax reform legislation was a giant bill with many unintended consequences. There was no sound public policy reason for discriminating against states which have chosen to rely on a sales tax, yet this discrimination has persisted for 16 years.

There are 43 states today which have a state income tax and seven states which have no income tax, but which in most cases use a state sales tax for their primary source of revenue. This means that taxpayers in 43 states get different and better treatment from the Internal Revenue Code than the residents of the other seven states: Texas, Florida, Tennessee, Washington, New Hampshire, Alaska, and Wyoming.

I have introduced a bill today to remedy this situation. My original cosponsors are BART GORDON, JOHN TANNER, and LINCOLN DAVIS. My legislation would allow taxpayers in states which rely on a sales tax to get the same deduction as residents of income tax states—no better and no worse.

To allow the current injustice to continue means that federal law is forcing all states to adopt an income tax. This should never be federal policy. To deny 51 million Americans the benefits of a deduction that every other American enjoys is rank discrimination. And to deny this deduction is to effectively double-tax the hard-earned pay of residents of seven states.

My colleague BRIAN BAIRD has been fighting this battle for years now, as has my predecessor, Bob Clement. There are 79 Members of Congress whose constituents are directly and adversely affected by this discrimination. We owe it to our seven states, and to the 51 million people we represent to restore basic fairness to our tax code.

Daily Digest

HIGHLIGHTS

The House passed S. 23, to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002 and for a transition period for individuals receiving compensation when the program under such Act ends—clearing the measure for the President.

The House passed H.J. Res. 1 and H.J. Res. 2, joint resolutions making further continuing appropriations for fiscal year 2003.

Senate

Chamber Action

The Senate was not in session today. It will next meet on Thursday, January 9, 2003, at 9:30 a.m.

Committee Meetings

See DAILY DIGEST of Thursday, January 9, 2003.

House of Representatives

Chamber Action

Measures Introduced: 100 public bills, H.R. 234–333; 2 private bills, H.R. 334–335; and 11 resolutions, H.J. Res. 12; H. Con. Res. 8–11, and H. Res. 22–27 were introduced. **Pages H134–38**

Additional Cosponsors: **Page H138**

Reports Filed: No Reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker pro tempore for today. **Page H63**

Unemployment Compensation Extension: The House passed S. 23, to provide for a 5-month extension of the Temporary Extended Unemployment Compensation Act of 2002 and for a transition period for individuals receiving compensation when the program under such Act ends, by a yea-and-nay vote of 416 yeas to 4 nays, Roll No. 7—clearing the measure for the President. **Pages H75–92**

Rejected the McDermott motion to commit the bill to the Committee on Ways and Means with instructions to report it back promptly with an amendment in the nature of a substitute to establish the "Emergency Unemployment Compensation Act of 2003" by a yea-and-nay vote of 202 yeas to 224 nays, Roll No. 6. **Pages H88–91**

Earlier the Chair sustained a point of order against another motion offered by Representative McDermott to commit the bill to the Committee on Ways and Means with instructions to report it back forthwith with an amendment in the nature of a substitute to establish the "Emergency Unemployment Compensation Act of 2003." Representative Thomas raised the point of order stating that the proposed motion violated section 302(f) of the Congressional Budget Act of 1974. **Pages H86–88**

Agreed to H. Res. 14, the rule that provided for consideration of the bill by voice vote. Earlier, agreed to order the previous question by a yea-and-nay vote of 224 yeas to 196 nays, Roll No. 5. **Pages H66–74**

Pursuant to Section 2 of the rule, Representative Nussle submitted, for printing in the Record, the allocations referred to in section 3(a)(4)(B)(i) of H. Res. 5, adopting rules for the One Hundred Eighth Congress. **Pages H74–75**

Making Further Continuing Appropriations: The House agreed to H. Res. 15, the rule that provided

for consideration of H.J. Res. 1 and H.J. Res. 2, both making further continuing appropriations for the fiscal year 2003, by voice vote. Earlier agreed to order the previous question by a yea-and-nay vote of 225 yeas to 198 nays, Roll No. 8. **Pages H92–97**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congratulating the Ohio State University Buckeyes Football Team: H. Res. 10, congratulating the Ohio State University football team for winning the 2002 NCAA Division I–A collegiate football national championship (agreed to by a yea-and-nay vote of 404 yeas to 1 nay with 4 voting "present," Roll No. 12); **Pages H101–04, H120–21**

Congratulating the Michigan Grand Valley State University Lakers: H. Res. 13, congratulating the Grand Valley State University Lakers for winning the 2002 NCAA Division II Football National Championship. The Clerk was authorized to make technical changes in the engrossment of the resolution; **Pages H104–05**

Congratulating the Hilltoppers of Western Kentucky University from Bowling Green, Kentucky: H. Res. 17, honoring the Hilltoppers of Western Kentucky University from Bowling Green, Kentucky, for winning the 2002 National Collegiate Athletic Association Division I–AA football championship; **Pages H105–06**

Federal Judiciary Cost of Living Adjustments: H.R. 16, to authorize salary adjustments for Justices and judges of the United States for fiscal year 2003; and **Pages H106–09**

FEMA Flood Insurance Program Reauthorization: H.R. 11, to extend the national flood insurance program. **Pages H97–H101**

Recess: the House recessed at 4:10 p.m. and reconvened at 5:40 p.m. **Page H109**

Recess: the House recessed at 5:50 p.m. and reconvened at 6:50 p.m. **Page H109**

Motion to Adjourn: Rejected the Frank of Massachusetts motion to adjourn by a yea-and-nay vote of 95 yeas to 315 nays, Roll No. 9. **Pages H109–10**

Making Further Continuing Appropriations: The House passed H.J. Res. 1, making further continuing appropriations for the fiscal year 2003 through January 31 by voice vote. **Pages H110–21**

Rejected the Obey motion to recommit the joint resolution to a select committee consisting of Representative Young of Florida and Representative Obey with instructions to report it back to the House forthwith with amendments that require approval of certain provisions by a select committee by a recorded vote of 192 ayes to 220 noes, Roll No. 11. **Pages H118–20**

Agreed to table the Frank of Massachusetts motion to appeal of the ruling of the chair by a yea-and-nay vote of 217 yeas to 192 nays, Roll No. 10. Earlier, the Chair sustained a point of order against another motion offered by Representative Obey to recommit the joint resolution to a select committee consisting of Representative Young of Florida and Representative Obey with instructions to report it back to the House forthwith with amendments that make $776 million available for salaries and expenses for the Securities and Exchange Commission. Representative Gutknecht raised the point of order stating that the proposed motion violated section 302(c) of the Congressional Budget Act of 1974. **Pages H116–18**

Making Further Continuing Appropriations: The House passed H.J. Res. 2, making further continuing appropriations for the fiscal year 2003 through by voice vote. **Pages H121–22**

Extension of Remarks: Representative Wolf asked unanimous consent that for the First Session of the 108th Congress, all members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the Record entitled "Extensions of Remarks." **Page H122**

Committee Elections: The House agreed to H. Res. 22, electing certain minority members to standing committees: Representative Stenholm to the Committee on Agriculture; Representative Obey to the Committee on Appropriations, Representative Skelton to the Committee on Armed Services; Representative Spratt to the Committee on the Budget; Representative George Miller of California to the Committee on Education and the Workforce; Representative Dingell to the Committee on Energy and Commerce; Representative Frank of Massachusetts to the Committee on Financial Services; Representative Waxman to the Committee on Government Reform; Representative Lantos to the Committee on International Relations; Representative Conyers to the Committee on the Judiciary; Representative Rahall to the Committee on Resources; Representative Hall of Texas to the Committee on Science; Representative Velázquez to the Committee on Small Business; Representative Oberstar to the Committee on Transportation and Infrastructure; Representative Evans to the Committee on Veterans' Affairs; and Representative Rangel to the Committee on Ways and Means. The House also agreed to H. Res. 23, electing Representative Berman to the Committee on Standards of Official Conduct. **Page H126**

Committee Elections: The House agreed to H. Res. 24, electing chairmen of certain standing committees

of the House: Representative Goodlatte, Chairman of the Committee on Agriculture; Representative Young of Florida, Chairman of the Committee on Appropriations, Representative Hunter, Chairman of the Committee on Armed Services; Representative Nussle, Chairman of the Committee on the Budget; Representative Boehner, Chairman of the Committee on Education and the Workforce; Representative Tauzin, Chairman of the Committee on Energy and Commerce; Representative Oxley, Chairman of the Committee on Financial Services; Representative Tom Davis of Virginia, Chairman of the Committee on Government Reform; Representative Ney, Committee on House Administration; Representative Hyde, Chairman of the Committee on International Relations; Representative Sensenbrenner, Chairman of the Committee on the Judiciary; Representative Pombo, Chairman of the Committee on Resources; Representative Boehlert, Chairman of the Committee on Science; Representative Manzullo, Chairman of the Committee on Small Business; Representative Hefley, Chairman of the Committee on Standards of Official Conduct; Representative Young of Alaska, Chairman of the Committee on Transportation and Infrastructure; Representative Smith of New Jersey, Chairman of the Committee on Veterans' Affairs; and Representative Thomas, Chairman of the Committee on Ways and Means. **Page H130**

Composition of Permanent Select Committee on Intelligence: Agreed that notwithstanding the requirement of clause 11(a)(1) of Rule X, the Permanent Select Committee on Intelligence be composed of not more than 20 members, delegates, or the resident commissioner, of whom not more than 11 be from the same party. **Page H130**

Appointment of Members to the Permanent Select Committee on Intelligence: The Chair announced the Speaker's appointment of the following members of the House to the Permanent Select Committee on Intelligence: Representative Goss, Chairman; and Representatives Bereuter, Boehlert, Gibbons, LaHood, Cunningham, Hoekstra, Burr, Everett, Harman, Hastings of Florida, Reyes, Boswell, Peterson of Minnesota, Cramer, Eshoo, Holt, and Ruppersberger. **Page H130**

Joint Economic Committee: The Chair announced the Speaker's appointment of Representative Saxton to the Joint Economic Committee. **Page H130**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry or Representative Blunt to act as Speaker pro tempore to sign enrolled bills and joint resolutions through January 27, 2003. **Pages H130–31**

District Work Period: The House agreed to H. Con. Res. 8, providing for an adjournment or recess of the two Houses. **Page H131**

Meeting Hour—Friday, January 10: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, January 10, 2003, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 8, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page H131**

Appointments-Resignations: Agreed that during the first session of the 108th Congress, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. **Page H131**

Quorum Calls—Votes: Seven yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H73–74, H90–91, H91, H97, H109–10, H118, H119–20, and H120. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:55 p.m. Pursuant to the previous order of the House, the House stands adjourned until 2 p.m. on Friday, January 10, 2003, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 8, in which case, the House shall stand adjourned until 2 p.m. on Monday, January 27, 2003.

Committee Meetings

No Committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, JANUARY 9, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine the future of the airline industry, 9:30 a.m., SR–253.

Full Committee, to hold hearings to examine the phase out of single hull tankers, 2:30 p.m., SR–253.

House

No Committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Thursday, January 9

Senate Chamber

Program for Thursday: Senate will be in a period of morning business until 11:30 a.m. Senate may consider any cleared legislative and executive business.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Friday, January 10

House Chamber

Program for Monday: To be announced.

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